

INTERNATIONAL MIXED MARTIAL ARTS FEDERATION DISCIPLINARY REGULATIONS

- The role of the IMMAF Disciplinary Committee is to manage and resolve any asserted violations of the IMMAF discipline regulations, Code of Ethics and misconduct not dealt with under the policy provisions of other IMMAF Committees and Commissions.
- Any complaints, disputes or appeals arising from decisions of the IMMAF Disciplinary Committee will be settled by the IMMAF Arbitration Panel, which is a separate body independent of the Disciplinary Committee.
- This Policy should be read in conjunction with the IMMAF statutes, with particular reference to Articles 7-8; Conditions for application of membership, application procedures and conditions.
- Applications are made on a form prescribed by IMMAF, together with the applicant's adopted statutes which shall include provisions committing the applicant to implementing IMMAF's policies including but not limited to anti-doping, non-discrimination, anti-corruption and illegal betting (Article 8, 3, a).

1. General Provisions

1.1 Throughout these regulations, the International Mixed Martial Arts Federation will be referred to as "IMMAF"

Jurisdiction and Overriding Objective

1.1.1 The IMMAF Discipline Regulations apply to all disciplinary matters arising under the IMMAF Rules and IMMAF Regulations, other than those captured by the remit of the Anti-

Doping Commission. Certain other matters with separate policy provisions may also be out of scope, such as corruption, conflict of interest and matters that would tend towards the primacy of local law enforcement (not exhaustive). Decisions will be made on a case by case basis by the Disciplinary Committee under the authority of the Executive board and in collaboration with any other relevant Committee or Commission.

1.2 Separate regulations may be issued for any match/competition/tournament where there is any variation of the following disciplinary procedures.

1.3 Disciplinary matters arising in relation to MMA for young persons shall be dealt with in accordance with the procedures set out in the IMMAF Junior Policy, with reference to the Disciplinary Committee Triage Process.

1.3.1 Young persons are defined for the purposes of these Regulations as persons under the age of 18 years at the date of the alleged misconduct. In the event that an adjudication occurs after the young person's 18th birthday, the sanctions relevant to young persons will continue to apply to the individual.

1.4 All individuals and participants under the jurisdiction of the IMMAF are required to cooperate with an IMMAF (or Constituent Body) disciplinary investigation and/or disciplinary proceedings.

1.4.1 All Federations affiliated to IMMAF are further required to appoint an internal disciplinary panel responsible for investigating and, subject to Regulations 1.5.2 to 1.5.4, taking appropriate action in relation to disciplinary matters and the conduct of its members, officials, participants and employees, and for generally maintaining discipline within that Federation . Nothing in the IMMAF Discipline Regulations prevents the IMMAF from bringing disciplinary proceedings against IMMAF signatories or their members, for the actions of its competitors, officials, members, employees and/or its spectators including in relation to any alleged Misconduct.

1.5 The overriding objective of the IMMAF Discipline Regulations is to maintain and promote fair play, protect the health and welfare of participants in MMA (and others involved in the sport), ensure that acts of Foul Play and Misconduct (in and out the arena or mats) are dealt with expeditiously and fairly by independent means within the sport and that the image and reputation of the sport is not adversely affected. Furthermore, to achieve consistency in the way in which discipline is administered and promote uniformity in terms of adjudications and sanctions.

1.6 Disciplinary hearings shall be conducted in a fair and just manner and in accordance with the fundamental principles of natural justice, whilst recognising that neither a Disciplinary Panel nor an Appeal Panel is a court of law and as such panelists or those appearing before panels may not be legally qualified. Therefore, in the interests of achieving a just and fair result, procedural and technical considerations shall take second place to the overriding objective of being just and fair to the parties thus being consistent with a duty to the sport.

1.7 Proceedings, findings or decisions of a Disciplinary Panel or Appeal Panel shall not be invalidated by reason of any defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the proceedings, findings or decisions.

1.8 In the event that a particular incident takes place for which there is no provision in the IMMAF Discipline Regulations including (but not limited to) procedure, jurisdiction or sanction, then the Disciplinary Panel or Arbitration Panel may take such action that it considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

IMMAF Discipline

1.9 In accordance with these Regulations, the IMMAF shall have the power to investigate, conduct disciplinary hearings and impose sanctions upon any:

- (a) Member;
- (b) IMMAF Body, Federation and/or Federation ;
- (c) participant, official, member or employee of a Member or an affiliated MMA Body; or
- (d) other person or body that submits to IMMAF's jurisdiction to discipline them (for the avoidance of doubt this includes Federation s and participants from another Mixed Martial Arts Federation participating in any jurisdiction in relation to both in the arena or on the mats, and also off MMA premises matters, where there is an agreement which specifies that disciplinary matters shall be dealt with by the IMMAF);

for any infringement of the IMMAF Rules and/or Regulations, the IMMAF Regulations, the Rules of competition, and/or for any conduct which is prejudicial to the interests of the reputation of Mixed Martial Arts or the sport or which amounts to cheating, irrespective of where the conduct is alleged to have occurred.

