

The Iraqi Football Association



IFA Rules

Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber

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I. GENERAL PROVISIONS

Article 1 Scope of application

1. The procedures of the Players' Status Committee and the Dispute Resolution Chamber (DRC) shall be conducted in accordance with these rules.
 2. Any provisions in the IFA Statutes or other IFA regulations that deviate from these rules shall have precedence over the provisions of these rules.
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Article 2 Applicable Substantive Law

In their application and adjudication of law, the Players' Status Committee and the DRC shall apply the IFA Statutes and regulations, and the corresponding legislations of Iraq.

Article 3 Jurisdiction

1. The Players' Status Committee and the DRC shall examine their jurisdiction, in particular in the light of arts 23 to 25 of the IFA Regulations on the Status and Transfer of Players. In the event of any uncertainty as to the jurisdiction of the Players' Status Committee or the DRC, the chairman of the Players' Status Committee shall decide which body has jurisdiction.
 2. The identity and jurisdiction of the single judge of the Players' Status Committee and the DRC judge is set out in art. 24 par. 3 and art. 25 par. 2 of the IFA Regulations on the Status and Transfer of Players.
 3. Subject to other provisions, proceedings before the single judge or the DRC judge shall also be conducted in accordance with these rules.
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Article 4 Composition

The chairman, deputy chairman and members of the Players' Status Committee and of the DRC shall be chosen by the Executive Committee. The members of the DRC shall be appointed on consultation with the players' associations and the Clubs Council.

Article 5 General Procedural Principle

1. The Players' Status Committee and the DRC shall conduct the proceedings and monitor compliance with the procedural regulations.
2. All persons involved in legal application and adjudication processes shall act in good faith.
3. All persons party to proceedings are obliged to tell the truth to the Players' Status Committee and the DRC.
4. A claim shall be dealt with by the Players' Status Committee and the DRC only if there is a legitimate reason for dealing with the claim.
5. The Players' Status Committee and the DRC shall determine the facts of a case according to their best judgement. All persons involved in the proceedings and all persons subject to the regulations of IFA shall assist in determining the facts of a case.
6. The Players' Status Committee and the DRC shall perform the duties entrusted to them with due expedition.
7. Members of the Players' Status Committee and of the DRC may not perform different functions in the same matter. They shall refrain from attempting to influence other bodies and committees and shall maintain strict confidentiality concerning all information that comes to their attention while exercising their office and is not mentioned in the decision. They are, in particular, obliged to respect the secrecy of deliberations.
8. Subject to any provisions to the contrary, all parties in the proceedings shall be granted the right to be heard, the right to present evidence, the right for evidence leading to a decision to be inspected, the right to access files and the right to a motivated decision.

II. Procedural Regulations

Article 6 Parties

1. Parties are member associations of IFA, clubs, players, coaches or licensed match agents.
2. Parties may appoint a representative. A written power of attorney is to be requested from such representatives. If a party is ordered to appear in person, the party shall obey the summons.
3. Parties requesting the opening of proceedings shall be sent written confirmation when the request has been received. Parties affected by the opening of proceedings must be notified thereof without delay

Article 7 Withdrawal and challenges

1. Members of the Players' Status Committee and of the DRC may not exercise their office in any cases in which they have a personal and/or direct interest. The member in question shall disclose the reasons for withdrawing in sufficient time.
2. Members of the Players' Status Committee and of the DRC may be challenged by the parties if there is legitimate doubt as to their independence and impartiality. A challenge shall be made within five days of the grounds for the challenge coming to light, otherwise the parties shall forfeit the right to make a challenge. Motions shall be substantiated and, if possible, supported by evidence. If the member concerned disputes the allegations raised, the Players' Status Committee or the DRC shall reach a decision on the challenge in the absence of the member concerned.
3. If the Players' Status Committee and the DRC are no longer able to function as a consequence of challenges, the Executive Committee shall make a final decision on the challenges and, if necessary, appoint an ad-hoc committee to deal with the substance of the case.

Article 8 Procedural form

As a general rule, proceedings shall be conducted in writing.

Article 9 Petitions and statement

1. Petitions shall be submitted in one of the three IFA languages via the IFA general secretariat. They shall contain the following particulars:
 - a. the name and address of the parties;
 - b. the name and address of any legal representatives, if applicable, and the power of attorney;
 - c. the motion or claim;
 - d. a representation of the case, the grounds for the motion or claim and details of the evidence;
 - e. documents of relevance to the dispute, such as contracts and previous correspondence with respect to the case in the original version and, if applicable, translated into one of the official IFA languages (evidence);
 - f. the name and address of other natural and legal persons involved in the case concerned (evidence);
 - g. the amount in dispute, insofar as it is a financial dispute;
 - h. proof of payment of the relevant advance of costs for any proceedings before the Players' Status Committee or the single judge, or for any proceedings related to disputes concerning training compensation or the solidarity mechanism (cf. art. 17);

