

SINGAPORE SEPAKTAKRAW FEDERATION (PERSES)

DISCIPLINARY PROCEDURE

BYE-LAWS GOVERNING DISCIPLINE

Pursuant to the powers conferred in the council by the Constitution of the Singapore Sepaktakraw Federation (PERSES) (hereinafter called "Federation"), the Council hereby approves the following Bye-laws which shall govern all matters relating to discipline that are not specifically covered by the Constitution of the Federation. These Bye-laws are binding on all Clubs/Associations who are members, ordinary or associate of the Federation (hereinafter called "Member") and to all players/ officials and spectators concerned in any games of Sepaktakraw in Singapore, organize or sanctioned by the Federation and/or by ordinary and associate Members.

1. DISCIPLINARY BOARD

- (a)** The Council shall form a Disciplinary Board comprising of a Chairman and four (4) members.
- (b)** The Chairman and four (4) shall be appointed by the PERSES Council and shall serve for such period of time as the Council shall determine.
- (c)** Hearings of the Disciplinary Board shall be held as and when called upon by the Chairman or as and when directed by the Secretary General on behalf of the Council. The quorum for all such hearings shall be three (3) members.
- (d)** Any member, umpire, official, or member of Committee may report any misconduct or breach of these Rules or Bye-laws or Regulations made hereunder to the PERSES Secretary General. Such reports shall be made in writing within forty-eight (48) hours of the offence.
- (e)** Hearings shall not be open to the general public or to the mass media.
- (f)** Decisions of the Disciplinary Board shall be binding on all parties concerned in the disputes, and shall be delivered at the end of the

Hearing or within such period, as the Disciplinary Board shall decide, but not later than thirty (30) days from the closing of the Hearing. The accused will then be informed of the decisions in writing and the decision may be published or announced by the mass media.

2. DUTIES AND JURISDICTION

- (a)** The Disciplinary Board shall deal with all cases of misconduct connected with the game of Sepaktakraw in all matches organized or sanctioned by the Federation, and/or the member, which involve players, officials, and spectators.
- (b)** The Disciplinary Board shall also deal with such other matters as may be referred to it from time to time by the Council.
- (c)** The jurisdiction of the Disciplinary Board covers all cases of misconduct whether on or off the field for all matches played in Singapore and in all matches, whether played within or out of Singapore, where teams of PERSES or the member take part.
- (d)** In this Bye-laws, it shall be misconduct if any player, official or spectators is proven to the satisfaction of the Disciplinary Board to have done or permitted or assisted in doing or permitting any of the following : -
 - (i)** Violated the Laws of the Game of Sepaktakraw;
 - (ii)** Violated the Rules and Regulations of the Federation;
 - (iii)** Played any suspended Player whose term of suspension is still in force, whether in actual or in training;
 - (iv)** Bet on any Sepaktakraw match;
 - (v)** Offered or attempt to offer, either directly or indirectly any consideration whatever to another Member whether or not that Member is an ordinary or associate Member of the Federation or to any Official, or Player with a view to influencing the result of any match, or to accept any such consideration;
 - (vi)** Allowed a Committee Member, Official, Match Official, or Player who is under suspension to perform any duties or from entering the ground of any ordinary or associate Member of the Federation;

- (vii) Played a match with or against any team whose ground has been closed by the Federation;
- (viii) Committed any act or made any statement either verbally or in writing or been responsible for conduct or any matter which, in the opinion of the Council or the Disciplinary Board is considered to be ungentlemanly, insulting or improper or likely to bring the game in disrepute.
- (e) Any player who, whilst playing in a match for any team of any of the ordinary or the associate Member of the Federation, having been dismissed from the court of play for violating the Laws of the Game of Sepaktakraw commits further misconduct at the time of dismissal, during the remainder of the match or the following it shall be dealt with under these Bye-laws as if it is were a separate offence.
- (f) In the case of a Member, it shall be misconduct if the Member fails to : -

 - (i) Ensure that its Committee Members, Players, Officials, Employees, Spectators and all persons purporting to be its supporters or followers conduct themselves in an orderly fashion and refrain from violent, threatening, abusive, obscene or provocative behavior, conduct or language whilst attending a match in which on its own ground or elsewhere.
 - (ii) Ensure that no spectators or unauthorized persons are permitted to encroach on to the court area or throw missiles, bottles or other potentially harmful or dangerous objects at or on to the court. Members are expected to provide a private way for players and officials from playing ground to dressing room wherever this is practicable.
- (g) All decisions of the Disciplinary Board in connection with cases of misconduct and offences on the Court of Play shall be final. However the accused can appeal to Singapore Sepaktakraw Federation PERSES on grounds mentioned in para 5.