Constituent Body Discipline

1.1.10 Subject to Regulations 1.1.13 – 1.1.15 a Constituent Body shall act in relation to all Federation s in its membership and all individuals who are members of those Federation s in relation to:

- (a) any infringement of any Rule(s) or Regulation(s) of the sport;
- (b) any conduct which is, in the opinion of the Constituent Body, prejudicial to the interests of Mixed Martial Arts or the sport or which amounts to cheating, contrary to Rule 5.12; or
- (c) any infringement of any of the IMMAF Regulations relating to the sport.

1.1.11 A Constituent Body may exercise its powers as delegated when all individuals and Federation s involved in a specific incident during or after an event or training session are under its jurisdiction. In cases involving members from more than one Constituent Body the power shall be delegated to a joint committee of the Constituent Bodies of the individual Federation s involved to deal with or as otherwise directed by the IMMAF Disciplinary Committee.

1.1.12 No Constituent Body, or other IMMAF Constituent Body, has the power or right to further delegate any of these powers.

1.1.13 A Constituent Body may, where necessary and appropriate, and with the consent of the IMMAF Disciplinary Committee surrender back to the IMMAF its delegated powers generally or in specific cases.

1.1.14 The IMMAF excludes from the delegation to Constituent Bodies the jurisdiction and authority to act in respect of the following, unless otherwise directed in writing by the IMMAF Disciplinary Committee: this next paragraph will have to be considered in relation to the specific competition rules.

- (a) breaches of IMMAF Anti–Corruption and Betting, Medical and Anti-Doping
- (b) all cases under investigation by the Police;
- (c) safeguarding cases
- (d) any other matter deems sufficiently serious, at the discretion of the IMMAF Disciplinary Committee

19.1.15 The IMMAF Disciplinary Committee has the power to direct that the Constituent Body, Federation, or other signatory, shall deal with the matter.

The IMMAF Chief Disciplinary Adjudicator

1.16 An IMMAF Chief Disciplinary Adjudicator (“CDA”) shall be appointed to provide an independent process of adjudication in IMMAF disciplinary matters. The CDA shall determine the criteria for appointment and the terms and conditions of the independent members of the Disciplinary Panel. Those members shall be referred to and appointed as Disciplinary Adjudicators (“DA”).

1.17 The CDA is authorised to issue practice directions and definitive guidance on type and level of sanction(s).

Miscellaneous Provisions

1.18 Where in these Regulations any notice or correspondence is required to be sent to the IMMAF then it shall be sent to the CEO.

1.19 Where a disciplinary hearing or an appeal is being dealt with by a single DA, that person shall carry out the role of Chairman of the Disciplinary Panel or Appeal Panel.

1.20 A Constituent Body Disciplinary Panel, a Disciplinary Panel and an Appeal Panel has the power to deal with any matter on the papers and shall, if required, direct that a video link or a telephone conference shall be utilised.

1.21 Where the IMMAF receives a complaint or information regarding the conduct of a participant, officials, members, or employees and the IMMAF Disciplinary Committee determines that the individuals in question would benefit from training in relation to the IMMAF’s core values and expected standards of behaviour, then IMMAF Disciplinary Committee may, irrespective of whether disciplinary action is taken by the IMMAF or not, direct that to occur.

1.2 Composition of Disciplinary Panels and Appeal Panels

Constituent Body Disciplinary Panel

1.2.1 A Constituent Body Disciplinary Panel shall be chaired by a person who has been accredited to sit by the IMMAF.

1.2.2 A Constituent Body Disciplinary Panel shall consist of no more than three members, and exceptionally the hearing may proceed with a panel of two if directed by the Chairman. A Constituent Body Disciplinary Secretary shall also be appointed, who is not a member of the Disciplinary Panel and shall not take part in the deliberations of the panel.

1.2.3 No person with an interest in the proceedings shall be permitted to sit on a Constituent Body Disciplinary Panel. To maintain independence, members of the Discipline Committee will not usually form part of a Disciplinary Panel and will do so only with agreement of the Executive Committee, having given due consideration to the circumstances.

IMMAF Disciplinary Panel

1.2.4 The CDA shall appoint a Disciplinary Panel. No person with an interest in the proceedings shall be permitted to sit on a Disciplinary Panel.

1.2.5 A Disciplinary Panel, unless comprised of a single DA, shall where practicable consist of three persons, including a legally qualified Chairman, but may proceed with a panel of two if directed by the Chairman.

1.3 Bad Disciplinary Record and Recognition of Sanctions

Bad disciplinary record

1.3.1 Where participants or member(s) of a federation appear before a Disciplinary Panel on 3 or more separate occasions in any 12 month period, that Federation may be charged by the IMMAF Disciplinary Committee and summoned to attend before a Disciplinary Panel on the basis that it has a bad disciplinary record. When dealing with a Federation under this provision, the Disciplinary Panel has the power to impose sanctions as set out in Appendix 1.

Recognition of Sanctions

1.3.2 The IMMAF may recognise the sanctions, suspensions (including an interim suspension), bars or equivalent of any other MMA Federation and/or sporting body. Any person suspended, banned, barred or equivalent by any other MMA Federation and/or sporting body may be

concurrently suspended, banned, barred or equivalent by the IMMAF Disciplinary Committee from participating in training or any other involvement in the sport. Any person aggrieved by a decision of the IMMAF Disciplinary Committee may appeal to a Disciplinary Panel within 14 days beginning with the date on which the written decision was sent.