- i. the date and a valid signature.
2. Petitions submitted by parties that do not satisfy the aforementioned requirements will be returned for redress along with a warning that the petition will not be dealt with in the event of non-compliance. Petitions with improper or inadmissible content will be rejected immediately.
3. Petitions not submitted in one of the three IFA languages or via the IFA general secretariat or to the attention of the DRC or the Players' Status Committee shall be discarded and shall not be returned for redress.
4. If there is no reason not to deal with a petition, it shall be sent to the opposing party or the person affected by the petition with a time limit for a statement or reply. If no statement or reply is received before the time limit expires, a decision shall be taken upon the basis of the documents already on file. There will only be a second exchange of correspondence in special cases.
5. The parties shall not be authorized to supplement or amend their requests or their arguments, to produce new exhibits or to specify further evidence on which they intend to rely, after notification of the closure of the investigation. The IFA administration may, however, at any time request additional statements and/or documents.
6. In the absence of direct contact details, all documents intended for the parties to a dispute, in particular players and coaches, are addressed to the club concerned with the instruction to forward the documents immediately to the pertinent party. These documents are considered to have been communicated properly to the ultimate addressee four days after communication of the documents to the club. Failure by the association to comply with the aforementioned instruction may result in disciplinary proceedings in accordance with the IFA Disciplinary Code.

Article 10 Venue

The proceedings and deliberations of the Players' Status Committee (including the single judge) and of the DRC (including the DRC judge) shall take place at IFA headquarters in Baghdad, Iraq, subject to exceptions.

Article 11 Oral Hearing

1. If the circumstances appear to warrant it, the parties may be summoned to attend an oral hearing. A record of the hearing shall be conducted by a person appointed by the chairman. The testimonies from parties, witnesses and experts are to be signed by them.
2. On timely request, an interpreter will be provided by IFA. The costs for the interpreter are to be borne by the requesting party.

Article 12 Taking of evidence

1. Evidence consists of party testimony, witness testimony, documents, expert reports and all other pertinent evidence.
2. Evidence shall be heard only in respect of facts relevant to the case.
3. Any party claiming a right on the basis of an alleged fact shall carry the burden of proof. During the proceedings, the parties shall submit all relevant facts and evidence of which they are aware at that time, or of which they should have been aware if they had exercised due care.
4. The Players' Status Committee and the DRC may also consider evidence not presented by the parties.
5. If the hearing of presented evidence is associated with high costs, it may be made dependent upon the party paying the anticipated costs within a set time limit.
6. Evidence shall be considered with free discretion, taking into account the conduct of the parties during the proceedings, especially a failure to comply with a personal summons, a refusal to answer questions and the withholding of requested evidence.

Article 13 Proposals from IFA administration

1. In disputes relating to training compensation and the solidarity mechanism without complex factual or legal issues, or in cases in which the DRC already has clear, established jurisprudence, the IFA administration (i.e. the Players' Status & Legal Departments) may make written proposals, without prejudice, to the parties regarding the amounts owed in the case in question as well as the calculation of such amounts. At the same time, the parties shall be informed that they have 15 days from receipt of IFA's proposals to request, in writing, a formal decision from the relevant body, and that failure to do so will result in the proposal being regarded as accepted by and binding on all parties.
2. If a party requests a formal decision, the proceedings will be conducted according to the provisions laid down in these rules.

Article 14 Decisions

1. Decision-making by the Players' Status Committee and the DRC is effected by a simple majority vote after secret deliberations. All members in attendance and the chairman have one vote each. Abstentions are not permitted. In the event of a tie, the chairman shall have the casting vote. Decisions may also be taken by way of circulars.
2. Decisions shall be communicated in writing. In urgent cases, the findings of the decision may be communicated first. In such a case, with the exception of article 15 below, the grounds of a decision shall be communicated within 20 days of notification of the

- findings of the decision. The time limit to lodge an appeal begins upon communication of the grounds of the decision to the parties.
3. The IFA Secretary General is entitled to announce the decision in the name of and on behalf of the Players' Status Committee and the DRC.
 4. Written decisions shall contain at least the following:
 - a. the date of the decision (for decisions taken by way of circular, the date of completion of the circular process);
 - b. the names of the parties and any representatives;
 - c. the names of the members participating in the decision taken by the decision-making body;
 - d. the claims and/or motions submitted by the parties;
 - e. a brief description of the case;
 - f. the reasons for the findings;
 - g. the outcome of the evaluation of evidence;
 - h. the findings of the decision.
 5. Obvious mistakes in decisions may be corrected, ex officio or on application, by the body that made the decision.
 6. No disadvantage may accrue to any party from the erroneous announcement of a decision.