3. PROCEDURE

- (a) Any person charged with misconduct, which under the Bye-laws requires adjudication by the Disciplinary Board shall be furnished with details in writing of such charge, which shall be sent by A. R. Registered post, by Federation to such Person or Member so charged.

- (b)** Within fourteen (14) days from the date of receipt of the charge, the Person so charged shall send to PERSES an answer, thereto in writing stating whether he pleads guilty to the charge or applies such charge be heard before the Disciplinary Board.
- (c)** For misconduct and offences on the Court of Play, if the answer is that of a plea of guilty to the charge the Disciplinary Board will impose punishment on the offending Person or Member.
- (d)** For other misconduct and offences upon receipt of the answer from the person or Member on a plea of guilty, the Disciplinary Board shall adjudicate on such charge taking into consideration all pleas in mitigation including the past records of such person or Member.
- (e)** If no answer is received within the said period, the Disciplinary Board shall adjudicate on the charge as it deems fit.
- (f)** Upon receipt of an application from the person charged for a Hearing, the person charged shall be informed of the date, time and place of the Hearing, shall not be later than thirty (30) days from the date of the charge.
- (g)** The person charged shall attend such Hearing.

 - (i)** The person charged may be assisted by an Official of his Club or Association who is not a member of the Federation. The person must be present at the Hearing and shall not be legally represented. Failure to do so would constitute an act of misconduct and/or indiscipline may be appropriately dealt with.
 - (ii)** Before proceeding with the hearing proper the Disciplinary shall satisfy itself that the person charged has had details of the charged.
 - (iii)** The Chairman of the Disciplinary Board shall ask whether the person upon whose report the charge is made, wishes to amplify or qualify his report. If he replies in the affirmative such further evidence should then be given.
 - (iv)** The Person charged or his Representative shall then be allowed to ask questions of the witness provided such questions are relative to the matters issue.

- (v) At any time, the Chairman of the Disciplinary Board through his members of the Disciplinary Board may ask questions of the witness to clear up any doubts, which may exist.
- (vi) Other witnesses in support of the charge may be called to give evidence. The Person charged, or his representative shall have the same right to ask questions of such witnesses as he has had to ask questions of the first witness. Such other witnesses may also be questioned by members of the Disciplinary Board.
- (vii) When all the evidence in support of the charged has been concluded, the written statement made by the Person charged, shall be read to the Disciplinary Board.
- (viii) The Person charged may then give evidence on his own behalf and in such event, he may have questions asked of him by members of the Disciplinary Board which questions he must answer.
- (ix) The Person charged may then call witnesses on his behalf to each of whom questions may be put by members of the Disciplinary Board and such questions may be answered.
- (x) In the event of the evidence submitted in answer to the charge disclosing a point with which Tournament Officials may not have had an opportunity to deal, members of the disciplinary Board may ask further questions of the Match Officials to dispose of any doubt, which then may have arisen.
- (xi) No written statement shall be accepted in evidence unless the author thereof shall be present for the purpose of being questioned with regard thereto, neither shall 'hearsay' evidence be admitted. All extraneous matter in the evidence shall be ruled 'out of order'.
- (h) If the person charged shall fail to attend the Hearing on being required to do so or shall refuse to answer any questions asked by the disciplinary Board, or fail to produce documentary evidence on being required to do so by the Disciplinary Board, the Disciplinary Board shall investigate and adjudicate upon the charge in such manner and upon such evidence as it deems expedient.

- (i) Decisions of the Disciplinary Board shall be binding on all parties concerned in the disputes and shall be delivered at the end of the Hearing or within such period of time as the Disciplinary Board shall decide but not later than thirty (30) days from the closing of the Hearing and the decisions may be published or announced by the mass media.

