



**GENERAL PURPOSES TRIBUNAL  
OF  
FOOTBALL NEW SOUTH WALES**

**NOTICE OF DETERMINATION GPT 16/02 – MARK COTTER**

<b>1. Date of the Tribunal</b>	13 April 2016
<b>2. Tribunal that heard the case</b>	General Purpose Tribunal (GPT)
<b>3. Tribunal reference number</b>	16/02
<b>4. Tribunal Members</b>	Ben Jones (Chair) Courtney McLean Louis Fayd'herbe
<b>5. Venue of Tribunal</b>	FNSW Board Room
<b>6. Time of Tribunal</b>	6.30pm
<b>7. Respondent</b>	Mark Cotter

**Charges**

Football NSW issued a Notice of Charge against the Respondent dated 17 March 2016. The Respondent was charged by Football NSW under sections 8.2 and 15.3 of the Football NSW Grievance and Disciplinary Regulations ('**Regulations**') for alleged breaches of sections 15.3(d), 15.3(e) 15.3(g), 17(a) and sub-sections 17(b)(i), 17(b)(ii) and 17(b)(iii) of the Regulations (together the '**Charges**').

The Respondent pleaded guilty to each of the Charges and accepted the report(s) attached to the Notice of Charge.

**Determination of the GPT**

Pursuant to Section 8 of the Regulations, the GPT accepted the Respondent's guilty plea and determined that the Respondent was guilty of breaching each of the Charges.

**Sanction**

1. The GPT imposes a suspension from all Football Activity on the Respondent with the start date of the suspension being 15 April 2016 (the date of this determination) and an end date of 10 June 2016.
2. The make-up of the suspension is set out below in paragraph 3, with the suspension:
  - a. reflecting a twenty percent (20%) reduction (from the sanctions set out below in paragraph 3) as a result of the Respondent pleading guilty; and
  - b. taking into account multiple suspensions which are to be served concurrently, given the various Charges brought against the Respondent stemmed from one set of actions.

**Football NSW Limited**

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3. The GPT determined to issue the following sanctions in relation to each of the Charges:

Regulations	Sanction
(i) Section 15.3(d)	See paragraph 4 below.
(ii) Section 15.3(e)	A suspension from all Football Activity with a start date of 15 April 2016 (being the date of this determination) and an end date of 13 May 2016.
(iii) Section 15.3(g)	A suspension from all Football Activity with a start date of 15 April 2016 (being the date of this determination) and an end date of 24 June 2016.
(iv) Section 17(a)	A suspension from all Football Activity with a start date of 15 April 2016 (being the date of this determination) and an end date of 24 June 2016.
(v) Section 17(b)(i)	See paragraph 5 below.
(vi) Section 17(b)(ii)	See paragraph 5 below.
(vii) Section 17(b)(iii)	See paragraph 5 below.

4. The GPT noted that the Respondent's breach of section 15.3(d) of Regulations results directly from their breach of sections 15.3(e), 15.3(g) and 17(a) of the Regulations, and as such imposes no sanction in respect to the breach of section 15.3(d).
5. The GPT noted that whilst sub-sections 17(b)(i), (ii) and (iii) of the Regulations can of themselves be breached, they provide examples of circumstances that will give rise to a breach of section 17(a) of the Regulations. The GPT determined not to impose a sanction in respect to the breaches of sub-sections 17(b)(i), (ii) and (iii) of the Regulations as a sanction for that same conduct has been imposed in respect to the breach of section 17(a) of the Regulations.

#### Costs

The GPT determined that the Respondent pay the costs of the GPT processes as determined by FNSW.

**Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with articles 8.6 and 9.2 of the FNSW Grievance and Disciplinary Regulations. Any appeal must be submitted on the Notice of Appeal form (Prescribed Form 13) to [tribunal@footballnsw.com.au](mailto:tribunal@footballnsw.com.au) with the relevant Application Fee (\$750) within 7 working days of this determination of the GPT being sent to the Respondent.**

**Ben Jones  
Vice Chairman  
GENERAL PURPOSES TRIBUNAL**

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