

**Appeal against the decision of the Irish Football Association by Brian Larkin & Colin McCullough (together 'the Appellant')**

**Appeal Board ; E Larkin, C Shields , J Greer.**

This appeal has been brought under Article 14, Irish Football Association's Articles of Association.

The Appellant received notification on 13<sup>th</sup> July 2021 from the IFA, that their nomination to the IFA Board of Mr Johnston was not valid. The Appellant sought to challenge this. The basis for the IFA decision was that according to the IFA rules Article 8 (5) (e) , the nominated person Mr Johnson had not been a member of the IFA Council for the preceding two years (2019-2021). And further, this had arisen due to Mr Johnson not having signed the requisite Code of Conduct as per Standing Order 34, IFA Regulations.

The Appellant claimed that the nominated person, Mr Johnson, had in fact, been a member of council during the period 2019 – 2021, as he had not received any formal notice of exclusion, other than not being permitted to attend council meetings. The Appeal Board was asked to look at the governing provisions particularly, Article 8 (5) (e) and the issue of Mr Johnsons IFA council membership.

Submissions were provided by the parties to this case. The Appeal Board carefully considered same. We have formed the view, despite the detail provided, that the case boiled down to the issue of one side claiming Mr Johnson had been a member of council for the two years (2019-2021) and the other stating he had not been.

We have concluded that Mr Johnson could not satisfy the requirement for nomination to the IFA Council as he had not signed the Code of Conduct as per Standing Order 34;

**'Board and committee members shall observe the Associations Code of Conduct and Code of Ethics, a copy of which should be signed and returned to the nominating body for onward submission to the Association in advance of taking up post.'**

The fact that Mr Johnson had not signed the Code of Conduct, since its adoption into the provisions in February 2020 was not disputed. We note the request from the IFA to sign same had been made on numerous occasions during this period. There was nothing to suggest the requirement could be sidestepped.

On this basis, we consider the nomination of Mr Johnson by Mr Larkin & Mr McCullough to the IFA Board as per Article 8 (5) (e), lacked the vital credential that one must be a council member for at least the preceding two years. We consider there is no scope within the IFA provisions which would allow this to be bypassed.

In the circumstances, the Appeal is dismissed.

25/10/21

Appeal Board

