



MALTA BASKETBALL ASSOCIATION

DISCIPLINARY CODE

Approved during – 22nd March 2016

SECTION A - DEFINITIONS & GENERAL RULES

DC-A1 APPLICATION OF THE DISCIPLINARY CODE

The sanctions and other disciplinary measures detailed in this Disciplinary Code shall only be imposed on offenders found guilty of an offence after the case would have been processed as regulated by the MBA Statute.

DC-A2 DEFINITIONS

The definitions and interpretations given in this section apply to the whole Disciplinary Code.

- i. In this code singular terms shall be deemed to include the plural, and masculine terms shall include the feminine.
- ii. Club - A club is a constituted body or any other entity, which is affiliated formally to the Malta Basketball Association.
- iii. An Athlete shall be any individual registered with the MBA. This definition holds both when the individual is participating in an event and also when he/she is not.
- iv. "Youth Athlete" - A athlete is considered as a Youth Athlete until he/she reaches the age of 17 years.
- v. A team official shall mean that person whose name appears on a team list or score sheet and who accompanies the team for any given match.

Clarification: An individual shall be deemed a team official only during participation, that is, immediately before, during and immediately after the event in question, and while still within the precincts of the court. At all other times and for the purpose of this Code, these persons shall be considered to be "club committee members".

- vi. A club committee member shall mean that person who forms part of a club committee, sub-committee or some other club board.
- vi. MBA Official shall mean any Council member, any member of the Executive Board, any member of any one of the MBA's boards, MBA employees and volunteers including coaches and assistant coaches, referees, table officials, and all those charged with an official function or other role. MBA Official shall also include Disciplinary Commissioners, as well as those individuals nominated by the Council as delegates for MBA activities.
- vii. Match Official shall include the referees and table officials nominated for a match.

- viii. In any venue where an MBA event or competition is being held, the restricted area shall mean those areas reserved for the referees, table officials, athletes and team officials. The restricted area also includes those sections on stands/terraces that are indicated to be Guest or VIP areas.

For any Basketball event, athletes and team officials whose names do not feature on the team list/score sheet of any given match shall be prohibited from entering the restricted area.

- ix. A supporter is any individual who does not fall into the category of athlete, team official, club committee member or MBA official, as defined above, and who supports any given club, whether within the precincts of the court or not.
- x. Identified Supporter means a supporter who is either identified by the person/s making a report or named in the same report, or a supporter who is identified by the committee of his/her club before a decision on the relative case is taken by the Disciplinary Commissioner. In this latter case, the identification and naming must be made in writing and presented to the Secretary General.

Clarification: When an offence is committed by more than 1 supporter such that a number of the individuals are identified and the rest are not, action shall be taken against the identified supporter/s as specified in this Code (Identified Supporter), and, action shall also be taken against the club as specified in this Code (Supporter).

- xi. An event shall mean any given match.
- xii. Competition shall mean any league, knock-out or other tournament, including any preliminary rounds, play-offs organised by or held under the auspices of the MBA.
- xiii. Month/s shall mean active season months
- xiv. "Individual/s" – The term Individual/s refers to athletes, team/club official, team followers and/or supporters.
- xv. "Party" – The term Party stands for team, club, athlete, supporter and any other individual.
- xvi. "MBA" - stands for Malta Basketball Association.
- xvii. "MBAC" - stands for Malta Basketball Association Council
- xviii. "EB" - stands for Executive Board

DC-A3 PROCEDURES

- i. **Disciplinary Commissioner** - The Executive Board shall from time to time appoint a Disciplinary Commissioner. It shall extend to him/her all those powers, rights and functions, which it deems necessary according to the powers given to it by the Statute of the MBA.
- ii. **The Disciplinary Commissioner** - The Disciplinary Commissioner is competent to hear and decide all cases relating to any infringement laid down in this Disciplinary Code. In particular incidents that take place during competitions organised by the Association, cases regarding athletes chosen to form part of the National team's selections, cases regarding the behaviour of spectators during matches, and any other disciplinary case referred to him by the MBA Council and/or the Executive Council. Reports are to be in writing.
- iii. **The Disciplinary Commissioner's Secretary** - The PC shall appoint a Secretary to the Disciplinary Commissioner. His/her duty is to keep the Commissioner informed about any past episodes of misconduct which the person accused before it was involved in for a period of five years preceding the incident in question.

The Secretary will also be responsible for the recording and filing of the decisions taken.

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

No person will be eligible to hold the post of Secretary if s/he is:

- a practicing referee;
- a registered athlete;
- a person connected in any way or another with an MBA club.

iv. **Reporting Procedure.**

- Whenever a game official or MBA official reports any individual or club he shall forward his report within 48 hours from the termination of the relative game in writing.

- The report must only contain the facts surrounding the incident and must not include the official's opinion or interpretation of the incident.
 - The report shall be forwarded to the Secretary General of the Association or his representative.
 - The Secretary/Delegate of the club concerned, is to be served/provided with a copy of the report which shall be posted, faxed or e-mailed within 72 hours from the termination of the game. (Sundays or Public Holidays shall not be included in the calculation of this time period)
 - The date of receipt shall be taken to be that of the post-mark, email date or fax report.
 - If the procedure used to compile and file a report differs from that given in this article, the report shall not be valid and cannot be used in any disciplinary procedures carried out by the Disciplinary Commissioner. Notwithstanding this the report will still be retained on file by the MBA.
 - Whenever a club official, coach or athlete wishes to report incidents occurring during, before or immediately after a game s/he shall do so in writing to the Secretary General by not later than 48 hours after the termination of the game. Such report carries a fee of sixty euro (€60) to be known as the "complaint fee"
- v. **Disciplinary Meetings** - The Disciplinary Commissioner shall hold a disciplinary sitting on the first available date after the filing of a report, at the MBA headquarters. In no case shall the sitting be held after the next competitive game in which the person/club subject of the report is meant to participate in.
- If the report is being contested, the club Secretary shall notify the Secretary General by phone within forty eight (48) hours but not later than four (4) hours before the sitting. Such contestation carries a fee of sixty euro (€60).
 - If the advice is not received within the stipulated time, the Disciplinary Commissioner shall consider the case as "uncontested"
 - The club/individual wishing to contest the report may produce up to three (3) witnesses.