Article 15 Decisions without grounds

1. The Players' Status Committee, the DRC, the single judge and the DRC judge may decide not to communicate the grounds of a decision and instead communicate only the findings of the decision. At the same time, the parties shall be informed that they have ten days from receipt of the findings of the decision to request, in writing, the grounds of the decision, and that failure to do so will result in the decision becoming final and binding and the parties being deemed to have waived their rights to file an appeal.
2. If a party requests the grounds of a decision, the motivated decision will be communicated to the parties in full, written form. The time limit to lodge an appeal begins upon receipt of this motivated decision.
3. If the parties do not request the grounds of a decision, a short explanation of the decision shall be recorded in the case files.
4. All decisions that lead to sporting sanctions may only be communicated with grounds.

Article 16 Time limits

1. Procedural acts must be conducted within the time limit prescribed by the rules or by the decision-making body.

2. A time limit is deemed to have been observed if the act is completed before midnight on the final day of the set period.
3. Written petitions must arrive at IFA or have been posted at a recognised post office no later than the final day of the set period.
4. Payments must be paid at the IFA or received by IFA no later than the final day of the set period.
5. Proof of compliance with the time limit is to be provided by the sender.
6. If these rules do not specify the consequences of non-compliance with a time limit, they shall be determined by the Players' Status Committee or the DRC. Warnings may not go further than necessary for the due process of the proceedings.
7. The day on which a time limit is set and the day on which the payment initiating the time limit is made shall not be counted when calculating the time limit.
8. Regulatory time limits may not be extended.
9. The time limit for the answer and for the possible second submissions, if applicable, shall be of 20 days. In urgent cases, time limits may be reduced.
10. If a substantiated request is submitted before the time limit expires, only once, an extension of 10 days may be granted.
11. The time limit for lodging an appeal shall always begin on receipt of the full version of the decision.

Article 17 Advance of Costs

1. An advance of costs (cf. art. 18) is payable for proceedings before the Players' Status Committee and the single judge (with the exception of proceedings relating to the provisional registration of players), as well as for proceedings before the DRC.
2. The advance of costs shall be paid by the claimant or counter-claimant when the claim or counter-claim is lodged.
3. The advance of costs is calculated according to the value of the dispute as follows:
Amount in dispute Advance up to IQD 50,000,000 IQD 1,000,000 up to IQD 100,000,000
IQD 2,000,000 up to IQD 150,000,000 IQD 3,000,000 up to IQD 200,000,000 IQD 4,000,000
from IQD 200,000,001 IQD 5,000. The advance of costs is to be paid either by cash at the IFA or by check payable to IFA.
4. If a party fails to pay the advance of costs when submitting a claim or counterclaim, the IFA administration shall allow the party concerned ten days to pay the relevant advance and advise that failure to do so will result in the claim or counter-claim not being heard.
5. The advance of costs paid in accordance with the preceding paragraphs of this article shall be duly considered in the decision regarding costs in accordance with art. 18.

Article 18 Costs

1. Costs in the maximum amount of IQD 25,000,000 are levied in connection with proceedings of the Players' Status Committee and the single judge (with the exception of proceedings relating to the provisional registration of players), as well as for proceedings before the DRC. Costs are to be borne in consideration of the parties' degree of success in the proceedings. In special circumstances, the costs may be assumed by IFA. Should a party generate unnecessary costs on account of its conduct, costs may be imposed upon it, irrespective of the outcome of the proceedings.
2. No procedural compensation shall be awarded in proceedings of the Players' Status Committee and the DRC.

Article 19 Notification of decisions

1. Decisions shall be sent to the parties directly, with a copy also sent to the respective club.
2. Notification is deemed to be complete at the moment the decision is received by the party, at least by email or fax.
3. Notification of a representative shall be regarded as notification of the party.
4. In the absence of direct contact details, decisions intended for the parties to a dispute, in particular players and coaches, are addressed to the club concerned with the instruction to forward the decisions immediately to the pertinent party. These decisions are considered to have been communicated properly to the ultimate addressee four days after communication of the decisions to the club. Failure by the club to comply with the aforementioned instruction may result in disciplinary proceedings in accordance with the IFA Disciplinary Code.

Article 20 Publications

Decisions, should they be of general interest, may be published by the general secretariat in a form determined by the Players' Status Committee or the DRC, and condensed, if applicable, in the form of a media release. Due restraint shall be exercised when publicizing decisions. On substantiated request by a party, certain elements of the decision may be excluded from publication.

III. Final Provision

Article 21 Enforcement

These rules were approved by the IFA Executive Committee and comes into force on 2 January 2017.

FOR THE IFA EXECUTIVE COMMITTEE

Abed-Alkhalig Masoud Ahmed -President:

Al-Tameemi Sabah -General Secretary: