

46 TRIBUNAL APPEAL BOARD

46.1 An appeal lodged under Clauses 46.4 or 46.5 shall be heard and determined by a Tribunal Appeal Board (“the Board”). 46.2 Each Board shall be constituted by three (3) members, at least one of whom must be a member of the Tribunal, and the other two appointed by The League. None of the members of the Tribunal or the Investigation Committee involved in the decision which is the subject of the appeal can be a member of the Board. 46.3 The members of the Board shall not have any current or past affiliation with any Member Club involved in the appeal, and a paid employee of The League cannot be a member of the Board. 46.4 A Member Club player or official who has been suspended by the Tribunal may appeal to the League against the decision of the Tribunal if: (a) He or she was suspended by the Tribunal for a period of six (6) matches or more, and (b) He or she has the permission of his or her Member Club in writing to appeal, and (c) His or her appeal is accompanied by a fee of \$500 (inclusive of GST) which shall be refunded if the appeal is successful. 46.5 A Member Club may appeal in writing to The League against a decision of the Tribunal imposing a penalty upon that Club provided the appeal is accompanied by a fee of \$500 (inclusive of GST) which shall be refunded if the appeal is successful. 46.6 An appeal can only be brought under Clauses 46.4 and/or 46.5 (a) With respect to the issue of guilt: (i) If it is alleged that there has been an error by the Tribunal in the application of the Adelaide Footy League’s Rules and Regulations, or (b) With respect to the issue of penalty: (i) If it is alleged that the penalty imposed by the Tribunal was manifestly excessive. 46.7 An appeal should be in writing setting out in full the basis of the appeal and must be received by The League not later than two (2) days following the decision by the Tribunal against which the appeal is brought. 46.8 Subject to any other matters set out in this Rule, the Board may regulate any proceedings brought before it in such manner as it decides. 46.9 The Board is not bound by the rules of evidence nor by the practices and procedures applicable to courts of record, but may inform itself on any matter in such manner as it decides. 46.10 An appeal is to proceed by way of a review of the evidence before the Tribunal and not by way of a rehearing. 46.11 At the hearing of an appeal from a decision of the Tribunal, fresh evidence may not be presented without leave of the Board. The Board must not grant such leave unless the Board is satisfied that: (a) The evidence could not by reasonable diligence have been obtained prior to the conclusion of the hearing before the Tribunal, and (b) the evidence is of such a character that if considered with other evidence which was given before the Tribunal, the Tribunal would have reached a different result. 46.12 Each Board has the power: (a) To affirm, reverse or vary the decision which is the subject of the appeal. (b) To increase or decrease the penalty imposed by the Tribunal. (c) To adjourn its proceedings at and to such time and place as it shall deem fit, and (d) To stay the execution of the penalty imposed by the Tribunal pending the determination of the appeal. 46.13 The Board is not obliged to give reasons for a decision made by it under Clause 46.12.

46.14 Subject to Clause 46.12 a player lodging an appeal against a suspension imposed by the Tribunal may not participate in a match of The League until his or her appeal has been heard and determined by the