Any Witness who wilfully makes a false statement during the Disciplinary proceedings shall be liable to a penalty as imposed by the Disciplinary Commissioner, and this within the remits of the penalties listed in Section 7 of this code.

Provided that said person who provides such false testimony shall also be reported to the Presidents Council which may then decide to impose further penalties upon said person.

- 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.
- The referee/umpire/commissioner/table official or any other individual making the report may be consulted even when his report is not being contested.

If during the course of the Disciplinary proceedings it emerges that other breaches of the Disciplinary Code have been breached then it will be possible to amend the Disciplinary report.

Provided however that in such an instance said proceedings will then be postponed by a day in order to allow time to the club/athlete/individual to prepare its defence.

- When a report is being contested and the game officials or individual making the report fail to appear, the case shall still be decided.
- The complaint fee shall be refunded to that club official, coach or athlete if the complaint is decided favorably.

Provided further that the Disciplinary Commissioner shall have the faculty to inform himself in any manner, including video evidence, and in the determination of the facts, he shall not be bound by formalities, and nor shall a defect in any formality hinder the determination of any complaint and/or the finding of the truth.

Provided that if the person (or his/her representative) who is accused of breaching the Disciplinary Code fails to appear then this will be taken as an automatic admission of guilt.

V1. **Appeals**

- A club/official/individual shall have the right to appeal against a decision of a contested report in writing within 48 hours of receiving the disciplinary decision by paying a deposit of one hundred and twenty euro (€120).
- A club or any other individual will not have a right of appeal against any decision taken by the Disciplinary Commissioner unless the report had previously been contested.

i. **Effective Date of Suspensions**

The date on which a suspension from all MBA activities shall come into effect shall be determined by the Disciplinary Commissioner, provided that such a suspension shall come into effect as soon as possible, while, at the same time, ensuring that the suspension is meaningful, and further provided that the commencement of the suspension shall not be earlier than the date on which the suspension is imposed.

When a suspension from all MBA activities is confirmed, reduced, increased or otherwise modified by the Board of Appeal, the date of commencement of the said suspension shall be in line with the provisions of the preceding paragraph.

A suspension from all MBA Activities until the end of the season shall be deemed to have been served immediately before the opening of the forthcoming Annual General Meeting.

Suspensions of matches, events or competitions shall be effective immediately.

All periodical suspensions imposed on an athlete shall be effective in all the categories within which that athlete is currently participating and this solely and exclusively during all National League and Cup Competitions.

ii. **Completion of Match Suspensions**

Match suspensions shall be completed in the same category in which the relative offence was committed, unless otherwise stated by the DC, provided that the league and cup competitions for the same category shall be considered to be the same competition.

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.

A coach, assistant coach, manager, team follower and/or any official of any team or club who has been suspended will automatically be barred from sitting on the bench during his team/club commitments during his period of suspension.

Furthermore any suspended officials including coaches, assistant coaches, managers, team followers and / or any official of any team or club are not allowed to enter any place where basketball activities are organised by the MBA.

For the purpose of this article, each item in the list below represents a distinct competition such that a match suspension incurred during a match in connection with a competition in one item shall be completed in a competition in the same line. The actual competitions are defined in the Basketball Competition Rules.

- National Basketball Competitions;
- Knock outs;

- Super Cups;
- U/23 Competitions;
- U/19 Competitions;
- U/16 Competitions;
- U/14 Competitions
- Any other competition, including tournaments, that may be organised such that every different one shall be considered to be a different competition;

The following provisions shall apply:

- match suspensions incurred in friendly matches (of any category or age-group) shall be converted into fines at the rate of €75 per match suspension

The following provisions shall apply in the case that a match suspension is not fully completed in the season in which it was imposed:

- match suspensions incurred in senior competitions (National competitions, Cup competitions) shall be carried forward to the next season;
- match suspensions incurred in age-group competitions shall be carried forward to the next season. Suspensions will be carried forward to the next season by the individual even if there is a change of category.

iii. **Suspensions from all MBA activities**

During the term of a suspension from all MBA activities, the suspended individual

- Shall not be able to attend any Annual General Meeting;
- Shall not form part of the Council;
- Shall not be eligible to participate (be it as athlete or as team official) in any competitions organised by the MBA or under the auspices of the MBA;
- Shall be precluded from entering or approaching the Pavilion or any other venue where an MBA event or competition is held. This prohibition shall not apply to athletes and coaches unless the Disciplinary Commissioner shall have decided otherwise;
- Shall not be eligible to form part of a club committee or sub-committee;
- Shall not be eligible to act as club delegate.

iv. **Effect of suspensions of clubs Council Members**

When a club is suspended from all MBA Activities, the Council member (and his substitute) nominated by that club shall remain a Council member, yet shall lose his right to vote at Council meetings and Annual General Meetings as long as that club shall remain so suspended.

v. **Suspensions from other national and international associations**

The MBA recognises suspensions or other disciplinary measures imposed by :

- FIBA & other associations and federations affiliated with it;
- Local associations and federations that are prepared to accept suspensions or other disciplinary measures imposed by the MBA.

vi. **Suspensions by Clubs**

Suspensions imposed by clubs on players or other individuals registered within their ranks shall only be recognised by the MBA if, the Secretary General is informed in writing by not later than seven (7) days after the date of the decision in which the suspension was handed out. Cases of suspensions handed out and which are longer than 30 days are to be reported to the MBA and decided upon by the Disciplinary Commissioner.

vii. **Liability**

- **Liability of Clubs -** Clubs shall be held responsible for the behaviour of their players, committee members, other officials and their supporters. Therefore a club shall be liable and will be held accountable for any kind of misconduct and/or incidents caused by these persons.
- Personal Liability - Individuals upon whom the MBA has jurisdiction shall be held personally liable for any kind of misconduct and/or incidents in which they have actively or passively taken part.

