

18 December 2015
Ref: AFC/13754/Legal

**General Secretaries
Member Associations
Asian Football Confederation**

Dear Sirs

AFC DISCIPLINARY CODE (2016 EDITION)

The AFC Executive Committee in its meeting on 27 November 2015 in New Delhi, India, has approved substantial amendments to the AFC Disciplinary Code (Code).

In September 2015, the AFC appointed a Taskforce to review and refresh the Code to align, where possible, with recommended principles for sports disciplinary tribunals which have been identified in the recent judgements of the Court of Arbitration for Sport. The amendments included the introduction of new offences, the introduction of new sanctions – including a defined table of sanctions for spectator offences, and the ability for the AFC to negotiate an administrative settlement with parties, allowing for efficiency of process.

Please find enclosed a table setting out the amendments which come into force on 1 January 2016. The updated Regulations are also available on the AFC website at http://www.the-afc.com/uploads/afc/files/afc_disciplinary_code_2016.pdf

Thank you.

Yours sincerely,



DATO' WINDSOR JOHN
General Secretary

cc: FIFA
cc: Confederations

Amendments to the AFC Disciplinary Code

Article	2014 Edition	2016 Edition	Justification
2 (2014) 2 (2016)	2.1 This code applies to every match and competition organised by AFC. It also applies if a match official is harmed and, more generally, if the statutory objectives of AFC are breached, especially with regard to forgery, corruption and doping. It also applies to any breach of AFC regulations that does not fall under the jurisdiction of any other body.	2.1. This Code applies to: 2.1.1 every Match organised by the AFC; 2.1.2 every function or course organised by the AFC; 2.1.3 every friendly International Match requiring authorisation from the AFC; 2.1.4 if a Match Official is harmed physically or otherwise; 2.1.5 if the statutory objectives of AFC are breached, especially with regard to forgery, corruption and doping; and 2.1.6 any breach of AFC regulations that does not fall under the jurisdiction of any other body.	Broaden scope of the Code.
3 (2014) 3 (2016)	(new insertions)	3.2 In the event that an individual bound by this Code ceases to serve in his function during proceedings, the judicial body shall remain competent to render a decision. 3.3 In the event that an individual bound by this Code ceases to serve in his function, the AFC may conduct an investigation and present the case to the AFC Disciplinary Committee. The AFC Disciplinary Committee may suspend the proceedings or make a substantive decision.	Broaden scope of the Code.
10 (2014) 12 (2014) 9 (2016)	10. Both natural and legal persons are punishable by the following sanctions: a) warning; b) reprimand;	9. The following sanctions may be imposed on Member Associations and Clubs: 9.1.1 warning; 9.1.2 fine;	Combine articles. Reclassify sanctions. Introduce new sanctions

	<p>c) fine;</p> <p>d) return of awards;</p> <p>e) confiscation (cf. Article 62 par. 4)</p> <p>...</p> <p>12. The following sanctions are applicable only to legal persons:</p> <p>a) transfer ban;</p> <p>b) playing a match without spectators;</p> <p>c) playing a match on neutral territory;</p> <p>d) ban on playing in a particular stadium;</p> <p>e) annulment of the result of a match;</p> <p>f) expulsion;</p> <p>g) defeat by forfeit;</p> <p>h) deduction of points;</p> <p>i) relegation to a lower division.</p>	<p>9.1.3 full or partial Stadium closure;</p> <p>9.1.4 order to play a Match on neutral territory;</p> <p>9.1.5 ban on playing in a particular Stadium;</p> <p>9.1.6 annulment of the result of a Match;</p> <p>9.1.7 disqualification from a competition in progress and/or exclusion from a future competition;</p> <p>9.1.8 defeat by forfeit;</p> <p>9.1.9 deduction of points (for a current or future competition);</p> <p>9.1.10 relegation to a lower division;</p> <p>9.1.11 order that a Match be replayed;</p> <p>9.1.12 withdrawal of a title or award;</p> <p>9.1.13 confiscation;</p> <p>9.1.14 withholding of revenues from an AFC competition;</p> <p>9.1.15 prohibition on registering new Players in AFC competitions;</p> <p>9.1.16 restriction on the number of Players that a Club may register for participation in AFC competitions;</p> <p>9.1.17 withdrawal of a licence to participate in AFC competition; and</p> <p>9.1.18 social work.</p>	
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<p>22 (2014) 18 (2016)</p>	<p>A person may be banned from taking part in any kind of football-related activity (administrative, sports or any other).</p>	<p>18.1 A ban from taking part in any kind of football-related activity prohibits an individual from any involvement in Asian football.</p> <p>18.2 This includes without limitation:</p> <p>18.2.1 attending any Match in any AFC competition or competition organised by a Member Association; or</p> <p>18.2.2 participating in any Match in any AFC competition or competition organised by a Member Association; or</p> <p>18.2.3 attending or participating in any training activities connected to any Club affiliated to a Member Association or representative team of a Member Association;</p> <p>18.2.4 conducting any administrative duties connected to football, futsal, or beach soccer on behalf of a Club affiliated to a Member Association or a Member Association; or</p> <p>18.2.5 attending any function or course related to football, futsal, or beach soccer, whether hosted by the AFC, a Member Association, or member of a Member Association.</p>	<p>Provide clear definition.</p>
<p>38 (2014) 39 (2016)</p>	<p>....</p> <p>a) AFC competitions for representative teams shall be carried over to the representative team's subsequent official match.</p> <p>b) AFC competitions subject to an age limit: carried over to the representative team's next official match in the same age group.</p>	<p>....</p> <p>39.2.1 <u>AFC competitions for representative teams:</u> to the representative team's next Match in AFC or FIFA competition in the same category of football.</p> <p>39.2.2 <u>AFC competitions subject to an age limit:</u> to the representative team's next Match in the same age group in AFC or FIFA competition in</p>	<p>Clarification.</p> <p>Ensure sports integrity is maintained.</p>