1.4 Interim Suspension Orders and Criminal Convictions/Cautions

Interim Suspension Orders

1.4.1 The IMMAF Disciplinary Committee shall have the power to issue an interim suspension order (ISO) against any person against whom an allegation of breach of the IMMAF Regulations, IMMAF Competition Rules, or Misconduct has been made and is being investigated or, without prejudice to the power under any IMMAF Rule or IMMAF Discipline Regulation 1.4.4, against someone who is under police investigation or has been charged with or cautioned or convicted of a criminal offence. The ISO shall be in writing and signed by the IMMAF Disciplinary Committee. The ISO shall be issued without a hearing and may order that the person shall not participate in any specified activity, attend any specified location or communicate with any specified person(s) within the sport.

1.4.2 Following the imposition of the ISO, the person suspended shall have the right of appeal within 14 days beginning with the date on which the written decision was sent, to an Appeal Panel to be convened as soon as is reasonably practicable. The procedure for the hearing shall be determined by the Chairman of the Appeal Panel. The suspended person may appeal on the grounds that the decision by the IMMAF Disciplinary Committee to impose an ISO was irrational, illegal or procedurally improper in all of the circumstances.

1.4.3 The ISO shall automatically cease:

- (a) When the matter has been dealt with at a disciplinary hearing;
- (b) When the allegation is withdrawn, and no further disciplinary action is taken; or
- (c) After 120 days from its issue, unless the IMMAF Disciplinary Committee determines that it is in the interests of the IMMAF or the sport that it should be extended for a further period or periods of not more than 120 days.

Criminal Convictions/Cautions

1.4.4 Where an individual has been cautioned or convicted of a criminal offence which directly or indirectly relates to, or arises out of, the playing, administration or image of the sport, the CDA or a delegate nominated by them shall have the power to sanction the individual and have the discretion to determine whether or not to hold a hearing. A person so sanctioned shall have the right of appeal within 14 days, beginning with the date on which the written decision was sent, to an Appeal Panel which shall be convened as soon as reasonably practicable. The procedure for the hearing shall be determined by the Chairman of the Appeal Panel. For serious criminal matters (related or otherwise to the sport of MMA), the IMMAF executive committee shall have the power to sanction to individual without a hearing.

1.5 Referees, Provisional Suspension, Standard of Proof and Rules of Evidence etc.

Referees

1.5.1 The integrity of the Laws of the sport and the Referee's position as sole judge of fact and law during a competition is unassailable. The Referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a Disciplinary Panel save in the instance of compelling visually recorded evidence to indicate a breach of regulations that was missed by the referee. Breaches of competition will generally be delegated to a Constituent Body. The IMMAF Disciplinary Committee will consider gross or premeditated violations of the rules for escalation, on recommendation of the referee's professional judgement.

Provisional Suspension

1.5.2 A member subject to investigation becomes provisionally suspended and may not take part in training or be take part in any tournament or competition until their case has been dealt with by an IMMAF Disciplinary Panel or Constituent Body Disciplinary Panel without the prior written permission of the IMMAF Disciplinary Committee.

1.5.3 - A suspended Athlete who elects to appeal may not take part in training nor participate in any competition until their case has been dealt with by an Appeal Panel and the Appeal Panel has directed that they may participate again, unless their suspension has already expired.

1.5.5 Where the IMMAF Disciplinary Committee appeals, a participant or member may take part in training and/or competition pending the hearing of the appeal if the period of suspension has expired or if no suspension was imposed by the original Disciplinary Panel.

Standard of Proof

1.5.6 The standard of proof in all disciplinary cases (including before Appeal Panels) is on the balance of probabilities. For the avoidance of doubt there is no sliding scale.

Attendance at Hearings and Representation

1.5.7 The IMMAF Disciplinary Committee or the Constituent Body Disciplinary Secretary may appoint a person to assist with the presentation of any case or appeal where they take the view that it is in the interests of the IMMAF or the sport for this to occur.

1.5.8 A participant, member, or Federation whose conduct is the subject of inquiry is entitled to be represented or assisted by a person(s) of their choice (any costs incurred shall be borne by them and are not recoverable) and is entitled to be present throughout the proceedings except during the deliberations of the Disciplinary Panel or Appeal Panel.

1.5.9 Subject to paragraph 1.5.7, any complaint made by any party shall be presented by the IMMAF Disciplinary Committee who may be represented or assisted by a person(s) of its choice and will be required to bear its own costs.

Rules of Evidence

1.5.10 Disciplinary Panels shall not be obliged to follow strict rules of evidence. They may, save in relation to documents where privilege applies, admit such evidence as they think fit and accord such evidence such weight as they think appropriate in all the circumstances. Where the subject matter of a complaint or matter before a Disciplinary Panel or Appeal Panel has been the subject of previous civil or criminal proceedings, the result of such proceedings and the facts and matters upon which such result is based shall be presumed to be correct and the facts presumed to be true unless it is shown by clear and convincing evidence that this is not the case.