DC-A5 GENERAL RULES

i. **Offences by unidentified athletes**

When an offence is committed by an unidentified athlete, the applicable sanction shall be borne by the team captain, provided that such an incident shall not be registered on the captain's conduct certificate.

ii. Fines

All fines are to be paid prior to the next competitive game in which the individual or team sentenced to pay the fine is to take part. Individuals or clubs that are ordered to pay a fine shall be deemed to be suspended from all MBA activities, and shall remain so suspended, until such fine is paid.

iii. Damages

In addition to the sanction stipulated under this Code, every individual or club shall be obliged to remedy all damages sustained as a direct result of the incident for which said club or individual has been sanctioned. In case of damages caused by supporters (identified or unidentified), the club shall be responsible for such damages. Individuals or clubs that are ordered to pay such damages shall be deemed to be suspended from all MBA activities, and shall remain so suspended, until such fine is paid.

iv. Unpaid fines and damages

Where an athlete, a team official or a club committee member fails to settle any fine or damages ordered by the Disciplinary Commissioner by the end of a season, such fine or damages shall automatically become the sole liability of the club to which such athlete, team official or committee member pertains, in such a way as though said club had been ordered to pay in the first place.

v. Minor Offences

Notwithstanding the contents of this Code, clubs and/or individuals committing an offence which under this code or by its nature is not grave, may be found guilty without suffering the stipulated sanction, provided such clubs and/or individuals shall not be repeat offenders. It shall be up to the sole discretion Disciplinary Commissioner whether or not to show such leniency, provided that in applying this discretion, the Disciplinary Commissioner shall be guided by sporting justice and previous decisions if these exist.

vi. Offences not mentioned in this Code

Where an incident is committed giving rise to an offence which is however not mentioned in this Code, a sanction may nevertheless be imposed. This sanction shall be based on previous decisions involving similar offences (if these exist) and shall be in line with the spirit of this code and grounded on the principles of equity and sporting justice.

vii. Offences in the Restricted Area

An offence committed in a Restricted Area shall incur double the sanction that would otherwise apply had it been committed elsewhere.

viii. Sanctions in U/16 Competitions

No fines shall be imposed on athletes who commit an offence in a competition in which only athletes who are 16 years old or younger in the year of competition are eligible to participate. In this case, the applicable sanctions shall be suspensions.

ix. Serious injuries

Should there ever arise any doubt about the gravity of the injuries sustained in any incident, the Disciplinary Commissioner shall determine the gravity or otherwise in accordance with the Criminal Code.

x. Deduction of points

On the extreme cases where Disciplinary Commissioner deems it fit to impose a deduction of points on a club, such a deduction shall be made from the points accumulated during the competition in which the offence took place. Where the competition is a knock out, the club shall have the points deducted from the subsequent league competition immediately upon commencement of said competition.

xi. Disqualified Athletes/Coaches/Team Officials

Athletes, coaches and/or team officials expelled or in any other way disqualified during a game which forms part of any competition organised by the MBA will automatically be suspended for the next game. The only exception to this rule is when an athlete/coach is expelled for two unsportsmanlike/technical fouls. Also he/she will have to appear before the Disciplinary Commissioner.

xii. Any team or club, committee member or other official found guilty of an offence shall be penalised in accordance with the clauses held in this Disciplinary Code. Provided that the circumstances surrounding the commission of the offence do not warrant a higher degree of punishment, as provided for in this code or any other code or statute promulgated by the MBA.

xiii. Appeals

The Right of Appeal shall be granted in all cases.

Appeals will be heard by an Appeals Board as duly composed and functioning under Chapter 15 of the Malta Basketball Association's Statute.

DC-A6 REPEAT OFFENDERS

An athlete, any individual, club or team is found guilty of more than one offence during a Twelve (12) month time frame shall be deemed to be a repeat offender. The offences need not be the same or similar to each other. For the purpose of this rule, any number of offences committed by the same individual that are included in the same report shall be considered to be one offence. Similarly, if one offence is reported by several persons then the offence shall be considered to be the same one offence.

For the second, third and any subsequent offence/s, the sanction shall be automatically doubled.

DC-A7 POWERS OF THE MBA COUNCIL

The MBA Council shall have the power to decide upon all acts committed which are in breach of any of the rules laid out by the MBA, and which are referred to it by the Disciplinary Commissioner or by any of the elected members, in accordance with the procedure hereunder established. The PC shall have the power to impose penalties against the party found guilty.

DC-A8 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 he is to appear before the President's Council. This 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 appear on the set date, the President's Council shall investigate the matter and decide on how to proceed depending on the circumstances surrounding the case. The President's Council may, at its own discretion, adjourn the case to another date or decide the case.

The President's Council may also decide to suspend the party involved indefinitely pending the final outcome of the case.

DC-A9 PENALTIES THAT MAY BE AWARDED BY THE MBA COUNCIL

In the event of any individual, club or team being found guilty of having committed any act which is in violation of MBA rules and regulations, or of any other misconduct, the President's Council shall have the power to penalise the offender by expelling him/her from the MBA and/or suspend them for a definite period and/or with the imposition of a fine, or with any other disciplinary measure that the

President's Council may deem fit. This may also include the imposition of suspended sentences.

The President's Council shall have the power to impose more than one penalty for the same offence.

DC-A10 AMENDMENTS TO THIS CODE

These rules may only be revised and approved at an Executive Council meeting. The Executive Council's decision to amend this Code shall also incorporate the date when the amendments are to come into effect.

DC-A11 OFFENCE CATEGORIES AND CORRESPONDING SANCTIONS

Table A7 below shall be applied in order to determine sanctions based on the category of offence and the party committing the offence. Offence categories are detailed in subsequent sections of this Code.

In the table:

- The contents of the "Fine" columns stipulate the fines associated with the offence category.
- The contents of the columns "Min Match" and "Max Match" stipulate the minimum and maximum number of matches suspension associated with the offence category. Where the minimum and maximum values are equal, the number of games suspension that shall be imposed is not a variable.
- The contents of the columns "Min Susp" and "Max Susp" stipulate the minimum and maximum periods of suspension from all MBA activities associated with the offence category. Where the minimum and maximum values are equal, the period of suspension from all MBA activities that shall be imposed is not a variable. In these columns, "y" means "year/s", "m" means "month/s" and "w" means "week/s".

