



FOOTBALL  
NSW

## NOTICE OF DETERMINATION

Section 9.2 of the  
FNSW Grievance and Disciplinary Regulations

### Proceeding Details:

<b>Tribunal reference</b>	GPT 18-39
<b>Date of hearing</b>	N/A
<b>Time of hearing</b>	N/A
<b>Venue of hearing</b>	N/A
<b>Tribunal Member(s)</b>	N/A
<b>Respondent Club</b>	Sydney United 58 FC
<b>Fixtures</b>	National Premier Leagues (NPL) 1st Grade Match between Sydney United 58 FC (the <b>Club</b> ) and Sydney FC on 16 June 2018 at Lambert Park.

*This Notice constitutes the Executive's determination of this matter.*

### Charge(s) and Determination(s):

<b>Charge(s)</b>	<b>Determination</b>
1. During the match, Spectators from the Club threw rubber bouncy balls on to the Field of Play in breach of Section 16.4(d), Schedule 3, Table C, Offence Code 23-01 of the Football NSW 2018 Grievance and Disciplinary Regulations ( <b>Regulations</b> ).	1. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> pay a fine to Football NSW of \$1,500 and the loss of three (3) Competition Points (12 Championship Points) (loss of points only to be suspended)
2. Spectators from the Club became involved in a confrontation with members of both NSW Police and E-Group Security in breach of Section 16.4(d), Schedule 3, Table C, Offence Code 30-01 of the Regulations.	2. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> pay a fine to Football NSW of \$1,000
3. The Club allowed Mr Christian Pervan to spectate the match even though he was serving a Time Suspension issued by the General Purposes Tribunal ( <b>GPT</b> ) (reference GPT 15-03) and was	3. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> pay a fine to Football NSW of \$1,000 (suspended)

prohibited from attending any Sydney United Fixtures for the duration of his Time Suspension in breach of Section 16.4(d), Schedule 3, Table C, Offence Code 19-01 of the Regulations.	
4. Spectators from the Club assaulted/struck a security guard in breach of Section 16.4(d), Schedule 3, Table C, Offence Code 15-01 of the Regulations.	4. <u>Plea:</u> Guilty. <u>Finding:</u> Guilty <u>Determination:</u> pay a fine to Football NSW of \$1,000
5. During the match, a Spectator from the Club was smoking a cigarette in breach of clause 9(a) of the Football NSW Terms of Admission Policy.	5. <u>Plea:</u> Guilty. <u>Finding:</u> Guilty <u>Determination:</u> Warning to be issued by Football NSW

**Summary of Sanction:**

The Club has accepted the proposed sanctions set out in the Notice of Charge issued by Football NSW; that is:

- pay a fine to Football NSW of \$1,500 and the loss of three (3) Competition Points (12 Championship Points) (loss of points only to be suspended);
- pay a fine to Football NSW of \$1,000;
- pay a fine to Football NSW of \$1,000 (suspended);
- pay a fine to Football NSW of \$1,000; and
- warning to be issued by Football NSW.

Therefore, the total fine required to be paid to Football NSW by the Club is **\$3,500**.

With respect to the suspended loss of points for the missiles thrown on to the Field of Play (Charge 1), if supporters of the Club are found to have committed a similar offence/s (ie, throwing missiles on to the Field of Play) during the remainder of the 2018 season (including the Championship, if applicable), then, in addition to any sanction imposed in respect of the fresh offence/s, the suspended part of the sanction in respect of Charge 1 will be activated and the Club will incur the loss of three (3) Competition Points (12 Championship Points).

With respect to Charge 3 (Contempt of a Body for failing to exclude Mr Pervan from the Match), Football NSW has suspended the fine in view of the fact the Club provided the name of the alleged offender to Football NSW. The fine is suspended for the duration of Mr Pervan's original Time Suspension, i.e. until 19 March 2020, and for any additional suspension Mr Pervan is required to serve as a result of his fresh offences. If Mr Pervan is found to be in attendance at a Sydney United 58 FC Match during that time, then, in addition to any sanction imposed in

respect of the fresh breach, the suspended fine will be activated and the Club will be required to pay it.

**Costs:**

N/A

The Respondent has accepted the determination in lieu of proceeding to a hearing and, in so doing, has waived any right of appeal.