Time Limits

1.5.11 In general, a failure to observe the time limits specified in these Regulations shall not nullify any proceedings, but such failure may be a cause for a hearing to be adjourned.

1.5.12 However in the following cases compliance with the specified time limit is mandatory, and failure to comply will render any proceedings, application or appeal void:

- (a) a charge must be made within the time limit specified in these Regulations;
- (b) an appeal must be made within the time limit specified in these Regulations.

Audio Recordings

1.5.13 The Chairman of a Disciplinary Panel or Appeal Panel and the IMMAF Disciplinary Committee shall have the power to direct that any hearing shall be audio recorded.

1.6 Referral to the Disciplinary Panel

Disqualification in Competitions

1.6.1 Where the Referee has disqualified a participant, they shall as soon as practicable, and in any event within 48 hours from the conclusion of the competition provide a completed copy of their report of the incident leading to disqualification:

- (a) the Disciplinary Secretary of the Constituent Body to which the Athlete's Federation is affiliated or allocated, and to the IMMAF Disciplinary Committee; and
- (b) in all cases Federation secretaries must report to their Constituent Bodies and the IMMAF Disciplinary Committee within 48 hours after the competition all relevant details relating to any disciplinary matters and/or alleged breaches of any Regulations arising out of or in relation to the competition.

Misconduct

1.6.5 The IMMAF Disciplinary Committee shall have the power to investigate and institute disciplinary proceedings against any:

- (a) Member;
- (b) IMMAF Body;
- (c) any participant, official, member or employee of a Member or a MMA Body or person retained under a contract for services by a Member or a MMA Body; or

(e) any other person or body that submits to IMMAF's jurisdiction to discipline them; for any alleged Misconduct and an IMMAF Disciplinary Panel may terminate or suspend membership of the IMMAF or impose any other appropriate punishment for any such offence, as per Regulation 1.11.7.

Referee Abuse

1.6.6 A Referee reporting abuse shall comply with the requirements set out in Regulations 1.6.1 – 1.6.3, save that where the participant has not been disqualified in relation to the alleged abuse a referee's report shall be completed and submitted to the IMMAF Disciplinary Committee within 7 days.

1.6.7 The referee shall set out in the report full details of the alleged physical and/or verbal abuse, including, in the case of verbal abuse, his/her recollection of the actual abusive words spoken. The referee should also list on the form any witnesses to the abuse.

1.7 Notice of Hearing

1.7.1 A Notice of Hearing shall be sent to the person, member, participant or Federation charged or cited and, where appropriate, to the relevant Referee.

1.7.2 The Notice of Hearing shall include the following:

- (a) details of the specific charge or, where appropriate, a copy of the citing or complaint being investigated; and
- (b) in applicable cases, the Referee's report.

1.7.3 Where an Athlete has been disqualified, cited or reported for abuse of a referee, the Notice of Hearing shall be provided as soon as reasonably practicable.

1.8 Case Management

Person, member, participant or Federation response to Notice of Hearing - disqualification cases

1.8.1 The Person, member, participant or Federation shall within such period as set out in the Notice of Hearing confirm in writing:

- (a) whether they admits the offence(s) specified in the Disciplinary Committee report and if they wish to plead guilty to the allegation and, if so, whether they wish the case to be dealt with on

the papers in their absence (provided that the Notice of Hearing has not indicated that they must attend a hearing); or

(b) whether they dispute the allegations and, if so, whether they wish the referee to be available to give evidence to the disciplinary hearing. A failure by the Person, member, participant or Federation to give such notification may prevent the Person, member, participant or Federation from being permitted to challenge the evidence of the referee at the disciplinary hearing.

1.8.2 Except in cases where the Notice of Hearing has required their attendance, if a Person, member, participant or Federation admits the offence and requests that the case be dealt with in their absence they may provide a written statement of mitigation including representations as to the appropriate entry point for the relevant sanction to these Regulations. In determining the appropriate sanction, the Disciplinary Panel shall take into account the fact that the Person, member, participant or Federation pleaded guilty as a significant mitigating factor.

Response to Notice of Hearing: Misconduct Cases

1.8.3 A Person, member, participant or Federation or other body that has been cited or charged with Misconduct shall within such period as set out in the Notice of Hearing confirm in writing:

(a) whether they admits the offence specified in the Notice of Hearing and wishes to plead guilty;

or

(b) whether they dispute the allegations.

Directions

1.8.4 A Disciplinary Panel or Appeal Panel may give any directions necessary for the proper conduct of proceedings including, but not limited to:

(a) ordering a preliminary hearing;

(b) requiring that parties make written submissions or submit skeleton arguments in advance of the hearing;

(c) except in relation to Regulation 1.5.12, extending or abridging time limits;

(d) requiring disclosure of relevant documents in possession of the parties save in relation to documents where privilege applies;

(e) setting time limits for the exchange of evidence;

(f) granting an adjournment; and/or

(g) establishing the date, time and place of any hearings - including by ordering virtual hearings over any appropriately secure platform.

1.8.5 A Disciplinary Panel or Appeal Panel may, on application or otherwise, amend any reference to any IMMAF Regulations or any particulars of offence contained in any report or charge before or during a hearing, but not after the panel deliberations have commenced, provided it is satisfied, if necessary after hearing submissions, that to do so is not prejudicial.

