



A couple of weeks ago, the attention of the BAFL board was brought by a team to the necessary adaptation of the procedures of the sanction commission in order to guarantee the rights of the persons involved in cases submitted to the commission. Taking into account the letters and remarks formulated in this framework by the members of the BAFL, it was resolved to adapt the procedure in order to add the possibility for the plaintiff and defendant to present their standpoint and arguments in front of the commission and to guarantee their personal privacy.

We understand that the letters and remarks sent to the sanction commission have been communicated with a view to improve the operations of the commission and thank the community for helping the board to improve the tools of the national Federation. We however deeply regret that this led public regrettable brawls through the social media and to charging one of the most dedicated members of the boards of the FAFL and BAFL with unfairness and partiality which could not be further from the truth. We would like to remind everyone that our Federation is built on the efforts of all teams and their volunteers and managed by other volunteers for the growth of their sport during their spare time. As such and until the reorganization of the leagues have been completed, the development and work of the federation cannot be sustained without the cooperation of all its members.

The regulation attached hereto addresses the remarks provided to the BAFL earlier in the season and decision made by the General Assembly of February 2018 and is meant to be applied as from today's date until the final reorganization of the league that will be completed by the end of 2018.

## Sanction commission

### **I. Purpose and general organization**

The purpose of this commission is to comply and implement the rules, determined by the BAFL, FAFL, LFFA and IFAF.

To achieve this and ensure the quickest and most efficient work, the commission is organized as follows:

- Online sessions using the BAFL online platform for all first level cases.
- Physical meetings should the complexity of the case or the seriousness of the facts jeopardizes the handling of the file.

The level of complexity is evaluated by the chairman of the commission acting together with a representative of the BAFOC.

The commission is only concerned with violations against the regulations set by the BAFL, LFFA, FAFL and IFAF, the organization of the event, personal fouls and flagrant errors where the safety of players may be jeopardized, but not with violations of any other nature, which could have an influence during the game.

### **II. Filing of a complaint**

Complaints and comments relating to a player or team can be filed with the sanction commission by sending the appropriate form at the following email address: [sanctioncommission@bafl.be](mailto:sanctioncommission@bafl.be)

Complaints may be filed with the Sanction commission by the following persons:

- The chairman, secretary or head coach of a BAFL member holding a valid delegation of powers granted by the board of director of their team provided the incident concerns their own team.
- The BAFOC and/or the BAFL acting validly in accordance with their articles of association in case it is considered appropriate in the light of the elements brought to their knowledge.

Decision to file a complaint or to open a case is made on the basis of photos, extracts from the game tapes or any other material giving sufficient ground to file a complaint.

The validity and admissibility of the above listed material will be subject to the evaluation of the sanction commission. All documents and supporting material have to be communicated under electronic format to the sanction commission together with the application. The admissibility of additional material provided to the commission after the communication of the application form will be evaluated by the sanction commission.

Should no supporting material or insufficient indications be provided to the commission, the complaint will not be processed and the application will be turned down without the possibility for a similar complaint concerning the same fact to be filed by the same person (i.e. BafI member)

Applications by a BAFL member must be submitted within 5 days of the facts. Any application filed outside this time limit will not be accepted nor processed.

Applications by the BAFL or BAFOC are not subject to the above-mentioned deadline and may be filed at any time and with a maximum of 5 months following the facts provided sufficient material is provided and the sanction commission considers it as appropriate.

### **III. Composition**

The commission is composed of BAFL member representatives called by the chairman of the sanction commission on the list of commissioners and one representative of the BAFOC. The representatives are contacted by email at the request of the chairman of the sanction commission following the receipt and acceptance of the application. The convening includes the date of the meeting, the details for connection onto the online platform or the place of the meeting in case it has to be held physically, a short summary of the facts and reasons for lodging the complaint.

BAFL members concerned by the facts may not participate as commissioners in the decision making process.

The plaintiff and defendant may request the exclusion of a commissioner provided it is a direct opponent in the competition and his neutrality or objectivity cannot be guaranteed. The admissibility of this request is evaluated by the chairman of the sanction commission.

The sanction commission is validly held provided it is composed of a minimum of two commissioners in addition to the chairman. In case a meeting cannot be held as a consequence of the lack of commissioners, the directors of the board of the BAFL are invited to step in as ad-hoc commissioners.

### **IV. Use of languages**

The debates of the sanction commission are preferably held in the English language. All participants in the process may however make use of one of the three national languages provided all participants confirm that they duly understand the language or can get a direct translation.

In case all parties involved in the procedure speak the same language, this language will be used in the framework of the procedure.

### **V. Procedure**

The meeting is opened by the chairman of the sanction commission who states the name of the commissioners present. The name of the commissioners and their BAFL member reference are recorded in the report of the meeting.