	<p>Where the suspension cannot be served in the same age group, it shall be carried over to the next highest age category;</p> <p>c) AFC club competitions shall be carried over to the club's subsequent official match;</p> <p>d) Friendly matches shall be carried over to the representative team's subsequent friendly match.</p> <p>e) Competitions in which teams have been chosen in accordance with certain criteria (cultural, geographical, historical etc.): if the regulations of these competitions refer to the AFC regulations for disciplinary sanctions, the suspension is carried over to the representative team's next official match;</p> <p>....</p>	<p>the same category of football. Where the suspension cannot be served in the same age group, it shall be carried over to a higher age category in AFC or FIFA competition in the same category of football;</p> <p>39.2.3 <u>AFC club competitions</u>: to the Club's next Match in a continental competition in the same category of football;</p> <p>39.2.4 <u>Friendly matches</u>: shall be carried over to the representative team or Club's next friendly match;</p> <p>39.2.5 <u>Non-official competitions for representative teams</u>: if the regulations of such competitions refer to the Code, to the representative team's next Match in AFC or FIFA competition in the same category of football;</p> <p>....</p>	
<p>40 (2014) 41 (2016)</p>	<p>40.1. Unless otherwise specified, the body may increase the sanction to be imposed as deemed appropriate if an infringement has been repeated.</p> <p>40.2. These provisions are subject to the special rules governing repeated anti-doping rule violations.</p>	<p>41.1. Unless otherwise specified, the judicial body may increase a sanction as it sees fit if an infringement has been repeated. Recidivism is an aggravating circumstance.</p> <p>41.2. Recidivism occurs if an offence is repeated within:</p> <p>41.2.1. one (1) year of the previous offence if that offence was punished with a one (1) Match suspension;</p> <p>41.2.2. three (3) years of the previous offence if that offence was punished with a two (2) Match suspension; and</p> <p>41.2.3. five (5) years of the previous offence in all other cases.</p> <p>41.3. There is no time limit for</p>	<p>Set time limit for repeat infringements.</p>

		<p>recidivism if the previous offence was related to match-manipulation or corruption.</p> <p>41.4. This Article is not applicable to repeated anti-doping rule violations which are governed by the AFC Anti-Doping Regulations.</p>	
<p>Offences 51 - 70 (2016)</p>	<p>The structure of each offence has changed. They are now clearly defined and set out a clear minimum penalty for a first time offence.</p> <p>They now provide a clear statement that aggravation of the offence may lead to any of the sanctions set out in the Code being issued.</p> <p>The following new offences have been introduced:</p> <ul style="list-style-type: none"> (i) bringing the game into disrepute; (ii) deliberately entering the field of play during a brawl; (iii) causing damage to property; (iv) betting; (v) provision of special knowledge in relation to betting; (vi) provision of special knowledge in relation to the integrity of matches (not related to betting); (vii) duty to report any infringements; (viii) association with a party convicted of a match manipulation offence . <p>New competition-specific offences are within the relevant competition regulations: (e.g.)</p> <ul style="list-style-type: none"> (i) failure to provide a training field prepared to match-condition; (ii) failure to provide an ambulance at official training session; (iii) prohibition on smoking in controlled-access areas. 		
<p>70 (2014) 72 (2016)</p>	<p>70.1. With regard to Matches and competitions not organised by AFC (cf. art. 2), Member Associations and sports organisations that organise matches for cultural, geographical, historical or other reasons (cf. Art 38 par 2 e) are responsible for enforcing sanctions imposed against infringements committed in their area of jurisdiction. If requested, the sanctions passed may be extended to have effect at confederation level (cf. art.136 ff.).</p>	<p>72.1 The scope of the jurisdiction of the AFC is set out in Article 2 of this Code.</p> <p>72.2. With regard to friendly international matches requiring authorisation from the AFC but not organised by the AFC (cf. Article 2), the relevant Member Association is responsible for enforcing sanctions against infringements that are undertaken by its Clubs, Players, Officials, and spectators.</p>	<p>Clarification.</p> <p>Broaden scope.</p>

