

## **1.0 DEFINITIONS**

### **1.1 Singular/Plural – Males/Females**

Where singular is mentioned, is to be understood also to apply for plural and where males are mentioned it is to be understood also to apply for females.

### **1.2 Club**

A club is a constituted body or any other entity, which is affiliated formally to the Malta Basketball Association.

### **1.3 Player**

A player is that person who is registered with the Malta Basketball Association and his/her name is written on the official score sheet of the game.

### **1.4 Youth Player**

A player is considered as a Youth Player until he/she reaches the age of 17 years.

### **1.5 Team/Club Official**

Team/Club official is a person who forms part of a Club Committee and is registered with the Malta Basketball Association as a committee member as per Form 2 issued by the MBA every season. Persons whose name is written on the team list for a game (including, coach and, assistant coach) are to be considered as Team/Club Officials and must be licensed by the Coaching Commission. Individuals forming part of Basketball sections of sports clubs and forming part of sub-committees and or other board/s of a club are to be considered as Team/Club Officials.

### **1.6 Team Follower**

A team follower may be the statistician, manager, doctor or masseur or any other person who sits on or behind the players bench and who is licensed as a team follower by the Coaching Commission. Injured players not listed on the team list shall not sit on the bench and shall not be considered as team followers. Failures to abide by this rule make the players liable to be disciplined under Section 7:14 of these rules

A qualified medical and/or paramedical person shall be allowed to sit on the bench on presentation of a document indicating that he is a doctor or paramedic.

### **1.7 MBA Officials**

MBA officials are the elected officers of the Association. The appointed Directors, Board members nominated and approved by the President's Council or Executive Council, Commissioners, Referees, Table Officials and Secretariat members.

**1.8 Supporter**

Supporter is an individual who gives his support to a particular club whether he is a member or not of that particular club.

**1.9 Individual**

Individual/s are players, team/club official, team followers and supporters.

**1.10 Party**

Party stands for team, club, player, supporter and any other individual.

**1.11 Malta Basketball Association**

MBA stands for Malta Basketball Association.

**1.12 President's Council**

PC stands for President's Council

**1.13 Executive Council**

EC stands for Executive Council

**2.0 PROCEDURES**

**2.1 Disciplinary Commissioner**

The Executive Council shall appoint a Disciplinary Commissioner. It shall extend to him/her all those powers, rights and functions, which it deems necessary and proper according to the Statute of the MBA, within the Code of Discipline forming part of this Chapter.

**2.2 The Executive Council**

The EC may appoint or impeach other persons as Disciplinary Commissioners. All that applies in Art 2.1 shall apply to these other Commissioners.

### **2.3 The Commissioner**

The Disciplinary Commissioner is competent to hear and decide all cases of Discipline in all competitions of the Association, cases regarding players called to form part of the National team's selections, cases regarding the behaviour of spectators during matches, and any other disciplinary cases referred to him by the President's Council and or Executive Council. Reports are to be in writing.

### **2.4 Disciplinary Commissioner's Secretary**

There shall be a Secretary to the Disciplinary Commissioner, appointed by the PC, who will keep the Commissioner informed with regards to the "accused" record since the beginning of the disciplinary board in 1995 or since records are available. The Secretary will also be responsible for the keeping of the decisions taken.

### **2.5 Disciplinary Commissioner Secretary's Duties**

The Secretary shall not be in any way involved in the deliberation and or decisions of the Disciplinary Sitings.

### **2.6 The Secretary of the Disciplinary Commissioner**

The Secretary shall be neither a practicing referee, nor a registered player nor a person connected in any way or another with an MBA club.

### **2.7 Reporting Procedure**

- (i) Whenever a game official or MBA official reports a player/ coach/ team/ club etc. he shall forward his report within 48 hours from the termination of the relative game.
- (ii) The report shall only contain facts and written in such way as not to include the official's own impressions on the incident.
- (iii) The report shall be forwarded to the Secretary General of the Association or his representative.
- (iv) The Secretary/Delegate of the club concerned if applicable, is to be served/provided with a copy of the report, posted, faxed or e-mailed, within 72 hours from the termination of the game. (Sundays or Public Holidays not to be included)
- (v) The date of receipt shall be taken to be that of the post-mark, email date or fax report.
- (vi) If any of the above is not compiled with, the report shall cease to have any effect in term pf DC but will be retained on file by the MBA.
- (vii) Whenever a club official, coach or player wishes to report incidents occurring during, before or immediately after a game. he/she shall do so in writing to the Secretary General by not later than 48 hours after the termination of the game.

