

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 16-47
Date of hearing	2 August 2016
Time of hearing	6:30pm
Venue of hearing	FNSW – Judiciary Room
Tribunal Member(s)	Mendo CKLAMOVSKI
Respondent	Nestor MORENO (FFA: 57212359)
Fixture	Men's State League 1 (MSL1) match Wagga City Wanderers v University of NSW on 16 July 2016 at O'Connor Park, Cootamundra, NSW.

This Notice constitutes the General Purposes Tribunal's Determination resulting from the Tribunal hearing listed above.

Charge(s) and Determination(s):

Charge(s)	Tribunal determination
<p>1. The Respondent (Nestor Moreno) used offensive, insulting or abusive language and/or gestures towards or about a Match Official in breach of section 15.4(d), Schedule 3, Table B, Number 1 of the FNSW Grievance and Disciplinary Regulations (Regulations).</p>	<p>1. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty</p> <p><u><i>Determination:</i></u></p> <p>Four (4) match suspension (MMS + 3 Fixtures).</p> <p><u><i>Reasons:</i></u> <i>The GPT found there was evidence to show that the Respondent did use "offensive, insulting or abusive language" towards a Match Official.</i></p> <p><i>The Respondent has pleaded guilty to the charge and, while not agreeing with all the comments in the reports/verbal statements by the match officials, admitted to the use of the phrase "You are f..... idiot" or similar words.</i></p> <p><i>In making the decision, the GPT took into consideration that the Respondent pleaded guilty and took into consideration his good record.</i></p> <p><u><i>NB. The suspension is to apply to all football activities.</i></u></p>

Costs:

The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.

Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with sections 8.8 and 9.2 of the FNSW Grievance and Disciplinary Regulations. Any appeal must be submitted by completing the online Notice of Appeal form (Prescribed Form 12 – available on the FNSW website or by clicking [here](#)) and lodging the relevant Application Fee (\$750) within 7 working days of this determination being issued.

2 August 2016

Mendo Cklamovski

Member

GENERAL PURPOSES TRIBUNAL