	<p>70.2. The judicial bodies of AFC reserve the right to sanction serious infringements of the statutory objectives of AFC (cf. final part of art. 2) if Member Associations, and other sports organisations fail to prosecute serious infringements or fail to prosecute in compliance with the fundamental principles of law.</p>	<p>72.2.1 If requested, the sanctions passed may be extended to have effect at confederation level (cf. Article 136).</p> <p>72.2.2 The AFC may investigate and sanction serious infringements of the statutory objectives of the AFC ex officio if the relevant Member Association fails to prosecute, fails to prosecute in compliance with fundamental principles of law, or an adequate judgement cannot be expected given the specific circumstances.</p> <p>72.3. With regard to international competitions requiring authorisation from the AFC but not organised by the AFC (cf. Article 2), the Member Association and/or sports organisation that organise such competitions are responsible for enforcing sanctions imposed against infringements committed in their area of jurisdiction.</p> <p>72.3.1. If requested, the sanctions passed may be extended to have effect at confederation level (cf. Article 136).</p> <p>72.3.2. The AFC may investigate and sanction serious infringements of the statutory objectives of the AFC ex officio if a Member Association and/or other sports organisation fails to prosecute, fails to prosecute in compliance with fundamental principles of law, or an adequate judgement cannot be expected given the specific circumstances.</p> <p>72.4. With regard to domestic Matches or competitions, the Member Association and/or sports organisation that organise such</p>	
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97 (2016)	(new)	<p>97.1. When an individual's testimony could endanger his life or put him or his family or close friends in physical danger, the chairman may order at the request of the AFC that:</p> <p>97.1.1. the witness not be identified in the presence of the parties;</p> <p>97.1.2. the witness not appear at the hearing;</p> <p>97.1.3. all or some of the information that could be used to identify the witness be included only in a separate, confidential case file.</p> <p>97.2. In view of all the circumstances and in particular if no other evidence is available to corroborate that of the anonymous witness and if it is technically possible, the chairman may exceptionally order, on his own initiative or at the request of one of</p>	New rules for anonymous witnesses.

		<p>the parties, that:</p> <p>97.2.1. the voice of the witness be distorted;</p> <p>97.2.2. the face of the witness be masked;</p> <p>97.2.3. the witness be questioned outside the hearing room;</p> <p>97.2.4. the witness be questioned in writing through the chairman.</p> <p>97.3. Disciplinary measures shall be imposed on anyone who reveals the identity of an anonymous witness or any information that could be used to identify an anonymous witness.</p>	
98 (2016)	(new)	<p>98.1. To ensure their safety, anonymous witnesses shall be identified behind closed doors in the absence of the parties.</p> <p>98.2. This witness identification shall be conducted by the chairman of the judicial body alone, or all the members of the judicial body together, and shall be recorded in minutes containing the witness's personal details.</p> <p>98.3. These minutes shall not be communicated to the parties.</p> <p>98.4. The parties shall receive a brief notice which:</p> <p>98.4.1. confirms that the anonymous witness has been formally identified; and</p> <p>98.4.2. contains no details that could be used to identify the anonymous witness.</p>	New rules for anonymous witnesses.

<p>110 (2014) 102 (2016)</p>	<p>110.1. The parties are obliged to collaborate to establish the facts. In particular, they shall comply with requests for information from the judicial bodies.</p> <p>110.2. Whenever deemed necessary, the secretariat verifies the parties' versions of the facts.</p> <p>110.3. If the parties are dilatory in responding, the chairman of the judicial body may, after warning them, impose a fine of up to USD5,000.00</p>	<p>102.1. Everyone subject to this Code is obliged to collaborate to establish facts if requested by the secretariat. In particular, they shall comply with requests for information.</p> <p>102.2. The chairman of the judicial body, upon the application of the secretariat, may impose a fine of up to USD5,000 or a ban on football-related activity of up to two (2) months, on anyone who is dilatory in responding to a request for collaboration.</p> <p>102.2.1 The chairman hears any such application ex parte.</p>	<p>Strengthen rules re collaboration.</p>
<p>108 (2014) 117 (2016)</p>	<p>108.1 Disciplinary infringements are prosecuted ex officio.</p> <p>108.2. Any person or body may report conduct that he or it considers incompatible with the regulations of AFC to the judicial bodies. Such complaints shall be made in writing.</p> <p>108.3. Match officials are obliged to report infringements which have come to their notice.</p>	<p>117.1. Disciplinary proceedings may be opened by the AFC administration :</p> <p>117.1.1. ex officio;</p> <p>117.1.2. on the basis of official reports;</p> <p>117.1.3. where a protest has been lodged in accordance with the relevant competition regulations;</p> <p>117.1.4. at the request of the AFC President, AFC Executive Committee, or the AFC General Secretary;</p> <p>117.1.5. on the basis of documents received from a public authority; or</p> <p>117.1.6. where a complaint has been filed.</p>	<p>Clarify how proceedings are opened.</p>