Table A7 – Offence Categories and Related Sanctions

Classification of Individual Committing the Offence (The Guilty Party)

Offence Category	Athlete in U/16 and Lower Age-Groups				Athlete in all events except in U/16 and Lower Age-Groups					Team Official					Club Committee Member of MBA Official		
	Min Match	Max Match	Min Susp	Max Susp	Fine	Min Match	Max Match	Min Susp	Max Susp	Fine	Min Match	Max Match	Min Susp	Max Susp	Fine	Min Susp	Max Susp
A	-	-	Life	Life	-	-	-	Life	Life	-	-	-	Life	Life	-	Life	Life
B	-	-	2y	4y	€ 240	-	-	1y	4y	€ 240	-	-	1y	4y	€ 500	3y	5y
C	6	6	-	-	€ 240	4	4	-	-	€ 240	-	-	2y	2y	€ 240	2y	2y
D	3	6	-	-	€ 200	2	2	-	-	€ 250	3	8	-	-	€ 300	1m	6m
E	1	4	-	-	€ 100	1	4	-	-	€ 240	4	8	-	-	€ 240	2m	5m
F	-	-	4m	24m	€ 240	-	-	3m	24m	€ 240	-	-	3m	24m	€ 350	1y	3y
G	4	4	-	-	€ 240	2	2	-	-	€ 240	-	-	3m	12m	€ 240	3m	12m
H	2	2	-	-	€ 70	1	1	-	-	€ 140	1	4	-	-	€ 190	1m	3m
I	2	2	-	-	€ 70	1	1	-	-	€ 120	1	4	-	-	€ 120	1w	4w
J	-	-	18m	30m	€ 250	-	-	1y	2y	€ 250	-	-	1y	2y	€ 400	1y	3y
K	3	3	-	-	€ 200	2	2	-	-	€ 300	-	-	6m	24m	€ 300	6m	24m
L	3	6	-	-	€ 150	2	6	-	-	€ 200	2	8	-	-	€ 350	2m	12m
M	2	2	-	-	€ 150	1	1	-	-	€ 300	-	-	6m	24m	€ 300	6m	24m
N	1	1	-	-	€ 70	0	1	-	-	-	-	-	-	-	-	-	-
O	4	4	-	-	€ 120	1	3	-	-	€ 190	2	8	-	-	€ 240	4m	6m
P	1	4	-	-	€ 100	1	3	-	-	€ 240	3	8	-	-	€ 350	2m	12m
Q	1	1	-	-	€ 50	-	-	-	-	€ 100	1	1	-	-	€ 150	2w	2w
R	3	3	-	-	€ 120	2	2	-	-	€ 190	2	4	-	-	€ 240	1m	2m
S	1	4	-	-	€ 100	1	4	-	-	€ 150	2	8	-	-	€ 190	1m	6m
T	2	2	-	-	€ 100	-	-	-	-	€ 100	-	-	-	-	€ 100	-	-

SECTION B – OFFENCES

DC-B1 OFFENCES AGAINST INDIVIDUALS

Table B1 below shall be applied in order to determine the category of offences committed against individuals. The offence category is determined by the nature of the offence committed and the individual/s against whom the offence is committed. The applicable sanction shall be that indicated for the offence category in Table A7.

Table B1 - Categorisation of Offences Against Individuals

		Category of Individuals against whom the offence was committed					
Reference	Offence	MBA Officials excluding Match Officials	Match Officials	Athletes	Team Officials	Club Committee Members	Spectators
DC-B1-01	Inflicting serious injuries and/or attempting to inflict serious injuries.	A	A	B	B	B	B
DC-B1-02	Using as a weapon any object that is potentially dangerous or may inflict injury. Using includes throwing or hitting. Objects include, but are not limited to, stones, glass bottles, non-empty plastic bottles and other hard or pointed items.	B	B	B	B	B	B
DC-B1-03	Unsuccessfully attempting to use any object that is potentially dangerous or may inflict injury. Using includes throwing or hitting. Objects include, but are not limited to, stones, glass bottles, non-empty plastic bottles and other hard or pointed items.	F	F	G	G	G	G
DC-B1-04	Using any object that is not potentially dangerous. Using includes throwing or hitting. Objects include, but are not limited to, liquids and empty plastic bottles.	D	D	E	E	E	E
DC-B1-05	Unsuccessfully attempting to use any object that is not potentially dangerous. Using includes throwing or hitting. Objects include, but are not limited to, liquids and empty plastic bottles.	H	H	I	I	I	I

Table B1 - Categorisation of Offences Against Individuals

		Category of Individuals against whom the offence was committed					
Reference	Offence	MBA Officials excluding Match Officials	Match Officials	Athletes	Team Officials	Club Committee Members	Spectators
DC-B1-06	Committing an act of brutality, including, but not limited to, kicking, hitting, punching, striking, elbowing, head butting (forwards or backwards). In this clause, the term "brutality" applies to incidents that take place during (in) a match as well as to incidents that do not. Playing in a violent manner (or violent play) does not fall within the scope of this clause if the incident took place during (in) a match.	J	J	K	K	K	K
DC-B1-07	Unsuccessful attempt to commit an act of brutality, including, but not limited to, kicking, hitting, punching, striking, elbowing, head butting (forwards or backwards). In this clause, the term "brutality" applies to incidents that take place during (in) a match as well as to incidents that do not.	L	L	M	M	M	M
DC-B1-08	Playing in a violent manner or be guilty of violent play	N/A	N/A	M	N/A	N/A	N/A
DC-B1-09	Aggressive play or persistent foul play	N/A	N/A	N/A	N/A	N/A	N/A
DC-B1-10	Aggressive behaviour	O	O	N/A	P	P	P
DC-B1-11	Threatening an individual	O	O	P	P	P	P
DC-B1-12	Slandering or libelling an individual	O	O	P	P	P	P
DC-B1-13	Spitting in the direction of an individual (even if the individual is not hit)	O	O	P	P	P	P
DC-B1-14	Manifesting disapproval of any decision	R	Q	N/A	N/A	N/A	N/A
DC-B1-15	Insulting an individual	R	Q	Q	Q	Q	Q
DC-B1-16	Passing remarks	R	Q	Q	Q	Q	Q
DC-B1-17	Using unacceptable language	R	Q	Q	Q	Q	Q
DC-B1-18	Making obscene or vulgar gestures	R	Q	Q	Q	Q	Q
DC-B1-19	Refusing obedience or showing disrespect	P	Q	Q	Q	Q	Q

DC-B2 ADDITIONAL OFFENCES

Table B2 below shall be applied in order to determine the category of offences detailed in the table. The offence category is determined by the nature of the offence committed. The applicable sanction shall be that indicated for the offence category in Table A7.