Attendance of Witnesses

1.8.6 It shall be the duty of the IMMAF Disciplinary Committee:

(a) to notify the referee of the date, time and place of the hearing and if their attendance is required;

(b) in a case of a citing, Misconduct or complaint, to notify any Person, member, participant or Federation or Affiliated Organisation making the complaint of the date, time and place of the hearing and provide a copy of the Notice of Hearing and any representations made by the Person, member, participant or Federation against whom the citing or complaint is made.

1.8.7 It shall be the duty of any Person, member, participant or Federation, or Affiliated Organisation involved in disciplinary proceedings to notify and secure the attendance of any witnesses they may wish to call.

1.9 Procedure at the Hearing

Failure to Attend and Parallel Criminal/Civil Proceedings

1.9.1 Where a Person, member, participant or Federation to whom a Notice of Hearing has been sent, fails to attend a hearing, the Disciplinary Panel or Appeal Panel has an inherent discretion to adjourn the hearing but, where the Disciplinary Panel or Appeal Panel is satisfied that there are no reasonable grounds for the failure to attend, the Disciplinary Panel or Appeal Panel may proceed to hear the case against the person, Athlete or Federation and make any reasonable findings in their absence.

1.9.2 In the event that the Disciplinary Panel or Appeal Panel adjourns a hearing following a Person, member, participant or Federation failing to attend a hearing, it shall have the power to suspend the Person, member, participant or Federation from any training or specified activity within the sport until such time as they appear.

1.9.3 Where there is evidence to suggest that the Person, member, participant or Federation appearing before a Disciplinary Panel is, or is likely to be, subject to civil or criminal proceedings arising from the circumstances which are the subject of the case, the Disciplinary Panel shall

decide whether it is in the interests of the sport to proceed. If it adjourns the matter until the conclusion of the civil or criminal proceedings, it may impose an interim suspension order on the Person, member, participant or Federation against whom the allegations are made. Before so doing, the Disciplinary Panel shall give the Person, member, participant or Federation the opportunity to make representations. There is no right of appeal from a decision of the panel to impose an interim suspension order in such circumstances.

Conduct of the Hearing

Venue

1.9.4 - All hearings ought to be conducted “virtually” over an appropriately secure remote platform. Whether any hearing ought to be heard “in person” is at the absolute discretion of the Chairman of the Disciplinary Panel or Appeal Panel who shall have regard to any written submissions made on behalf of the parties submitted 14 days prior to venue being decided.

1.4.1 The procedure for the hearing shall be determined by the Chairman of the Disciplinary Panel or Appeal Panel who shall have regard to, but shall be entitled to depart from, the guidance set out in this document.

1.9.5 All parties shall be given a proper opportunity to state their case and to challenge or respond to any evidence given.

1.9.6 Where disciplinary cases against more than one Person, member, participant or Federation arise out of the same incident and/or set of facts, the Chairman of the Disciplinary Panel or Appeal Panel has the discretion to hear the cases together if considered appropriate to do so.

1.10 Evidence

Referees

1.10.1 The provisions of this Regulation shall apply equally to all referees and competition officials of all types.

1.10.2 Referees and competition officials are eye-witnesses of what has occurred and their evidence shall be treated as such.

1.10.3 If a Person, member, participant or Federation appearing before a Disciplinary Panel wishes to challenge any aspect of a Referee's report, they must request the referee's attendance at the hearing, in the case of in person or virtual hearings, this can be via telephone conference or video link. Once the referee's attendance has been requested, the Person, member, participant or Federation may challenge the report irrespective of whether the referee is able to attend the hearing or give evidence via telephone conference or video link.

Other Eye-Witnesses

1.10.4 when In Person hearings have been ordered, Witnesses shall attend the hearing in person to give oral evidence. If this is not reasonably practicable, then witnesses can seek permission from the panel Chairman in order to give evidence via telephone conference or video link.

1.10.5 Written evidence from witnesses not called may be admissible in the following ways: If the written evidence is unchallenged then it will be classed as agreed evidence but if that written evidence is challenged, it may, subject to submissions, be taken into consideration but will carry less weight than oral evidence.

1.10.6 Hearsay evidence can be admitted but will be treated with caution as its reliability cannot be tested by cross-examination.

1.10.7 Any Person, member, participant or Federation who is alleged to have provided false or misleading information to a Disciplinary Panel or Appeal Panel shall be liable to disciplinary action.

Video Footage

1.10.8 Where the alleged the conduct of a Person, member, participant or Federation is subject of a Misconduct complaint, and footage has been taken of the incident in question, any Person, member, participant or Federation which took the footage shall forward a copy of it as soon as possible to either the IMMAF Disciplinary Committee or the Constituent Body Disciplinary Secretary with jurisdiction of the case.

1.10.9 Where there is relevant footage of an incident, and the IMMAF Disciplinary Committee has advised a person, Athlete or Federation appearing before the Disciplinary Panel, Appeal Panel that it does not have the required equipment for the screening of the footage, it is the responsibility of that Person, member, participant or Federation to provide and install the required equipment so that the footage can be played.