## **2.8 Disciplinary Meetings**

The Disciplinary Commissioner shall hold his sittings on the first opportune time at the MBA headquarters. In no case shall the sitting be held after the next competitive game of the reported player/club.

- (i) If the report is being contested, the club Secretary shall notify the Secretary General by phone within 48 hours but not later than four (4) hours before the sitting. A fee of LM25 shall accompany such request.
- (ii) If the advice is not received within the stipulated time, the Disciplinary Commissioner shall consider the case as "uncontested"
- (iii) The club/individual wishing to contest the report may produce up to three (3) witnesses.
- (iv) The referee/umpire/official or any other individual making the report (including the table official when required) may be present at the sitting when a report is being contested.
- (v) The referee/umpire/commissioner/table official or individual making the report may be consulted even when his report is not being contested.
- (vi) When a report is being contested and the game officials or individual making the report fail to appear, the case shall still be decided.

## **2.9 List of Decisions**

- (i) The Secretary of the Disciplinary Commissioner shall send a complete list of the decisions of the day to the Secretary General within 24 hours.
- (ii) This list shall be notified to the affiliated club telephonically or by e-mail and displayed on the notice board of the MBA headquarters.

## **2.10 Appeals**

- (i) A club/official/individual shall have the right to appeal against the decision of a contested report in writing within 48 hours of receiving the disciplinary decision by paying a deposit of MTL50.
- (ii) In the case that the decision is a one game suspension and/or LM100 fine (or less) the right of appeal is not applicable.
- (iii) A club/official/individual cannot appeal against the decision of an uncontested report.

## **3.0 SUSPENSIONS**

### **3.1 Suspensions**

All suspensions are to be in effect as from the date of the board sitting except in the case of an appeal. The Disciplinary Commissioner shall specify clearly the period of suspension. All game suspensions correspond to that CATEGORY that the player/individual in question was reported unless otherwise stated by the DC. When a game/s suspension is given in tournaments or friendlies organised (officialled by an MBA official) by the MBA and not fully affected due to termination of such tournament, the suspension is to be changed into a fine of LM25 per game. Game suspensions shall be extended from one season to another by the same player/individual irrespective of the category/club he is playing in the new season. In the case of an appeal, the suspension if confirmed by the Disciplinary Board will commence from the date of the appeal sitting.

### **3.2 Suspensions up to/until end of season**

When a player/individual is suspended up to/until the end of season, the termination date of the suspension shall be considered as the day before the date of the next General Meeting of the Association.

### **3.3 Suspensions from all MBA activities**

For the period suspended from all MBA activities the party: -

- (a) Shall not attend a General Meeting or and Extraordinary General meeting.
- (b) Shall not attend an Executive Council meeting.
- (c) Shall not represent his club as an official in Disciplinary, Protests and Appeals board meetings or at any other MBA organised meeting.
- (d) Shall not take part as a player or official in any kind of activity organised by the MBA.
- (e) Shall not enter the premises where MBA competitions are being organised. (Premises includes basketball court, MBA offices, car park and surrounding areas)
- (f) Shall not form part of a club committee/sub-committee and or club basketball section. This applies suspension is for more than six months

### **3.4 Club suspensions from MBA activities**

When a club is suspended for a definite time from all MBA activities, the club delegate or his substitute shall still be considered as a club delegate but will lose the right to vote in a General Meeting and or Extraordinary General Meeting and also at the Executive Council meetings.

### **3.5 Suspensions by Clubs**

Suspensions by clubs on players/individuals of the same club shall only be recognised by the MBA if the Secretary General is informed in writing by not later than seven (7) days from the date of the suspension. Cases of suspensions for more than 30 days are to be reported to the MBA and dealt with by the Disciplinary Commissioner.

## **4.0 RELAPSER**

### **4.1 Second or more offence during the last calendar year**

When a player/individual club/team commits more than one offence during the preceding calendar year commencing from the date of the report (e.g. report dated 19<sup>th</sup> April 1995, past year starting from 18<sup>th</sup> April 1994) the penalty imposed by the Disciplinary Commissioner shall be double the penalty as found guilty as per this Disciplinary Code.