Table B2 - Categorisation of Additional Offences		
Reference	Offence	Offence Category
DC-B2-01	Swearing (Dagha)	T
DC-B2-02	Behaving in such a way such that is likely to bring the sport into disrepute	S
DC-B2-03	Behaving in such a way that is likely to give a bad example.	S
DC-B2-04	Voluntarily causing damage to any property or equipment owned or used by the MBA, or to any property of an MBA official or club	R
DC-B2-05	Remaining on the court or competition area after being excluded in terms of rules that specify that an athlete must leave the competition area	R
DC-B2-06	Remaining on the court or competition area after being expelled/disqualified	R
DC-B2-07	Staying on the court when not entitled	R

DC-B3 INCITEMENT & PROVOCATION

It is an offence for an individual to incite or provoke others, be they supporters, athletes or team officials, whether by reason of his manner of play, or by insulting, passing remarks, gesticulating, or behaving or reacting in an animated manner, or by approaching athletes or officials from the opposing club or their supporters. The applicable sanctions are detailed in Table B3 below.

Table B3 – Incitement & Provocation			
Reference	Description	Committed by	Sanction
DC-B3-01	No or minimal reaction	Athlete U/16	3 match suspension
DC-B3-02	Strong reaction	Athlete U/16	5 match suspension
DC-B3-03	No or minimal reaction	Athlete	€150 fine
DC-B3-04	Strong reaction	Athlete	€300 fine and a 2 match suspension
DC-B3-05	No or minimal reaction	Team Official	€250 fine and a 2 match suspension
DC-B3-06	Strong reaction	Team Official	€500 fine and a 4 match suspension
DC-B3-07	No or minimal reaction	Committee Member of MBA Official	€400 fine and 1 month suspension from all MBA activities
DC-B3-08	Strong reaction	Committee Member of MBA Official	€800 fine and a 4 month suspension from all MBA activities
DC-B3-09	No or minimal reaction	Supporter/s	Club to be fined €250
DC-B3-10	Strong reaction	Supporter/s	Club to be fined €500
DC-B3-11	No or minimal reaction	Identified Supporter/s	Refer to Article DC-C2 – Offences Committed by Identified Supporters
DC-B3-12	Strong reaction	Identified Supporter/s	Refer to Article DC-C2 – Offences Committed by Identified Supporters

DC-B4 FIGHTING AND/OR DISORDER

In case of general fighting and/or disorder between athletes and/or team officials of different teams, regardless of whether those responsible may be identified or not, the respective clubs shall be sanctioned as stated in Table B4 below.

Table B4 – Fighting and Disorder		
Reference	Offence	Sanction
DC-B4-01	Fighting and/or Disorder	Fine between €400 and €1200. If it is established that athletes and/or team officials of one club were responsible for causing the general fighting and/or disorder, such club shall suffer an additional fine amounting to not less than double of what the other club has been fined.

In general, the area where the fighting or disorder started can be used to establish the team responsible for causing the incident. Usually, if the incident takes place on the side of the court occupied by one particular team, the incident would have been caused by the other team. This is because it can be said that the latter “invaded” the former.

DC-B5 USE OF INELIGIBLE ATHLETES

It is an offence for a club, even if in good faith, to use an ineligible athlete in a MBA competition in breach of the Statute, the Competition Rules or any other regulation of the MBA. The applicable sanctions are detailed in Table B5 below.

Table B5 – Use of Ineligible Athletes		
Reference	Competition	Sanction
DC-B5-01	All age groups U/16	* The club fined €150, and * The result of the match shall be fixed as 20-0 against the club.
DC-B5-02	All League Competitions other than those in DC-B5-01	* The club fined €500, and * The result of the match shall be fixed as 20-0 against the club, and, * If in the opinion of the Disciplinary Commissioner, such athlete was intentionally used to favour a separate club, the club using such athlete shall have 3 points deducted in the current competition, and a further 2 points in the subsequent competition.
DC-B5-03	Knock-Out Competitions and other Cups	* The club fined €500, and * The result of the match shall be fixed as 20-0 against the club, and, * If in the opinion of the Disciplinary Commissioner, such athlete was intentionally used to favour a separate club, the club shall not be eligible to participate in the subsequent Knock-Out/Cup competition, whichever comes first.

DC-B6 DELAYED EVENTS

It is an offence where a match starts later than scheduled due to the late arrival at the venue of one or both of the teams, or because one or both teams were not in a position to start. The sanction is illustrated in Table B6 below.

Table B6 – Delayed Events		
Reference	Offence	Sanction
DC-B6-01	Delayed Events	€50 fine

DC-B7 WALK-OVERS

It is an offence to grant a walk-over, or not turn up for a competition. The applicable sanctions are detailed in Table B7 below.

Table B7 – Walk Overs		
Reference	Competition	Sanction
DC-B7-01	All age groups U/16	* The club fined €100, and * The result of the match shall be fixed as 20-0 against the club.
DC-B7-02	All League Competitions other than those in DC-B5-01	* The club fined €250, and * The result of the match shall be fixed as 20-0 against the club, and, * If in the opinion of the Disciplinary Commissioner, the walk-over was intended to favour a separate club, the club granting the walk-over shall have 3 points deducted in the current competition, and a further 2 points in the subsequent competition.
DC-B7-03	Knock-Out Competitions and other Cups	* The club fined €500, and * The result of the match shall be fixed as 20-0 against the club, and, * if in the opinion of the Disciplinary Commissioner, such athlete was intentionally used to favour a separate club, the club shall not be eligible to participate in the subsequent Knock-Out/Cup competition, whichever comes first

DC-B8 ABSENT ATHLETES

It is an offence for a club not to field the best possible team for each event in which it is scheduled to participate. The applicable sanctions are detailed in Table B8 below.

