

Belfast Celtic FC v Ballymena and Provincial Football League

Before the IFA Appeal Board on 4 May 2022

Carley Shields (Chair), Ciara McReynolds & Stephen Shaw

This is an appeal by Belfast Celtic FC ('Belfast Celtic') against the decision of the Ballymena and Provincial Football League ('the League') to impose sanctions on it because of an incorrect player registration concerning Darren Hyland ('Mr Hyland'). Belfast Celtic claim that Mr Hyland's registration with Cliftonville Football Club ('Cliftonville') on 4 July 2021 was invalid, meaning that his subsequent registration with Belfast Celtic on 12 July 2021 should be viewed as the first registration.

The main facts are as follows:

- On 29 May 2021 Mr Hyland was informed by Cliftonville that he was surplus to requirements and that he should seek a new club for the following season;
- On 4 July 2021 Mr Hyland was re-registered by Cliftonville;
- On 12 July 2021 Mr Hyland was registered by Belfast Celtic;
- On 1 April 2022 the League write to Belfast Celtic to advise that it has been brought to their attention that the registration of Mr Hyland is not in order and ask various questions of the club. In and around this date the League also sought the views of Cliftonville and the Player Registration Sub Committee of the IFA;
- On 13 April 2022 a meeting was held between League officials and representatives of Belfast Celtic to discuss the double registration issue. At this meeting Belfast Celtic admitted that they had made an administrative error in the registration of Mr Hyland.

The League's Decision:

On 13 April 2022 the League decided the following:

- Mr Hyland is a Cliftonville player as they hold his first registration;
- Belfast Celtic will forfeit all games in which Mr Hyland had played in under the jurisdiction of the League under Rules 8(a) and 8(c); plus FIFA Article 55 which states any teams who plays an ineligible player will forfeit the match; and
- Belfast Celtic would be fined the sum of £100.

Belfast Celtic's Ground of Appeal:

Belfast Celtic submitted their application to appeal by letter dated 18 April 2022.

The reason for their appeal is that Mr Hyland's registration with Cliftonville on 4 July 2021 is invalid and should not have been entered as Mr Hyland was deemed surplus to requirements and told to move on to further his career and was therefore not a Cliftonville player.

Belfast Celtic allege that the League erred by concluding that Mr Hyland is a Cliftonville player because they hold his first registration.

Belfast Celtic state in their letter of appeal that there has been no explanation given as to why Mr Hyland was registered by the Cliftonville registrar so they can only assume it was a mistake, which by default makes the registration invalid.

Furthermore, Belfast Celtic argue that it is imperative to obtain the consent of a player before registering them on Comet and in this case Mr Hyland's consent was not obtained for the re-registration by Cliftonville.

Appeal hearing

The Appeal Board has read the written submissions provided on behalf of both parties to the appeal and heard from the parties and their representatives at the virtual hearing which took place via zoom.

Belfast Celtic provided evidence that Cliftonville confirmed that Mr Hyland was told that he could leave to further his career and that Cliftonville had no further contact with him. Mr Hyland also confirmed by letter dated 13 April 2022 that he did not agree to re-register with Cliftonville for the 2021/22 football season.

In Belfast Celtic's appeal letter, it is acknowledged that the two registrations related to the same player. Belfast Celtic was asked at a League Committee hearing why a new registration was created for Mr Hyland despite a warning message appearing advising that a player with identical details already existed on Comet. Belfast Celtic confirmed that an administrative error had been made when registering Mr Hyland and instead of clicking on 'load', 'save' was selected by mistake.

The registrar for Belfast Celtic, Mr Kelly, explained that he was responsible for the registration error and that he could not explain how he had made the error. After clicking on the 'save' button he treated the registration as new and had no reason to request a transfer for the player as it was a new registration. Mr Kelly also pointed out that had he realised the error had taken place he would have contacted the IFA immediately to rectify it as he had done so in the past.

Belfast Celtic argue that the administrative error is a duplicate registration issue which the IFA can clear by merging the two Comet IDs.

The skeleton argument for Belfast Celtic argues that the fact that Mr Hyland did not give his consent to the Cliftonville registration is significant and makes that registration invalid.