## **5.0 LIABILITY**

### **5.1 Liability of Clubs**

Clubs shall be responsible for the behaviour of their players, committee members, other officials and their supporters. Thus a Club shall be called to account for all kinds of misconduct and incidents caused by such persons.

### **5.2 Liabilities of Individuals**

Notwithstanding regulation 4.1 and 4.2 of the Disciplinary Code, individuals upon whom the MBA has jurisdiction shall be personally answerable for all kinds of misconduct and incidents caused or aided.

## **6.0 GENERAL**

### **6.1 Offence by Team/Club committee member**

Any team/Club committee member or other official found guilty of an offence shall be penalised according to these rules provided that such offence is to be considered of a higher degree.

### **6.2 Deductions of points**

Points are to be deducted only in the same competition that the participating team/club was reported. If the deduction of points cannot be implemented in the current season due to league being in the final playoff stages, then the points shall be deducted as from the start of the following league.

### **6.3 Fines**

Fines shall be paid prior to the next competitive game. Individuals/teams/clubs shall continue to be temporary suspended from all MBA activities until all fines are settled.

### **6.4 Damages to property, equipment, furniture and fixtures**

Apart from the penalties stipulated in these rules, individuals/team/club found guilty of having incurred any damages to property, equipment, furniture and fixtures, shall be liable to pay for the expenses. Until these damages are paid, individuals/team/club shall be considered as temporary suspended from all MBA activities.

### **6.5 Other penalties**

Any offence that is not contemplated in these rules shall be meted out in line with this Disciplinary Code or in case of very serious offence referred to the President's Council for further consideration and action.

### **6.6 Powers of the President's Council**

The President's Council shall have the power to deal with all offences committed against the rules and interest of the MBA referred to by the Disciplinary Commissioner or by any of the elected members, in accordance with the procedure hereunder established and shall have the power to issue those penalties against the party found guilty as approved by the President's Council.

### **6.7 Hearing procedures**

The party charged with any violation and/or misconduct, shall be notified in writing by the Secretary General, of such charge or alleged misconduct and of the day and time when to appear before the President's Council. The above-mentioned information shall reach the party concerned at least forty-eight (48) hours before the time fixed for the hearing. If the party charged fails to attend such hearing the President's Council shall investigate and decide as it may deem fit in the circumstances. The President's Council may, at its discretion, however adjourn the case for another date. The President's Council has also the power to suspend the party involved indefinitely pending the hearing of the case.

### **6.8 Penalties that may be awarded by the President's Council**

In the event of any Team/Club, player, supporter or individual/s being proved, to the satisfaction of the President's Council, to have been guilty of any violations of the MBA rules and regulations, or of any other misconduct, the President's Council shall have the power to penalise the offender with the removal from the MBA and or/with suspension for a defined period and/or with a fine, or with any such penalty as the President's Council may deem fit. This may includes also suspended sentences. The President's Council shall have the power to impose more than one penalty for the same offence.

### **6.9 Appeals**

The right of appeal against the decision of the President's Council shall only be granted subject to permission obtained beforehand from the President's Council.

#### **6.10 Area of jurisdiction**

Provisions contemplated in this Disciplinary Code shall apply from the moment anyone of the MBA officials shall arrive at the locality and its vicinity where the match is to be played and shall continue to apply until the departure of the MBA officials from the locality where the match has been played. The Disciplinary Commissioner is empowered to establish whether the offence took place in the vicinity or not.

#### **6.11 Amendments to the Disciplinary Code**

These rules may be revised and approved at an Executive Council meeting.