Table B8 – Absent Athletes		
Reference	Competition	Sanction
DC-B8-01	All age groups U/16	* €50 fine
DC-B8-02	1st Division	* The club fined €500, and * The club is suspended from the competition till the end of the season,
DC-B8-03	2nd Division and all other League Competitions other than those in DC-B8-01	* The club fined €250, and * The club is suspended from the competition till the end of the season,

DC-B9 WALK-OVERS & ABSENT ATHLETES – DEFAULT BY ATHLETE/S

If a club is in breach of DC-B7 or DC-B8 due to the default of one or more of its athletes, the club shall refer the matter to the competent organs of the MBA, and, should it result that such athlete/s did not have a valid reason not to appear, a sanction against each of the athletes shall be applied. This is illustrated in Table B9 below.

Table B9 – Walk-Overs & Absent Athletes – Default by athlete/s		
Reference	Offence	Sanction
DC-B9-01	Walk-Overs & Absent Athletes – Default by athlete/s	* €100 fine each, and/or * suspended from all MBA activities for a period of not more than 1 year.

DC-B10 WITHDRAWAL FROM COMPETITIONS

It is an offence to withdraw from a competition once this has started. The applicable sanctions are detailed in Table B10 below.

Table B10 – Withdrawal from Competitions		
Reference	Competition	Sanction
DC-B10-01	All	The club shall forfeit all fees paid in respect of the competition. Furthermore, the sanctions below apply.
DC-B10-02	All age groups U/16	€50 fine for each outstanding match
DC-B10-03	1st Division 2nd Division and all other League	€150 fine for each outstanding match
DC-B10-04	Competitions other than those in DC-B10-01	€100 fine for each outstanding match

DC-B11 ABANDONMENT OF MATCHES

Where the referees abandon a match due to misbehaviour of athletes, team officials or supporters, the Disciplinary Commissioner shall first determine whether the abandonment was caused by one of the clubs or by both clubs. The applicable sanctions are detailed in Table B11 below.

Table B11 – Abandonment of Matches			
Reference	Cause	Competition	Sanction
DC-B11-01	1 club	All	The other club will be declared the winner of the match and, if applicable, gets all points for the match. Furthermore, the sanctions below apply.
DC-B11-02	1 club	All age groups U/16	* €250 fine, and * Sanctions for the particular offences committed.
DC-B11-03	1 club	1st Division	* €1200 fine, and * Sanctions for the particular offences committed.
DC-B11-04	1 club	2nd Division and all other League Competitions other than those in DC-B10-01	* €600 fine, and * Sanctions for the particular offences committed.
DC-B11-05	both clubs	All	None of the teams will get any points for the match. If the match was a Knock-Out match then both teams will be removed from the competition. Furthermore, the sanctions below apply.

Table B11 – Abandonment of Matches			
Reference	Cause	Competition	Sanction
DC-B11-06	both clubs	All age groups U/16	* €250 fine, and * Sanctions for the particular offences committed.
DC-B11-07	both clubs	1st Division	* €1200 fine, and * Sanctions for the particular offences committed.
DC-B11-08	both clubs	2nd Division and all other League Competitions other than those in DC-B10-01	* €600 fine, and * Sanctions for the particular offences committed.

DC-B12 WITHDRAWAL FROM A MATCH

It is an offence for a team to fail to complete a match, or after having made itself present prior to the match, to refuse to start as a sign of protest. The applicable sanctions are detailed in Table B12 below.

Table B12 – Withdrawal From a Match		
Reference	Offence	Sanction
DC-B12-01	Withdrawal from a match	* Suspension of the team (not club) up to the end of the season, and, * For the subsequent competition shall be relegated to participate in a lower division. Where such a relegation is not possible, such club shall instead be fined between €500 and €1500, and shall commence the subsequent competition with a penalisation of 4 points.

DC-B13 SHORTCOMINGS DURING PRESENTATIONS

It is an offence for a team captain or his substitute to fail to come forward for any presentation of awards after having been called up by the MBA. The applicable sanctions are detailed in Table B14a below.

Table B13 – Shortcomings During Presentations			
Reference	Competitions	Ranking	Sanction
DC-B13-01	All	Any	Clubs and/or athletes shall lose their right to claim such medal / reward. The sanctions below shall also apply.
DC-B13-02	All age groups U/16	Winners	The club shall be fined €100.
DC-B13-03	All age groups U/16	Runners-up	The club shall be fined €200.
DC-B13-04	1st Division	Winners	The club shall be fined €500.
DC-B13-05	1st Division	Runners-up	The club shall be fined €100.
DC-B13-06	2nd Division and all other League Competitions other than those in DC-B14-02	Winners	The club shall be fined €250.
DC-B13-07	2nd Division and all other League Competitions other than those in DC-B14-02	Runners-up	The club shall be fined €500.

SECTION C – OFFENCES BY SUPPORTERS

DC-C1 OFFENCES COMMITTED BY UNIDENTIFIED SUPPORTERS

A club is responsible for the behaviour of its supporters. If supporters commit an offence then disciplinary action will be taken against the club that they would have been supporting. An exception to this may be made if the supporters are identified. The offences and associated sanctions (on the club) are detailed in Table C1 below.

Table C1 – Offences Committed by Un-Identified Supporters		
Reference	Offence	Sanction on the Club
DC-C1-01	Mass violent invasion of the court.	* €1500 fine, and * The team shall be suspended for the rest of the competition in which the offence took place, provided that if the competition is a league competition in which relegation and promotion is allowed, then the team shall be relegated, but if relegation is not allowed, the team shall start the following season's league with a deduction of between 1 and 4 points; and further provided that if the competition is a knock-out competition, the team shall be barred from participating in the following season's corresponding
DC-C1-02	Kicking, hitting, punching, striking, elbowing, head butting (forwards or backwards) any other individual.	* A fine between €250 and €1000. * In addition to this fine, if the offence was committed in a league match, a maximum of 2 points may be deducted; if the offence was committed in a knock-out match, the team may be precluded from participating in the corresponding knock-out in the following season.
DC-C1-03	Intimidation, threatening, acting aggressively or violently or spitting at an MBA official, a club committee member a team official or an athlete (Not serious)	* €250 fine, and, * Either a severe warning or a deduction of maximum 2 points. If such a deduction of points is imposed, then the deduction shall be effective in the league competition in which the team is participating, or, in the case that the league completion for the season is complete, the points will be deducted in the following season's corresponding league competition.
DC-C1-04	Intimidation, threatening, acting aggressively or violently or spitting at an MBA official, a club committee member a team official or an athlete (Serious)	* €1500 fine, and * The team may be suspended for the rest of the competition in which the offence took place, provided that if the competition is a league competition in which relegation and promotion is allowed, then the team shall also be relegated, but if relegation is not allowed, the team shall start the following season's league with a deduction of between 1 and 4 points; and further provided that if the competition is a knock-out competition, the team shall be barred from participating in the following season's corresponding knock-out competition.