The chairman of the meeting submits all materials to the commission which then proceeds with the evaluation of the admissibility of the complaint. In case the sanction commission considers the complaint insufficiently grounded, frivolous or unnecessarily vexatious, the complaint will be automatically rejected and the sanction commission will be adjourned.

In case the sanction commission considers the complaint as admissible, the chairman starts the analysis of the case.

After having reviewed the materials provided to or collected by the sanction commission, the chairman presents the cases and the penalties accompanying to the rules. These penalties are fixed and set by the BAFL regulations, but the members may give their opinion if there are doubts about the seriousness or intent of the violation.

The chairman then invites the plaintiff and defendant to expose their standpoint and arguments. In case the plaintiff or defendant, for whatsoever reason, cannot or does not wish to participate in the meeting, he can appoint one person who will represent him.

Once the plaintiff and defendant have been heard (provided they requested to be), the commission proceeds with the decision-making process.

In case of exclusion of a player or coach, the commission decides which appropriate penalty is to be given taking into account the rules set by the BAFL and IFAF. The sanction commission may also impose heavier penalties provided it is duly justified by the seriousness of the facts and circumstances. The basis for the decision taken by the sanction commission is duly motivated.

Decisions by the sanction commission are adopted with a simple majority of the votes present. The chairman has no voting rights except in case of a tie.

Unless duly justified by the complexity of the case, the meeting of the commission has a maximum duration of 30 minutes.

## **VI. Disclosure**

Commissioners participating in the handling of the case are bound to secrecy and have to withhold from participating in talks of any kind concerning the case. The content of the procedures and deliberations shall not be disclosed in any way. A commissioner disclosing material used in the framework of the procedure or participating in discussion relating to a case will be definitely expunged from the list of commissioners and will not be allowed to hold a function within the BAFL structures for a minimum of two years.

Any material disclosed during the procedure may also be rejected by the sanction commission

## **VII. Report and communication**

The meeting of the sanction commission is recorded by a report drawn-up by the chairman of the sanction commission or his secretary.

Except for exceptional circumstances duly justified by the complexity of the case and or unavailability of sufficient commissioners, the sanction commission makes a decision within 7 days of the receipt of the application and communicates it to all parties not later than Friday before the next game day of the members concerned by the procedure.

On the same moment the commission members are invited, all concerned parties, receive an email explaining why a complaint was lodged with them or against one of their members.

All members of the first, second and third division are invited, except for the teams involved in one of the cases to be treated. A member of the BAFOC is also included in these invitations.

All invitees get an overview of the complaints submitted, as well as the documents on which these complaints are based.

During each commission will be English, accept when all parties speak Dutch or French.

## **VIII. Appeal**

Any person or BAFL member sanctioned by the commission may form an appeal against the decision within five days of the receipt of the report.

The appeal is introduced by filling the box provided at the bottom of the report and returning it by email at [sanctioncommission@bafl.be](mailto:sanctioncommission@bafl.be)

The imposed penalty is then suspended and until the decision of the appeal commission. The appeal commission makes a decision within a maximum of 7 days from the receipt of the appeal.

## **IX. Composition appeal commission**

The appeal commission is composed of BAFL member representatives called by the chairman of the sanction commission on the list of commissioners and one representative of the BAFOC. Those representatives may not be the same as the ones who participated in the first level of the process. The chairman then designates his replacement among the directors of the BAFL.

The procedure applicable to the appeal is the same as the one applicable on the first level. Both the plaintiff, the defendant and the chairman of the commission may provide additional material or evidences. The admissibility of these elements is subject to an evaluation by the appeal commission.

Decisions are recorded by a report drawn-up by the chairman of the sanction commission or his secretary. Decisions by the appeal commission are binding and finals.

## **X. Transitory regulations**

Considering the period during which the sanction commission could not be held and with a view to try to guarantee the same rights to all potential plaintiffs and defendants, complaints that could have been filed with the sanction commission within the period of inactivity and that could not be as intended may be filed within additional delay of 5 days starting from the communication of these regulations.

Any complaint submitted in accordance with the above paragraph will have the same effect as an appeal. This point (effect of the appeal) does however not apply if the situation has already 'de facto' had an effect, i.e. a player who was ejected by decision of the referees and who participated in a game according to FAFL, LFFA rules, and cannot change the results of the games played during this period of inactivity.

This procedure is applicable with immediate effect.

Brussels 8 June 2018

A. Complaint is accepted

→ sanction commission formed and decision sent to the involved parties  
(within 7 days from date accepting application form)

*If an appeal is occurred (must be sent within 5 days from date original decision)*

→ *appeal commission formed and decision sent to the involved parties  
(within 7 days from date accepting appeal)*

→ *the decision of the appeal commission is binding*

B. Complaint not accepted

→ mail from BAFL to complainer with explanation why is not accepted