1.10.10 where footage is in the possession or control of the Person, member, participant or Federation appearing before the hearing and, without reasonable excuse, the footage is not produced to the Disciplinary Panel or Appeal Panel, the panel shall be entitled to infer that it is unfavourable to the Person, member, participant or Federation.

1.10.11 A Disciplinary Panel or Appeal Panel shall be entitled to consider video footage of the alleged incident from any source. Such footage shall always be disclosed to the Person, member, participant or Federation appearing before the hearing unless there are safeguarding or public interest immunity reasons for not so disclosing.

1.10.12 Where the authenticity of visual evidence is challenged, it is for whoever produces that footage or other visual evidence to satisfy the Disciplinary Panel or Appeal Panel on the balance of probability that the footage of the incident being investigated has not been edited or altered in any way.

1.11 Finding, Sanction and Costs

Finding and Sanction

1.11.1 In the case of a disqualification, the function of the Disciplinary Panel is to consider the circumstances of the case and determine its factual findings and what further sanction, if any, should be imposed on the Person, member, participant or Federation. The person or Federation disqualified may seek to show that the Referee's decision was wrong (i.e. because of mistake and/or where no act of Foul Play occurred) and the Disciplinary Panel may, subject to Regulation 1.5.1, review the Referee's decision and the circumstances surrounding it. In any such case, the Disciplinary Panel shall not make a finding contrary to the Referee's decision unless it is satisfied, on the balance of probabilities, that the Referee's decision was wrong. In such a case, the Disciplinary Panel shall direct that disqualification be removed from the person or Federation's record.

1.11.2 Where an alleged offence is not admitted, and all of the evidence has been heard, the Disciplinary Panel shall consider its decision in private and shall determine whether the alleged offence has been proven.

1.11.3 A decision of the Disciplinary Panel shall (save for when the case is heard by a single DA) be determined by a majority. Each member of the panel shall have one vote. In the event of a deadlock the Chairman shall have the casting vote.

1.11.4 If the offence has not been proven, the Chairman shall so state and the finding shall, subject to Regulation 1.10.7 and an appeal brought under these Regulations, be a bar to further disciplinary proceedings arising from the issues then before the panel.

1.11.5 Where the offence is admitted or proven, the Disciplinary Panel or single DA shall proceed to hear submissions regarding sanction and:

- (a) the Person, member, participant or Federation facing the allegations may call evidence as to character and address the Disciplinary Panel in mitigation;
 - (b) the IMMAF Disciplinary Committee may make representations as to any aggravating factors;
- and
- (c) the previous disciplinary record of the Person, member, participant or Federation should be provided.

No other person may address the Disciplinary Panel as of right, but the Disciplinary Panel has the inherent discretion to seek such further information as required from any party.

1.11.6 Where the alleged offence is admitted or proven the Disciplinary Panel shall have power to impose the sanctions set out in Appendix 1 to these Regulations.

1.11.7 "Appropriate punishment" referred to in Rule 5.12 and Regulation 1.6.5 shall include, but shall not be limited to:

- (a) for a person, a reprimand, a financial penalty or suspension from training, competing, coaching and/or administration.
- (b) for a Federation, reprimand, a financial penalty or suspension from training, competing, coaching and/or administration, or expulsion from IMMAF.

1.11.8 A Disciplinary Panel shall undertake an assessment of the seriousness of the conduct which constitutes the offending and shall categorise the offence as being at the lower end, mid-range or top end of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) by reference to the following features:

- (a) whether the offending was intentional or deliberate;
- (b) whether the offending was reckless;
- (c) the gravity of the actions in relation to the offending; (gravity matrix or discretion?)
- (d) the nature of actions, manner in which the offence was committed including where relevant, part of body used (for example, fist, elbow, knee or foot);
- (e) the existence of provocation;
- (f) whether the Person, member, participant or Federation acted in retaliation and the timing of such;
- (g) whether the Person, member, participant or Federation initially acted in self-defence but thereafter went too far;
- (h) the effect of the Person, member, participant or Federation actions on the victim (a Victim Personal Statement should be obtained in such cases);
- (i) the effect of the Person, member, participant or Federation actions on the competition;
- (j) the vulnerability of the victim including part of the victim's body involved/affected, position of the victim, and the ability to defend themselves;
- (k) the level of participation in the offending and the level of premeditation;
- (l) whether the conduct of the offender was completed or amounted to an attempt; and
- (m) any other features of the conduct in relation to or connected with the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the Disciplinary Panel shall categorise the offending as being at the lower end, mid-range or top end of the scale of seriousness of offending and identify the applicable entry point as set out in Appendix 1.

1.11.9 For offences categorised at the top end of the scale of seriousness of offending, the Disciplinary Panel shall identify an entry point between the period shown as the top end for the particular offence and the maximum sanction in Appendix 1.

1.11.10 Having identified the applicable entry point for consideration of a particular incident, the Disciplinary Panel shall identify any relevant aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating features include:

- (a) the Person, member, participant or Federation's status as an offender of the laws of the game;
- (b) the need for general deterrent and/or to combat a pattern of offending; and
- (c) any other aggravating factor that the Disciplinary Panel considers relevant and appropriate.