Table C1 – Offences Committed by Un-Identified Supporters

Reference	Offence	Sanction on the Club
DC-C1-05	Damaging any property or equipment owned or used by the MBA, or any property of an MBA Official or club.	* A fine between €120 and €350, and, * Either a severe warning or a deduction of maximum 2 points. If such a deduction of points is imposed, then the deduction shall be effective in the league competition in which the team is participating, or, in the case that the league completion for the season is complete, the points will be deducted in the following season's corresponding league competition.
DC-C1-06	Using as a weapon any object that is potentially dangerous or may inflict injury. Using includes throwing or hitting. Objects include, but are not limited to, stones, glass bottles, non-empty plastic bottles and other hard or pointed items.	* A fine between €600 and €1000, and, * Either a severe warning or a deduction of 1 point. If such a deduction of points is imposed, then the deduction shall be effective in the league competition in which the team is participating, or, in the case that the league completion for the season is complete, the points will be deducted in the following season's corresponding league competition.
DC-C1-07	Using any object that is not potentially dangerous. Using includes throwing or hitting. Objects include, but are not limited to, liquids and empty plastic bottles.	* A fine between €120 and €350.
DC-C1-08	Fighting between themselves or with other clubs" supporters.	€250 fine for each of the clubs involved.
DC-C1-09	Using (including chanting) of vulgar or inflammatory language.	€120 fine.

DC-C2 OFFENCES COMMITTED BY IDENTIFIED SUPPORTERS

When any of the offences mentioned in DC-C1, are committed by an identified supporter, then he shall be suspended from all MBA activities for a period that shall be at the discretion of the Disciplinary Commissioner provided that the Commissioner shall be in line with the spirit of this code and on the basis of equity and sporting justice and guided by the sanction for the particular offence in DC- C1, and previous decisions (precedents).

During the period that the identified supporter is suspended from all MBA activities, all the provisions listed in the definition of a suspension from all MBA activities shall apply. In particular, the identified supporter shall be banned from attending any Basketball matches organised by the MBA. If the identified supporter goes against this ban, then the provisions of DC- C1 may be applied as if the supporter was not identified.

If, in the opinion of the Disciplinary Commissioner, the offence committed is of a very grievous nature, then sanctions against the identified supporter's club may be taken in addition to the personal sanctions detailed in this sub-article. In this case the sanctions shall be as if the supporter was not identified.

SECTION D – OTHER VIOLATIONS

DC-D1 CORRUPTION

It is an offence for any athlete, team official, MBA official, match official, club committee member or supporter to engage, or to attempt to engage, in any act of corruption in return for a favour. Both the individual offering the favour and the individual accepting the favour shall be deemed to be offenders.

For the purposes of this article "act of corruption" shall mean any act whereby one agrees, or even attempts to agree, with others with an aim at influencing the outcome of any event, match or competition made by or held under the auspices of the MBA in return for a favour, even if such favour is intended for third parties.

For the purposes of this article "favour" shall include any manner of compensation, whether it be monetary remuneration, preference or other reward.

The sanctions in Table D1a below shall apply. Also a report to the Police will be filed.

Table D1a – Corruption		
Reference	Category of Offence	Sanction
DC-D1-01	Offering the favour	-*The club of the offender shall be suspended from all MBA activities until the end of the season following the one in which the offence is committed. and, * The individual suspended from all MBA activities for life.
DC-D1-02	Accepting the favour	* The individual suspended from all MBA activities for life.

It is also an offence for any athlete, team official, MBA official, match official, club committee member or identified supporter, who though aware of an act of corruption or of an attempt of an act of corruption, to fail to report the matter to the MBA.

It is also an offence for any athlete, team official, MBA official, match official, club committee member or supporter, to spread false rumours on corruption. For the

purposes of this article a report made in terms the preceding sub-article shall not be deemed an offence, provided that if on investigation it is found that such report is frivolous or vexatious, then it shall be deemed a false rumour
The sanctions in respect to these offences are detailed in Table D1b below.

Table D1a – Corruption		
Reference	Category of Offence	Sanction
DC-D1-03	Failing to report corruption as explained above	The individual shall be suspended from all MBA activities for a period between 1 and 4 years.
DC-D1-04	Spreading false rumours on corruption as explained above	The individual shall be suspended from all MBA activities for a period between 6 months and 3 years.

DC-D2 RACISM

It is an offence for any individual to commit acts of racism. These acts include, but are not limited to:

- passing derogatory racist remarks;
- making offensive racist gestures;
- acting or behaving in a manner that is racially abusive, insensitive or even incorrect.

The sanctions in Table D2 below shall apply.

Table D2 – Racism		
Reference	Category of Individual	Sanction
DC-D2-01	Athlete	* €200 fine, and * 3 match suspension
DC-D2-02	Team Official	* €300 fine, and * 4 match suspension
DC-D2-03	Club Committee Member or MBA Official	* €400 fine, and * Suspension from all MBA activities for 1 month
DC-D2-04	Identified Supporter	* Suspension from all MBA activities for 3 months
DC-D2-05	Unidentified Supporter	The club that the supporters were supporting shall be fined €400.

If the act of racism committed by the individual results in incitement and/or provocation, additional sanctions as detailed in Article DC-B3 - Incitement & Provocation, shall be imposed.

DC-D3 DISCRIMINATION

It is an offence for an individual or club to discriminate on the basis of sexual orientation, race or creed in the preparation, organisation or holding of any event or competition made by or held under the auspices of the MBA, or to otherwise act or behave in a manner that is abusive, insensitive or even incorrect. Except in cases where the FIBA rules will be adhered to. The sanctions in Table D3 below shall apply.