Reference is made to the Comet video tutorial and Comet's Terms and Conditions of Use, highlighting in particular clause 3.4 which states *that 'Each Register User undertakes and certifies that it has acted in good faith and taken all reasonable care to ensure that the information entered upon the IFA FMS is clear, accurate, reliable and complete in accordance with the IFA's requirements'* and clause 3.5 which states that *'Each Registered User undertakes to obtain all necessary clearances, consents, permissions to enable the Data to be submitted via the IFA FMS and to be used for the purpose of administration of football in Northern Ireland.'*

The League pointed out that if Belfast Celtic had not made the administrative error the player would have been successfully transferred from Cliftonville to Belfast Celtic. The League is of the opinion that Mr Kelly should have contacted the League secretary for advice on the matter when he received the

warning message on Comet and is clear that responsibility for a player's correct registration lies with the club.

The League also queried why on 22 July 2022 Belfast Celtic announced on social media that Mr Hyland had joined them on loan from Cliftonville if he was no longer a Cliftonville player. This social media post is also confusing since Mr Hyland is an amateur player and amateur players cannot be loaned to other clubs as they do not have a contract.

Turning to the relevant rules. Regulation 1(h) of the Professional Game Player Registration Regulations states that *'It shall be the responsibility of clubs playing in any match to be played under the jurisdiction of the Association to ensure that its players are eligible to play in such a match.'* It is also stated in the Regulations that *'Priority of registration shall determine the eligibility of a player to play for the club with which he was first registered.'* (See Regulation 4(h) and Regulation 6(d).)

Regulation 6 of the Professional Game Player Registration Regulations states that written consent is required for the registration of a player under the age of 18. There is no corresponding provision for a player over the age of 18.

It was, however, accepted by both parties that when a club applies to register a player on Comet, that player receives a notification sent by email from Comet advising him that he is being registered for such a club and if this is not correct the player should contact the IFA. In this case an email would have been sent by Comet to Mr Hyland to notify him that Cliftonville were registering him as a player. Unfortunately, on this occasion Mr Hyland lost his phone and apparently did not receive the email, and therefore since no issue was flagged to the IFA it was accepted that he consented to the registration with Cliftonville.

The Appeal Board understands that Mr Hyland would also have received a similar email when Belfast Celtic attempted to register him.

Rule 8(a) of the League Rules states that *'All Clubs are responsible for registering their own players using the Irish Football Association Comet System and as laid down in the Irish Football Association Professional Game Player Registration Regulations.'*

Rule 8(c) of the League Rules states that *'Irrespective of anything in any rule, if the Committee have any doubt at any time and if arising out of a protest appeal or claim or otherwise, as to the eligibility of any player registered or taking part in matches under the League's jurisdiction, they shall call upon such player and or his club to prove he is/was qualified to play according to League rules.'*

Failure to provide satisfactory proof confirming eligibility, will see the committee deal with the matter as they may determine. They may impose a minimum fine of £100 for a first offence. A second offence in the same season, may result in a fine and/or expulsion from the League. Ineligibility due to a suspension, will be referred to the IFA or Co. Antrim FA to be dealt with under the Disciplinary Code Article 22.'

Conclusion:

Given the clear wording of the Professional Game Player Registration Regulations, responsibility for the player's registration rests with Belfast Celtic.

The registration of Mr Hyland was carried out incorrectly by Belfast Celtic, which they have admitted, and therefore they unfortunately must suffer the consequences of same.

Regardless as to whether Cliftonville had obtained Mr Hyland's consent for re-registration, had Belfast Celtic inputted the registration of Mr Hyland properly on Comet this situation would not have arisen as they would have realised that Mr Hyland was already registered as a player with Cliftonville on 4 July 2021. They could have then taken such steps to ensure Mr Hyland was properly registered or transferred to Belfast Celtic.

In terms of the guidance provided by the Comet video tutorial and Comet's Terms and Conditions, this is guidance which should of course be followed by clubs when registering players, however it does not trump the IFA's Professional Game Player Regulations which clearly state that responsibility lies with the clubs to ensure that its players are properly registered and there is no prerequisite in those Regulations for the consent of a player to be obtained, unless they are under the age of 18.

The Appeal Board therefore dismisses the appeal.

The Appeal Board would like to thank the parties for their submissions, as well as for their attendance at the virtual hearing.

End.