1.11.11 Thereafter, a Disciplinary Panel shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension and subject to Regulations 1.11.12 and 1.11.13 the extent, if at all, by which the period of suspension should be reduced. Mitigating factors include the following:

- (a) the presence and timing of an acknowledgment of culpability/guilt by the offender;
- (b) the offender's disciplinary record and/or good character;
- (c) the youth and inexperience of the offender;
- (d) the offender's conduct prior to and at the hearing;
- (e) the offender having demonstrated remorse for their conduct including the timing of such remorse; and
- (f) any other mitigating factor(s) that the Disciplinary Panel considers relevant and appropriate.

1.11.12 The Disciplinary Panel cannot apply a greater reduction than 33% of the relevant entry point for a guilty plea - at whatever stage of the proceedings. The later the guilty plea, the less the reduction. In assessing the reduction applicable for mitigating factors, after a finding of guilt, the Disciplinary Panel shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 25% reduction.

1.11.13 In cases involving offending that has been classified as lower end offending, where:

- (a) there are mitigating factors; and
- (b) where the Disciplinary Panel considers that the sanction would be wholly disproportionate to the level and type of offending involved;

And in order to avoid injustice, the Disciplinary Panel may in appropriate cases order no sanction.

1.11.14 In cases of multiple offending, a Disciplinary Panel may impose sanctions to run either on a concurrent or a consecutive basis, provided that the total sanction is in all the circumstances proportionate to the level of the overall offending.

1.11.15 A Disciplinary Panel shall ordinarily in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the features set out in Regulation 1.11.8, how they identified and applied any aggravating and mitigating factors and conclude with the resultant sanction, if any, imposed.

1.11.16 Decisions on sanctions and suspensions imposed under these Regulations shall:

(a) be applied universally by all Federation s and Constituent Bodies such that the suspended person may not participate, train, compete or be involved in any aspect of the sport until their suspension expires or their case is dismissed;

(b) not allow the suspended person to avoid the full consequences of their actions by, for example, participate, train, compete or be involved in prior to the commencement of their suspension, or participating, training, competing or be involved in the sport during a break in the suspension;

19.11.17 when imposing suspensions a Disciplinary Panel shall comply with the requirements set out in Regulation 1.11.16 above. In doing so a Disciplinary Panel:

(a) must not suspend the effect of any sanction imposed;

(b) may defer the commencement of a suspension provided that the individual is not scheduled to compete prior to the commencement of the suspension;
person (the burden resting with the Athlete/person to prove that he/she was scheduled to play).

1.11.18 In respect of offences not referred to in the recommended sanctions in Appendix 1, appropriate sanctions may be imposed at the discretion of the relevant Disciplinary Panel.

1.11.19 Notwithstanding the sanctions in Appendix 1 and/or the provisions of this Discipline Regulation, in cases where the individual's actions constitute mid-range or top end offending for any offence which had the potential to result in, or did result in, serious/gross consequences to the health and safety of the victim, the Disciplinary Panel may impose any period of suspension including, in the most serious cases, a suspension for life.

1.11.20 In Misconduct and Rule 5.12 cases, a Disciplinary Panel may suspend the effect of any sanction to be imposed.

1.11.21 Where a Disciplinary Panel imposes a period of suspension it shall:

(a) make it clear whether the period of suspension is from competing, administration, coaching, officiating, attending a Federation or from any other specified activity in relation to the sport;
and

(b) specify the precise dates of the period of the suspension and a list of the competitions for which the individual is suspended.

1.11.22 The individual or Federation shall furnish the Disciplinary Panel with an accurate list of the Federation's competitions relevant to a suspension at the disciplinary hearing in question.

If the individual is not able to provide a list of the Federation's competitions then the Chair of that Disciplinary Panel shall issue directions stipulating when such information should be filed.

1.11.23 Following receipt of the list of the Federation's list of competitions it shall be the responsibility of the Individual, Federation and/or the IMMAF to ensure that the terms and duration of the suspension are adhered to.

Should the list of the competitions change following the Disciplinary Panel's determination then the Federation and/or individual must notify the IMMAF Disciplinary Committee forthwith. In these circumstances, the Individual and/or the Federation and/or the IMMAF can request that the IMMAF Disciplinary Committee refers the matter back to a Disciplinary Panel to consider the dates of the period of the suspension. Any Disciplinary Panel will not review the duration or terms of the suspension.

Costs

1.11.24 In the event that a charge is proven, the usual administration fees in Appendix 2 will be payable by the person, Athlete or Federation that is the subject of the proceedings.

1.11.25 Subject to Regulation 1.11.26, no party shall be required by a Disciplinary Panel to pay or contribute towards the costs incurred by the other party in any case.

1.11.26 No party shall be required by a Disciplinary Panel to pay or contribute towards the costs incurred by the other party in any matter brought under IMMAF Discipline Regulations and costs will lie where they fall, save that the Disciplinary Panel shall have the power to award reasonable costs against a party where it is satisfied that the party has acted improperly, unreasonably or negligently in the preparation or presentation of their case.