Table D3 – Discrimination		
Reference	Category of Offender	Sanction
DC-D3-01	Athlete	* €200 fine, and * 1 match suspension
DC-D3-02	Team Official	* €300 fine, and * 2 match suspension
DC-D3-03	Club Committee Member or MBA Official	* €400 fine, and * Suspension from all MBA activities for 1 month
DC-D3-04	Identified Supporter	* Suspension from all MBA activities for 3 months
DC-D3-05	Unidentified Supporter	* The club that the supporters were supporting shall be fined €400.
DC-D3-06	Club	* €500 fine

DC-D4 USE OF PROHIBITED SUBSTANCES AND PROCEDURES (DOPING)

It is an offence for any athlete to use any prohibited substance/s and/or procedures. For the purposes of this article “prohibited substance/s and/or procedures“ shall be those that are listed as abusive from time to time and are thus prohibited by the World Anti-Doping Association (WADA). The sanctions in Table D4a below shall apply.

Table D4a – Use of Prohibited Substances and Procedures (Doping)	
Reference	Sanction
DC-D4-01	* The sanction imposed on him/her by the competent body * The Disciplinary Commissioner may impose an additional suspension from all MBA activities that will not exceed 3 years. If this suspension is imposed, the Disciplinary Commissioner will also decide whether this suspension will run concurrently or consecutively with the one imposed by the competent body.

It is also an offence for any athlete, team official, MBA official, match official, club committee member or identified supporter who distributes any prohibited substance, or allows or in any way encourages an athlete to take any prohibited substance. The sanctions in Table D4b below shall apply.

Table D4b – Distribution, etc. of Prohibited Substances	
Reference	Sanction
DC-D4-02	* The sanction imposed on the individual by the competent body, and * The individual shall also be suspended from all MBA activities for a period of between 1 and 5 years. The Disciplinary Commissioner will also decide whether this suspension will run concurrently or consecutively with the one imposed by the competent body.

DC-D5 POACHING AND USE OF ANOTHER CLUB'S ATHLETES

For the purposes of this article “poach” shall mean the active encouragement, by whatever means, to leave one’s current club in order to join another club, regardless of method of encouragement and of the nature or extent of promises or offers made, without the current club’s prior consent in writing.

For the purposes of this article “use” shall include coaching of athletes while being registered with another club.

It is an offence for any athlete, team official, coach, club committee member or identified supporter, directly or indirectly, to poach or use any athlete while he/she shall be duly registered with another club in accordance with the statute of the MBA. In both cases, the offending party shall be considered to be the offending individual/s” club. The sanctions in Table D5 below shall apply.

Table D5 – Offences Committed by Un-Identified Supporters		
Reference	Offence	Sanction on Club
DC-D5-01	“Use” as defined in this article	Fine between €300 and €1000
DC-D5-02	“Poach” as defined in this article	Fine between €500 and €1200

DC-D6 FAILURE TO PAY TRANSFER FEES

Where a club has acquired the services of an athlete from another club against a transfer fee, be it agreed between the clubs or determined by the Players/Clubs Relations Board, and the acquiring club has failed to pay such a fee or part thereof,

such acquiring club shall be guilty of an offence. The sanctions in Table D6 below shall apply.

Table D6 – Failure to Pay Transfer Fees	
Reference	Sanction
DC-D6-01	<ul style="list-style-type: none"> * The transfer shall be deemed null and the athlete shall remain bound to the selling club, and * The acquiring club forfeits any part of the fee already paid to the selling club, and * The acquiring club shall nevertheless remain bound to pay the balance of the transfer fee, and * The acquiring club shall furthermore be prohibited from registering new athletes until such time as the entire fee is paid up.

DC-D7 FAILURE TO PAY ATHLETES

It is an offence for clubs not to pay athletes their dues as per contract. Upon a written report filed by the athlete and submitted to the MBA, the matter shall be immediately referred to the Disciplinary Commissioner who shall hear both parties. If any valid reason exists, the Disciplinary Commissioner may allow the club a period of not more than 2 weeks within which to pay the arrears due to the athlete. Should the club fail to pay within the period conceded to it, the sanctions in Table D7 below shall apply.

Table D7 – Failure to Pay Athletes	
Reference	Sanction
DC-D7-01	<p>month* The club shall further be prohibited from registering new athletes until such time as the entire dues are paid up.</p>

DC-D8 DOUBLE REGISTRATIONS

It is offence for an athlete who is already registered with a local club to register with another local club. Both the sanctions in Table D8 below shall apply.

Table D8 – Double Registrations	
Reference	Sanction
DC-D8-01	* The athlete shall be severely reprimanded, or * Suspended from all MBA activities for a period that will not exceed 6 months.
DC-D8-02	The club with whom the athlete shall have registered irregularly shall be fined between €100 and €500.

DC-D9 NATIONAL ATHLETES

Offences that relate to National Teams and/or selections are detailed in Table D9 below.

Table D9 – National Athletes		
Reference	Offence	Sanction
DC-D9-01	An athlete who refuses without valid reason to be summoned to form part of a national squad, or who having accepted, later refuses to form part of such a squad, by either failing to attend official events and/or competitions.	The athlete shall be suspended from all MBA activities for a period between 1 and 6 months.
DC-D9-02	An athlete who without valid reasons fails to attend training sessions or preparatory events.	The athlete shall be suspended from all MBA activities for a period between 1 week and 4 months.
DC-D9-03	An athlete who interferes with or objects to the national coach's decisions, plans, or systems of play, or challenges the coach's authority or otherwise undermines the unity or discipline within the squad.	The athlete shall be suspended from all MBA activities for a period between 1 week and 4 months.
DC-D9-04	Club Committee Members who give false excuses in order to avoid an athlete from their club from being called up to form part of a national squad, or who urges others to commit any of the offences cited in this article.	The Club Committee Member shall be suspended from all MBA activities for a period between 2 weeks and 6 months.

SECTION E – AMNESTIES

DC-E1 Amnesty Proposal

Proposed amnesties will only be considered by the President's Council after a period of two years has elapsed from any previous amnesty.

DC-E2 No Amnesty Given

- i. No amnesty may be given with regard to fines.
- ii. No amnesty shall be given to anybody who has been expelled from the MBA due to reasons linked to corruption.