## **7.0 PENALTIES**

### **7.1 Any player found guilty of the following offences**

- A uses violently any objects and hits with it/them shall be disciplined according to Category 3.**
- B uses violently any part of his body to hit shall be disciplined according to Category 3.**
- C attempts to commit what is stipulated in sub-articles (A) and (B) of this article shall be disciplined according to Category 4**
- D spits at shall be disciplined according to Category 4**
- E behaves aggressively and/or adopts a fighting attitude against shall be disciplined according to Category 5**
- F threatening shall be disciplined according to Category 5**
- G insulting shall be disciplined according to Category 7**
- H passing remarks or gesticulating in an offensive or obscene manner and / or using vulgar or obscene language shall be disciplined according to Category 8**

**NB For H: If the gesture is by way of an insult, what is contemplated in sub-article (G) above, shall apply.**

- I use the same acts of violence contemplated in sub-article (A) and (B) above but during the actual time of his playing the ball, or his opponent playing the ball will be disciplined according to Category 7**

## **7.2 Offence of extraordinary gravity**

When in the opinion of the Disciplinary Commissioner the offence contemplated in Article 7:1 (A) to (I) is of an extraordinary gravity or warrants a penalty harsher than those contemplated he shall suspend the player indefinitely and refer the case with his recommendations to the President's Council for endorsement.

## **7.3 Offences by player under provocation**

When an offence has been committed under provocation, the minimum prescribed penalty shall be considered.

## **7.4 Player bringing the game into disrepute**

Any player having committed any other offence, which is not contemplated in this Disciplinary Code but calculated to bring the game into disrepute, is liable to be disciplined according to Category 8.

## **7.5 Effects of suspension of player**

A player's suspension automatically bars him from acting as Team/Club official, coach, assistant coach, manager or team follower during matches in the same league/category he was reported.

## **7.6 Team/Club Official or Team Follower found guilty of: -**

- A uses violently any objects and hits with it/them shall be disciplined according to Category 2.**
- B uses violently any part of his body to hit shall be disciplined according to Category 2.**
- C attempts to commit what is stipulated in sub-articles (A) and (B) of this article shall be disciplined according to Category 3.**
- D spits at shall be disciplined according to Category 3.**
- E behaves aggressively and/or adopts a fighting attitude against shall be disciplined according to Category 4.**
- F threatening shall be disciplined according to Category 4.**
- G insulting shall be disciplined according to Category 4.**
- H passing remarks or gesticulating in an offensive or obscene manner and or using vulgar or obscene language towards shall be disciplined according to Category 5.**

**NB For H: If the gesture is by way of an insult, what is contemplated in sub-article (G) above may be applied.**

### **7.7 Creating trouble among spectators**

Any player, team/club official or club committee member who is inciting and/or generally causing trouble among spectators by his attitude/misconduct shall be disciplined according to Category 6.

### **7.8 Trouble by supporters**

Clubs are responsible for the behaviour of their supporters on those days and those times when they are playing.

- (i) Clubs whose supporters are found guilty of invading the court shall be fined the sum of fifty Maltese liri (LM50).
- (ii) Clubs whose supporters are found guilty of fighting shall be liable to a fine for not less than fifty Maltese liri (LM50) but not more than two hundred Maltese liri (LM200).
- (iii) Clubs whose supporters are found guilty of swearing, using obscene or vulgar language or insulting or passing derogatory remarks shall be fined the sum of twenty-five Maltese liri (LM25).
- (iv) Clubs whose supporters are found guilty of causing damage to property, furniture and fixtures are liable to a fine for not less than fifty Maltese liri but not more than five hundred Maltese liri (LM500). These fines are exclusive of any expenses incurred to repair or change any damage caused by the same supporters.
- (v) Clubs whose supporters are found guilty of manhandling any MBA Official, Team/Club Official, players or any other individual are liable to a fine for not less than fifty Maltese liri (LM50) but not more than five hundred Maltese liri (LM500) and or a suspension from the any League/Competition and or deduction of not more than ten points (-10).

### **7.9 Clubs bringing the game into disrepute**

Any club having committed any other offence which is not contemplated in this Disciplinary Code but is also deemed to have brought the game into disrepute shall be liable to a fine for not less than hundred Maltese liri (LM100) but not more than one thousand Maltese liri (LM1000) and or a deduction of two points but not more than ten (-10) points and or a suspension from any competition organised by the MBA.

### **7.10 Teams/Clubs leaving the court before end of game**

Any club who leaves the court before the termination of a game is liable to a fine for not less than two hundred Maltese liri (LM200) but not more than one thousand five hundred Maltese liri (LM1500) and or for a deduction of points for not less than two (-2) points but not more than ten (-10) points and or suspension from the League and or other Competition and or suspension till the end of season and or relegated to a lower division. When relegation is not possible the team will start the following season league with minus four (-4) points. Deduction of points may be carried forward to the following season.