4. PUNISHMENT

- (a) In addition to the power to impose punishment as hereinbefore stated in 3(c), on misconduct being proved to the satisfaction of the disciplinary Board, it shall have the power to order the offending Person or Members : -

- (i) To be suspended from all or any specific Sepaktakraw activity either permanently, sine die or for a stated period. After a period of five (5) years, an application may be received for review of a permanent suspension and/or any subsequent modification thereof shall only be made by the Council;
- (ii) To be fined (either with or without suspension); a maximum of S\$2,500 (Two thousand five hundred)
- (iii) To be censured;
- (iv) To be dealt with in such manner as the Council or the Disciplinary Board may think fit.

- (b) The Disciplinary Board shall also have the power to impose punishment on the offending Person in respect of the following : -

- (i) Any player sent off the Court of Play (Red Card) in a competition shall automatically be suspended for a period of fourteen (14) days. In such a case, the Disciplinary Board shall meet within fourteen (14) days from the date of sending off to adjudicate on the offence and to impose whatever punishment deemed necessary on the player.
- (ii) Any player who receives two (2) cautions (Yellow Card) during a competition shall automatically be suspended for the match following the match in which he received the second caution. When a player receives a third caution, he shall automatically be suspended for the match in which he received the third caution. Any player who receives a fourth caution shall automatically be suspended for 2 matches following the match in which he receives his fourth caution.

Any player who receives a fifth caution shall automatically be suspended indefinitely until he appears before the Disciplinary Board who shall adjudicate on the punishment to be imposed on such player.

- (c) On default for fourteen (14) days in payment of any fine or costs, the Disciplinary Board or Council thereof shall have power to order the defaulting Person or Member to be suspended under such conditions as the Disciplinary Board or the Federation Council shall decide.
- (d) The Federation Council or Disciplinary Board thereof shall be not entitled to order any Member to cease paying the training allowances and bonus to its player who serving a period of suspension for violating the Laws of the Game.

5. APPEAL

- (a) Appeals from any decision of the disciplinary Board shall be permitted only on the following grounds : -
 - (i) The Disciplinary Board failed to give the appellant a fair Hearing;
 - (ii) The Disciplinary Board acted unconstitutionally;
 - (iii) Against the punishment imposed.
- (b) Appeals must be lodged within fourteen (14) days of the receipt of the written notification of the decision of Disciplinary Board and be accompanied by an appeal fee of Singapore Dollars One Hundred (S\$100.00) only.
- (c) All appeals shall be heard by an Appeals Board to be appointed by the Council. The hearing of appeal shall not be conducted as a re-hearing of the case neither shall fresh evidence be permitted except with the permission of the Appeals Board.
- (d) The Appeals Board shall comprise of not less than three (3) members of the Council from amongst the President, Deputy President, Vice Presidents and the independent members of the Council and who is not the Chairman or Deputy Chairman of the Disciplinary Board. The Chairman of any Appeals Board shall be the most senior member sitting in the Appeals Board.

- (e) The Appeals Board shall have power to adjourn the Hearing wholly or in part, and, having heard the contentions of both parties, shall make one of the following decisions : -
 - (i) To allow or dismiss the Appeal;
 - (ii) To vary the decision of the Disciplinary Board;
 - (iii) To order a re-hearing of the original case before a new Disciplinary Board
- (f) All decisions of the Appeals Board shall be final and binding on all parties.
- (g) The decision of the Disciplinary Board shall be in force unless it is set aside by the Appeal Board.
- (h) In the event of the Appeal Board dismissing the appeal or varying the decision of the Disciplinary Board, the Appeals Board may order the appeal fee to be forfeited towards the costs of the Board of Appeal and may make a further order for payment or costs. In the event of an Appeal being successful, the appeal fee shall be refunded to the appellant.

6. NOTIFICATION

Any letter, request, notice, or communication to be sent by the Federation shall be properly sent if addressed to the last known address of the Person or Member concerned or if such address is not known to the address of the association, which has jurisdiction over the Person or Member concerned.

Prepared by:

**PERSES Secretariat
SINGAPORE SEPAKTAKRAW FEDERATION (PERSES)**

Approved by:

**PERSES Council Meeting
On 6 November 2004**