1.11.27 Where a person, Athlete or Federation is ordered to pay costs, then, unless the Disciplinary Panel grants a longer period for payment, they shall be paid within 21 days of receipt of the invoice by the person, Athlete or Federation against whom the demand for payment has been made.

1.11.28 If such costs are not paid by the required date, a Disciplinary Panel may impose further sanctions for breach of the order on a person, Athlete or Federation (including, in relation to Athletes, suspending the Athlete from any participation in any aspect of the sport) until they are paid.

Notification of Decision

1.11.29 A Disciplinary Panel, shall within 24 hours of the conclusion of the case deliver written reasons to the person, or Federation that was the subject of the charge and any party to the disciplinary proceedings. This period may be extended by the Disciplinary Panel in exceptional circumstances. The written reasons shall be sufficiently detailed to identify the material facts established by the Disciplinary Panel, how it resolved material conflicts, how it categorised the seriousness of the offence by reference to the standard features of offending and how it applied aggravating and mitigating factors. A failure to comply with these requirements will not however invalidate the decision and/or any sanction awarded.

1.11.30 In all cases dealt with by the Disciplinary panel, the IMMAF will inform all relevant parties of the decision which shall, subject to the discretion of the IMMAF Disciplinary Committee, be published on the IMMAF website in accordance with Regulation 1.17.3.

1.11.31 In all cases considered by a Constituent Body Disciplinary Panel, a short form written decision shall be produced and a copy provided to the Individual or Federation that is the subject of the proceedings at the conclusion of the hearing or, in any event, within 72 hours. In addition, the Constituent Body Disciplinary Secretary shall report the decision of the Disciplinary Panel to their Constituent Body. In addition, the decision shall be reported to the IMMAF Disciplinary Committee within 24 hours. If the decision is appealed against, the Chairman shall, within 7 days of the appeal being lodged, produce a full written decision in accordance with Regulation 1.11.29.

1.11.32 Any sanction imposed by a Disciplinary Panel shall take effect immediately (or as directed by the Panel) irrespective of whether or not an appeal is subsequently lodged, save where the CDA determines otherwise in the interests of justice.

1.12 Appeals

1.12.1 A person, Athlete or Federation that has been found guilty of an offence may commence an appeal against a decision of a Disciplinary Panel only on the grounds that the panel:

- (a) came to a decision to which no reasonable body could have come; or
- (b) made an error of law in reaching its decision; or
- (c) failed to act fairly in a procedural sense.

(d) the sanction imposed was so excessive as to be unreasonable

1.12.2 Where an individual or Federation has been cleared of a charge the IMMAF Disciplinary Committee may commence an appeal against the decision of the Disciplinary Panel only on any of the three following grounds; namely that the Disciplinary Panel:

- (a) came to a decision to which no reasonable body could have come; or
- (b) made an error of law in reaching its decision: or
- (c) failed to act fairly in a procedural sense.

1.12.3 In addition:

- (a) an individual or Federation which has been found guilty of an offence, (and the IMMAF Disciplinary Committee) may commence an appeal where, they can demonstrate to the requisite standard, that there is new evidence available for the appeal which was not reasonably available at the original hearing and that, had it been available, would have caused the Disciplinary Panel to reach a materially different decision;
- (b) the IMMAF Disciplinary Committee may appeal on the grounds that the sanction imposed was so unduly lenient as to be unreasonable.

1.12.4 Ordinarily the parties to an appeal shall be entitled to make oral submissions to the Appeal Panel but an appeal shall be way of a review of documents (and any video footage) only.

1.12.5 A de novo hearing (hearing a case afresh) against the decision of a Disciplinary Panel shall only be permitted by an Appeal Panel if it is demonstrated to the requisite standard by the appellant that the circumstances are exceptional and there are compelling reasons why the decision of the Disciplinary Panel should be set aside and the Appeal Panel should hear the case de novo.

1.13 Confidentiality and Publication

1.13.1 All disciplinary and appeal proceedings that take place under IMMAF Discipline Regulations are confidential and shall take place in private.

1.13.2 Subject to IMMAF Discipline Regulation 1.17.3 and 1.17.4 all documents are confidential between the parties to the proceedings and the IMMAF. All evidence, representations and

submissions shall be privileged. Any audio or other recording made under these Regulations shall be the property of the IMMAF.

1.13.3 Without prejudice in any event to any form of privilege available in respect of any such publication, whether pursuant to the Defamation Act 2013 or otherwise, the IMMAF shall be entitled to publish (including on its website or other media) as it shall think fit reports of its proceedings or any written decision of a Disciplinary Panel or Appeal Panel (in full or in a redacted form) and any supporting evidence, whether or not they reflect adversely on the character or conduct of any Individual or Federation or other body and any person, Individual or Federation or other body bound by the IMMAF Rules and Regulations shall be deemed to have provided their full and irrevocable consent to such publication.

1.14.4 The IMMAF may at any time during a disciplinary investigation or proceedings notify any person, Athlete or Federation, WADA, police force or any other relevant authority/body of any details relating to the matter as such authority may need to know for the proper exercise of its functions.

1.15.5 These provisions as to confidentiality shall not prevent the IMMAF from using material received for the purpose of implementing compliance with its Rules and Regulations.