

Capital Football

Australia Cup Qualifying Match

Queanbeyan City FC v Canberra White Eagles FC

16 March 2022

Ineligible Player

Decisions by Competition Administrator

Background

In an Australian Cup qualifying match against Canberra White Eagles on 19 March 2022, Queanbeyan City FC fielded the player Mahmoud Halawani. This was the third Visa player the Club had fielded from its player roster in the competition, with Visa players Tshering Dorji and Abderrahim Dellahi having been fielded in the match against Brindabella Blues FC on 6 March 2022.

Regulations

The relevant regulations in this matter are the Australia Cup Supplementary Regulations: 2022 Preliminary Rounds Final Version (2 March 2022 (**Regulations**)).

Section 4 Article 2.3(b)ii of Regulations states:

The maximum number of visa Players are as defined in the Player Points System, but for clarity, each Club will be permitted to register two (2) visa Players into their Player Roster

In playing the third visa player in the match on 16 March 2022, Queanbeyan City FC played an ineligible player.

Section 2 Article 7.1(e) of the Regulations states:

A Team will be deemed to have forfeited a Match when An ineligible player as defined in these Regulations participates in the Match

Section 3 Article 1.5 states:

For clarity, it is the Clubs [sic] absolute responsibility to ensure that it fields eligible players in any Preliminary Round Match.

In recognition of the breach of the Regulations, the match between Queanbeyan City FC and O'Connor Knights scheduled for 4 May 2022 was postponed allowing the situation to be reviewed and to determine the side to play against O'Connor Knights.

If the Regulations were to be enforced, the match on 16 March 2022 should have been deemed a forfeit by Queanbeyan City FC with Canberra White Eagles progressing to the match against O'Connor Knights.

Special Circumstances and Interest of the Game

Section 1 Articles 6.1 and 6.2 state that:

CF will have the power to consider special circumstances outside the prescribed limits of the Regulations should it be clear those special considerations are in the interests of the game.

The decision by CF to review and consider special circumstances under this section is not subject to appeal or review.

Capital Football became aware of the fielding of the ineligible player by Queanbeyan City FC after the Club contacted it to seek advice on which of its 4 Visa players it could or should play in the next round of the qualifying competition, scheduled Wednesday 4 May.

When the Regulations were explained to the Club on 5 May 2022, they drew attention to advice received in an email from Capital Football dated 7 February 2022 that stated:

Please be aware that if you are competing in the FFA Cup, should your team make it to the round of 32, you will be required to abide by the PPS for the Cup matches.

As a result of the email, it was open to the Club to understand that the PPS did not apply to qualifying matches. Whilst Section 3 Article 1.5 of the Regulations involves a strict liability on the Club for fielding ineligible players, the advice to the Club and its reliance on that advice is considered a relevant factor in determining whether 'special circumstances' apply to the situation.

It is the view of Capital Football that the 'interests of the game' are not served by a winning team not progressing in a competition such as the Australia Cup because of a regulatory breach arising from reliance in good faith on advice from the competition administrator. Whilst it would not be in the interest of the game for such discretionary powers to be used regularly to absolve breaches, in a high-level competition involving eventual representation of a region in a national competition, and in the particular consideration of culpability in this instance, the exercise of the discretionary power is deemed appropriate.

A decision has been taken under Section 1 Article 6.1 that the match played between Queanbeyan City FC and Canberra White Eagles FC on 16 March 2022 not be deemed a forfeit but be replayed.

When this decision was communicated to Canberra White Eagles, the Club advised that it considered it had lost the previous match fairly on the day. It also pointed out that rescheduling CPL competition matches as a result of the Australia Cup qualifying match being replayed would disadvantage it in the CPL competition. It indicated that it believed declining the rematch was both fair and in the interests of the CPL competition.

Declining the rematch technically involved a forfeiture. Section 2 Article 7.2(e) of the Regulations imposes a fine on a team that forfeits a match, with Schedule 2 of the Regulations setting the fine at \$500.

Canberra White Eagles should not be disadvantaged by decisions in this matter, nor should their desire to allow Queanbeyan City FC to retain their win in the previous match and progress in the Australia Cup competition, in the spirit of the game, go unrecognised.

Again, relying on Section 1 Article 6.1, Capital Football will not impose the fine normally required by the Regulations.

Scheduling of Re-Match

Section 2 Articles 2.4 and 2.5(c) and (d) of the Regulations state:

The final scheduling of all matches will be subject to approval by CF

CF will look to ensure that all Australia Cup Preliminary Round matches are scheduled around each Clubs existing Competition match schedule.

c) Dependant on the circumstances, CF may be required to adjust the scheduling of existing Competition matches, to ensure that the Australia Cup Preliminary Round matches are played.

d) Decisions on the scheduling of matches around existing Competition matches lies with CF and such decisions will be final.

The match between Queanbeyan City FC and O'Connor Knights will be scheduled for play in the week beginning 9 May 2022.

Chris Gardiner
Chief Executive Officer

5 May 2022