<p>109 (2014) 118 (2016)</p>	<p>109.1. The secretariat carries out the necessary preliminary investigation ex officio under the chairman's guidance.</p>	<p>118.1. Prior to the opening of disciplinary proceedings, the secretariat shall carry out the necessary preliminary investigation <i>ex officio</i> on the basis of the information received pursuant to Article 117.</p> <p>118.2. If the secretariat deems that there is no <i>prima facie</i> case, it may close the preliminary investigation without opening disciplinary proceedings.</p> <p>118.3. If the secretariat deems that there is a <i>prima facie</i> case, it shall open disciplinary proceedings.</p> <p>118.3.1 The secretariat may offer an administrative resolution to the party prior to the opening of disciplinary proceedings and subject to the relevant competition regulations.</p> <p>118.3.2 If accepted by the party, such administrative resolution must be subsequently approved by the chairman and recorded in AFCAS.</p> <p>118.3.3 Should the chairman not approve the administrative resolution, disciplinary proceedings shall be opened.</p> <p>118.3.4 The secretariat shall have the authority to hire or appoint external resources to assist in any investigation.</p> <p>118.4. The secretariat shall inform the party that disciplinary proceedings have been opened.</p> <p>118.5. Once the investigation has been completed, and the secretariat deems that there is a case, it shall forward charges of misconduct and</p>	<p>Clarify investigation procedure.</p>
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		<p>the full case file to the party and provide the party with an opportunity to be heard.</p> <p>118.5.1 The content of the full case file may be restricted in accordance with Article 95 of this Code.</p> <p>118.6. Once the investigation has been completed, and the secretariat deems that there is no case, disciplinary proceedings shall be closed.</p> <p>118.6.1 Disciplinary proceedings may be closed, if, among other reasons, the parties reach an agreement or a party declares bankruptcy.</p> <p>118.6.2 If disciplinary proceedings have been closed, the secretariat may reopen the investigation if new facts or evidence are discovered within the limitation period for prosecution.</p> <p>118.7. The Secretary or Deputy Secretary shall prosecute the case on behalf of the AFC before the AFC Disciplinary Committee.</p> <p>118.7.1 The secretariat shall have the authority to hire or appoint external counsel to prosecute the case on behalf of the AFC.</p>	
109 (2014) 121 (2016)	<p>109.1. Anyone who has been a party to the proceedings before the first instance and has a legally protected interest justifying amendment or cancellation of the decision may lodge an appeal to the Appeal Committee.</p> <p>109.2. Member Associations may appeal against decisions sanctioning their players, officials</p>	<p>121.1. Anyone who:</p> <p>121.1.1 has been a party to the proceedings before the first instance; or</p> <p>121.1.2 has a legally protected interest justifying amendment or cancellation of the decision,</p> <p>may lodge an appeal to the AFC</p>	<p>Clarification of standing to appeal.</p> <p>Express ability of clubs to appeal.</p>

	<p>or members. They shall have the written agreement of the person concerned.</p>	<p>Appeal Committee.</p> <p>121.2. Member Associations may appeal against decisions sanctioning any party affiliated to it. They shall have the written agreement of the party concerned.</p> <p>121.3. Clubs may appeal against decisions sanctioning their Players or Officials. They shall have the written agreement of the party concerned.</p>	
<p>132 (2014) 132 (2016)</p>	<p>132.1. Provisional measures may not be valid for longer than 30 days.</p> <p>132.2. This period may be extended only once by 20 days.</p> <p>132.3. If a sanction has been pronounced provisionally, the duration shall be offset against any final sanction.</p>	<p>132.1. Provisional measures may not be valid for longer than sixty (60) days.</p> <p>132.2. This period may be extended only once by thirty (30) days.</p> <p>132.3. If a sanction has been pronounced provisionally, the duration shall be offset against any final sanction.</p>	<p>Allow detailed investigation.</p>
<p>142 (2016)</p>	<p>(new)</p>	<p>142.1. Specific disciplinary rules may be introduced for the duration of a final AFC competition.</p> <p>142.2. Such rules shall be communicated to the participating teams in accordance with the relevant competition regulations.</p>	<p>Legal basis for competition Disciplinary Circulars.</p>