

Strabane Athletic FC v Irish Football Association Intermediate Cup Committee

Before the IFA Appeal Board on 24 November 2021

Carley Shields (Chair), Ian Beggs, Ciara McReynolds

This is an appeal by Strabane Athletic FC ('Strabane') against the decision of the Irish Football Association Intermediate Cup Committee ('ICC') to dismiss Strabane from the Intermediate Cup.

The facts are as follows:

- On 4 July 2021 Adam McCrea originally signed for Strabane
- On 13 August 2021 a transfer request for Mr McCrea was made by Strathroy Harps
- On 30 August 2021 the transfer request was actioned as no dispute had been raised by Strabane
- On 31 August 2021 Strabane noticed that Mr McCrea was missing from their comet player list
- On 1 September 2021 Strabane make a transfer request for Mr McCrea from Strathroy Harps
- On 3 September 2021 Strathroy Harps terminate Mr McCrea's registration with them due to the transfer request
- On 3 September 2021 Strabane confirm the registration of Mr McCrea
- On 9 September 2021 Strabane were advised that as they did not decline the transfer request from Strathroy Harps submitted on 13 August 2021 within 7 days of same being made, the transfer was processed by the IFA
- Strabane's secretary acknowledged that they were not aware that they had to decline such a transfer request otherwise it would be processed.

Appeal hearing

The Appeal Board examined all written submissions provided on behalf of both parties to the appeal. They also paid particular regard to the relevant provisions the Professional Game Player Registration Regulations and the Intermediate Cup Rules.

Of particular relevance is Regulation 16.0 a, in relation to Transfer Disputes which states that 'Where a club has not responded to a transfer request for an amateur player within 7 days the League (if both clubs are in membership of the same League) or the IFA (if both clubs are in membership of different Leagues) shall terminate the former registration to enable the transfer unless 16b applies.'

Regulation 16.0 b states 'Where a club objects to a transfer request for an amateur player they must notify their League/IFA within 7 days. Proceedings will be instigated to arrange a dispute resolution hearing.'

Strabane confirm in their submission that they received a transfer request from Strathroy Harps and contacted Mr McCrea in relation to same. He confirmed that he did not want or ask for the transfer and he advised Strathroy Harps that he wanted to remain as a Strabane player. The Club, however, failed to notify their League/IFA of their objection to the transfer as per Regulation 16.

Rule 14 of the Intermediate Cup Rules states that ‘... For the avoidance of any doubt to be eligible to play in this competition a player must also be eligible to participate for his club in the relevant league competition and must have been registered during one of the two professional game registration periods. The registration periods are:-

First Registration Period – 9 June – 31 August

Second Registration Period - 1 January – 31 January...’

Rule 15 sets out the punishment for playing an ineligible player and states ‘...Any club found guilty of fielding an ineligible player in any round of the competition and prior to the next round being played up to and including the semi final may be fined up to a maximum sum of £100.00. Furthermore, the said club will be dismissed from the competition and the club losing the tie in such circumstances shall replace the dismissed club and progress to the next round.’

Since Mr McCrea was only properly re-registered to Strabane on 3 September 2021, after the first registration period, he was an ineligible player for the purposes of the Intermediate Cup match that took place on 23 October 2021.

Therefore, the Appeal Board must uphold the dismissal of Strabane from the Intermediate Cup as it is of the utmost importance that all clubs and their staff are familiar with the relevant Rules and Regulations.

End.