



Disciplinary Procedures

British Basketball Federation (BBF) - Disciplinary Procedures

Established in compliance with the FIBA General Statutes, the BBF Disciplinary Panel adjudicates at a British Basketball Federation (BBF) level on violations for a wide variety of matters outlined in the BBF Policies or Regulations, FIBA General Statutes or the FIBA Internal Regulations, as well as any other matters referred to it by the FIBA / BBF Integrity Officer, Member, League, Club or Individual. This includes but not limited to:

1. FIBA /BBF Code of Ethics & Integrity violations;
2. Violations of the Official Basketball Rules;
3. Violations of the BBF Policies and Regulations
4. Violations of the FIBA General Statutes and FIBA Internal Regulations where applicable.

Basic principles

All persons who are the subject of proceedings before the Single Judge or Disciplinary Panel have the right to be heard (subject to the next paragraph) and may be assisted by legal representative of their choice and/or a representative of the respective Club.

Hearings may be conducted in writing or orally. The BBF is free to decide in which manner to conduct the hearing in line with FIBA Internal Regulations, art. 1-156.

Appeals against decisions of the Single Judge or Disciplinary Panel may be lodged with the BBF Appeals' Panel, in accordance with the BBF Appeals Policy.

In accordance with FIBA Internal Regulation 1-152-C, any disciplinary sanction imposed by the British Basketball Federation, will be notified to the FIBA Secretary General.

Composition

The BBF Chair, or in his/her absence, an Independent Director, shall appoint for each case, that requires investigation, the Chair and members of the Disciplinary Panel. Panel members may be made up from BBF Directors, Directors or Staff from Home Country Associations or Independent External parties. A minimum of three persons to a maximum of five may be appointed for each case, where a Disciplinary Panel is required.

A single judge may be appointed by the Chair, or in his or her absence, an Independent Director, from the list of roles identified above, to investigate Violations of the FIBA Internal Regulations (with the exception of breaches of the FIBA Code of Conduct, Code of Ethics & Integrity and Anti Doping Regulations) and the Official Basketball Rules..

Authority

The BBF Policies and Procedures are enacted under the BBF's Articles of Association and the FIBA General Statutes and Internal Regulations. Should there be any discrepancy or conflict between the provisions of the BBF Policies and Regulations, then the FIBA General Statutes and Internal Regulations shall prevail.

British Basketball Federation (BBF) – Disciplinary Investigations & Proceedings

1. The BBF may at any time conduct investigations it deems necessary. Investigations for alleged breaches of the FIBA Code of Conduct, FIBA Code of Ethics and Integrity, the FIBA Anti Doping Regulations / the BBF Anti Corruption Policy, UK Doping / WADA Regulations, the BBF will inform the FIBA Integrity Officer, via the FIBA Legal Department, before any action is taken or procedure detailed within this document instigated.
2. Subject to the provisions hereunder, the BBF, may issue directions with respect to the conduct of the proceedings before it.
3. Except for **urgent matters and Administrative Offences**, a sanction may not be imposed before the person (as defined in Point 9 herein) concerned has had the opportunity to be heard and present a case. The BBF is free to decide whether the right to be heard is exercised solely in writing (ordinary mail, email or fax), or also orally. It may authorise the use of video or telephone conferencing. All persons who are the subject of proceedings may be assisted by a legal representative of their choice and / or a representative of their Club or Home Country Association. All persons subject to a notice under this procedure will be given 14 days from the date of service to respond, as per Point 7 below.
4. The BBF Disciplinary Panel or the BBF Single Judge, is entitled to the assistance of the BBF Integrity Officer / BBF Staff, External Agencies (subject to the BBF Chair's approval) and to the benefit of legal counsel.
5. Facts related to offences may be established by any reliable evidence, including without limitation admissions, official reports and records, witness testimonies, party testimonies, on site inspections, expert opinions, television and video recordings, personal confessions and other records and documents.
6. Facts contained in FIBA / BBF Officials Reports are presumed to be accurate. Any party may prove their inaccuracy on at balance of probabilities, in which case the burden shall revert to FIBA / BBF.
7. Notice shall be made directly to the person concerned . In the case of BBF members, leagues, clubs, or officials, notice may be made by sending a fax or email to the appropriate Home Country Association, or respective League Administration. In the absence of a receipt of confirmation, the notice shall be presumed to be delivered TWENTY FOUR, (24) hours after dispatch of the respective email from the email server used by the BBF or FIBA, or the successful transmission of a fax.

8. Any person may provide to the BBF, information relating to a Disciplinary Offence by another person. However, unless allowed by the BBF, as a witness or expert, no Person other than the accused Person, may participate in Disciplinary proceedings.

9. All persons under the BBF's jurisdiction, as defined within the FIBA Internal Regulation, Book 1, (1-86) and the BBF Internal Regulations – Definitions Section 86, are obliged to comply with a summons to provide a statement (which may be obtained by interview) and or appear as a witness. A Person failing to comply may be sanctioned in accordance with the BBF Sanctions Regulations. The BBF may take due account or even draw adverse inference (the latter only if mentioned together with the summons.) from any refusal to appear at a hearing and / or provide evidence on the part of a party, a party's representatives or a witness.

In instances where FIBA staff or Officials may be a witness, then communication with the FIBA Legal Department must be implemented before any summons is issued.

10. Parties shall be responsible for and bear the expenses of their representatives, experts, witnesses, legal counsel, etc.

11. The BBF Single Judge or Disciplinary Panel, shall evaluate the evidence, taking into consideration the specific conditions under which the events occurred, the previous conduct of the Person (s), BBF Member, Club or League, concerned and generally all the circumstances in order to determine whether and to what extent a disciplinary measure is required.

12. Proceedings before the BBF in the first instance will be free of charge. However if the BBF Single Judge or Disciplinary Panel, decides that a hearing shall be organised under the process detailed in this document, it may make the organisation of such a hearing dependent on one or more of the parties paying to the BBF reasonable administrative costs

13 The BBF Single Judge / Disciplinary Panel will issue a written decision, which shall include a summary of its findings and reasons. This will be issued within 14 days after the hearing is concluded.

The decision will provide sufficient information or a reference to the provisions applicable to the appeal process, if any. Decisions made by the Single Judge on Administrative Offences may be delivered without reason.

14. Decisions or (parts thereof) issued in accordance with the BBF Disciplinary process may be published on the BBF and or FIBA Websites and / or any other official BBF / FIBA Publications.

15 The BBF Single Judge, Members of the BBF Disciplinary Panel and the staff of the BBF / FIBA are not liable for any actions or failures to act in connection with disciplinary proceedings, except for cases of gross negligence or unlawful intent.

16 Appeals are governed by the BBF Appeals Procedure.

17. These procedures may be updated at any time to reflect changes in Policies and or Procedures that the British Basketball Federation is required to adjudicate on.

In any dispute over legitimacy of any BBF Regulations, Policies or Procedures, the FIBA General Statutes and Internal Regulations take precedence