

NOTICE OF DETERMINATION

Section 9.2 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 18-97
Date of hearing	N/A
Time of hearing	N/A
Venue of hearing	N/A
Tribunal Member(s)	N/A
Respondent	Adam Barbera (FFA No. 59081059)
Fixture	Futsal Premier League (FPL) Open Women's match between Mountain Majik (the Club) and Dural Warriors on 17 November 2018 at The Centre Dural.

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

Charge(s) and Determination(s):

Charge(s)	Determination
1. Adam Barbera (the Respondent) was expelled from the Technical Area for persistently swearing, in breach of section 16.4(d) of the FNSW Grievance and Disciplinary Regulations (Regulations), specifically Schedule 3, Table B, Offence Code 03-01: "Using language and/or gestures in frustration"	<p><u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty</p> <p><u><i>Determination:</i></u></p> <p>One (1) Fixture suspension</p>
<p><i>NB. The Respondent is to serve the suspension as an Official and in accordance with section 15.6 of the Regulations, in particular, sub-sections 15.6(h) and (j) which provide that, on the day of a Fixture, the Respondent must not:</i></p> <ul style="list-style-type: none"> <i>a. enter the field of play (or court), its surrounds, the technical area, players race, dressing rooms or any other place within a stadium, venue, ground or Centre where players and/or officials are likely to assemble to prepare for a match;</i> <i>b. be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials; and</i> <i>c. in the case of coach, must not engage or attempt to engage a third party to relay coaching instructions.</i> 	

- *The Club and Club Officials are responsible for ensuring the Respondent correctly and fully serves any Suspension.*
- *The Club and Club Officials must list in an appropriate place on a team sheet that the Respondent is serving a Suspension at the time the team sheet is completed.*
- *Failure to do so will result in a fine of \$200 per Participant per match and further sanctions.*

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.