### **7.11 Offence by Team/Club Officials – CLARIFICATION**

A coach, assistant coach, manager, team follower and or team/club official's suspension will automatically bar him from sitting on the bench during his team/club commitments during his period of suspension. Any team/club official having committed any other offence, which is not contemplated in these rules, shall be liable to be disciplined according to Category 8 unless the PC decides otherwise.

### **7.12 Disqualified Players/Coaches/Team Officials not leaving the Premises**

Players, coaches and/or team officials disqualified during a game and found guilty of not adhering to FIBA rules of the game are to be suspended for 5 games and his/her team will lose the game 20 – 0 in case the team of the defaulter wins the game.

The Commissioner may in accordance with the gravity of the incidents, impose a fine of not more than LM100 in addition to the above.

Suspended officials are not allowed to enter any place where basketball activities are organised by the MBA (14th December 2006).

### **7.13 Disqualified Players/Coaches/Team Officials**

Players, coaches and/or team officials directly disqualified (not two unsportmanlike fouls) from the game will automatically be suspended for the next game. Also he/she will have to appear before the Disciplinary Commissioner.

## **8.0 OTHERS**

### **8.1 Offence by youth players**

When a youth player is found guilty of an offence, which is not considered to be of a serious nature, the Commissioner may discharge him on condition that he shall not commit another offence within a period of time stipulated by the DC. If such a player commits another offence within the conditional period of time, he shall be considered as a relapser and the penalty applicable to him shall not be awarded in its minimum. If such player commits another offence after the conditional period of time has expired, such player shall not be deemed to be a relapser but shall only be sentenced in accordance with the offence. A conditional discharge may only be given once during the same season to the same player

### **8.2 First offences**

When a player, whatever his age, is found guilty of a minor offence, this being his first report, the Commissioner can give a conditional discharge for a period of time.

## **9.0 CASES OF CORRUPTION**

### **9.1 Corruption**

When a case of alleged corruption is reported to the MBA, the President's Council will nominate a board of inquiry consisting of not more than five persons to investigate the allegations. This board shall submit its report within two months from the appointment date and must recommend any disciplinary to be taken against all those involved. Such recommendations must be approved at a President's Council meeting called to discuss such report. In cases where there is clear proof of alleged corruption the President's Council is to report the case as soon as possible to the police authorities.

## **10.0 DOPING**

### **10.1 Doping**

When a player is found guilty of making use of illegal substance he shall automatically be suspended for a minimum of two years and any other penalty that the Disciplinary Commissioner may recommend and subsequently approved by the President's Council.

## **11.0 AMNESTIES**

### **11.1 Amnesty Proposal**

Proposals for an amnesty, may only receive the consideration of the President's Council after a period of two years has elapsed from the previous amnesty.

### **11.2 No Amnesty Given**

No amnesty shall be given with regards to fines.

### **11.3 No Amnesty**

No amnesty shall be given to anybody who has been removed from the Association for reasons of corruption.

## PENALTY TABLE

								OFFENSE BY	
CAT	AGAINST		AGAINST		AGAINST		Additional	PLAYER	TEAM/CLUB
from	MBA OFFICIAL		PLAYER/COACH		OTHERS		Penalty	COACH	OFFICIAL
Code	Min	Max	Min	Max	Min	Max	Optional		FOLLOWER
1	1 year	Indefinitely	9 months	Indefinitely	9 months	Indefinitely	<MTL500		
2	6 months	5 years	6 months	3 year	3 months	1 year	<MTL200		Uses Objects/Body
3	3 months	5 years	1 month	1 year	1 month	6 months	<MTL100	Uses Objects/Body	Attempts/Spits
4	2 months	2 years	4 games	20 games	2 games	10 games	<MTL100	Attempts/Spits	Aggressive/Threatens/Insulting
5	1 month	1 year	2 games	10 games	1 game	5 games	<MTL50	Aggressive/Threatens	Obscene/Others
6	5 games	10 games	2 games	10 games	1 game	5 games	<MTL25	Supporters Trouble	Supporters Trouble
7	2 games	10 games	1 games	10 games	1 games	5 games	<MTL25	Insulting	
8	Reprimand	<MTL100	Reprimand	<MTL75	Reprimand	<MTL50	<2 games	Obscene/Others	