

**IN THE MATTER OF AN APPEAL
BEFORE THE IFA APPEALS COMMITTEE
EAST BELFAST FOOTBALL CLUB**

Appellant

V

NAFL LIMITED

Respondent

IRISH FOOTBALL ASSOCIATION

Notice Party

APPEALS BOARD

Rachel Best KC

Carley Chapman

David Lennox

Present- Appeals Secretary Rebekah Shearer

ON BEHALF OF THE APPELLANT

Jamie Bryson - JWB Consultancy

Falon McClean - IPLS Student

There was no representative from the Appellant Club.

THE RESPONDENT WAS REPRESENTED BY

David Morrow - Director

David McCarthy - General Secretary

David Martin - Director

THE IFA WAS REPRESENTED BY

Nicolas Compton BL

Shaun Jemphrey - Partner King & Gowdy

Andrew Raffin - Solicitor King & Gowdy

Leigh Sillery - Head of Domestic Football Operations IFA

Also present

Paul Nugent - Solicitor ALG

Observers – Leona Gillen and James Tracey (Legally Qualified Chairs) (for training purposes).

INTRODUCTION

1. This is the unanimous decision of the Appeal Board appointed to consider this appeal.
2. The Appeals Committee from which the Appeal Board is made up, is constituted as a body within the IFA structure. It is comprised of legally qualified and lay personnel. The role of the Appeal Board is to adjudicate on decisions as an administrative decision-making body. In recent times, certain appeals have been brought before this Committee that have the hallmarks of a judicial review. It is considered by the Appeal Board that this is not what the Appeals Committee was set up to do.
3. The members of the Appeals Committee are not judicially appointed, and the Appeal Board is not a court of law set up to adjudicate on complicated legal disputes.
4. In this appeal the Appellant sought to challenge the very legal structure of the IFA Articles. Whilst it was advanced by the Appellant in the course of the appeal that the Appeal Board should only be concerned with the impact of the Articles on the Conference League, it was very clear to all that the decision of this Appeal Board would have a wide-ranging effect on the ability of football to be played in Northern Ireland, from grass roots football up to professional football. Accordingly, it was the decision of this Appeal Board to seek independent and objective legal advice, a matter which received strenuous objection by the Appellant. That objection will be dealt with further in this Decision.
5. It is the position of this Appeal Board that Hearings before the Appeals Committee were never envisaged to be used as a mechanism to mount substantive challenges to the IFA Articles overall. It is considered by the Appeal Board that the original intention of the appeal process under Article 14 was to be able to challenge, in a speedy and

straightforward manner, relevant decisions. The use of these Hearings to challenge the wider structure and decision-making processes within the IFA is arguably oppressive, not appropriate and is considered to be out with the original intention of Article 14.

6. We are emboldened in our view when Article 14 (3) is referred to, it provides as follows,

An appeal hearing shall not be conducted as a re-hearing and will not allow evidence which was not previously adduced to the body which heard the case in the first instance unless good reason can be shown as to why it was not made available in the first instance. In such a case the Appeal Board will refer the case back to the body whose decision is appealed in line with Article 14(6)(e).

7. The acceptance to hear this appeal is not to be cited as an authority in any future case which may come before the Appeals Committee that such an action is appropriate.

8. It is the Appeal Board's view that in assessing Article 14 in its totality, an appeal such as the one currently before it was not envisaged. The issue of Jurisdiction is considered further below.

9. It is considered by the Appeal Board that, going forward, there are other more suitable forums which an Appellant should avail of when seeking to challenge the IFA Articles as a whole.

JURISDICTION

10. Article 14 (2) of the Articles of Association provide as follows:

Other than an appeal by a Member against its expulsion, a player, official, referee, Club, Associate Member, Organisational Member or League has the right to appeal to the Appeals Committee against any decision of a Club, committee, League or other such body within the Association which is imposed upon him or it, provided that the appellant has exhausted such appeals procedures as were available to the appellant consequent upon

the decision in question, unless satisfactory grounds are given for not having done so. For the avoidance of doubt, an appeal by a player must be submitted either:

(a) By the player personally, setting out the grounds for the appeal in writing; or

(b) By the player's Club on the player's behalf, setting out the grounds for the appeal in writing, and countersigned by the player.

11. It appeared that all parties agreed the appeal, at face value, technically met the definition of an appeal under Article 14(2); this Appeal Board, despite the reservations it had in the appropriateness of bringing the appeal before it, decided to accept the jurisdiction of the Appeals Committee in hearing the appeal (subject to the requirements of Article 14, which is dealt with further in this decision).

THE APPEAL BOARD'S DECISION TO OBTAIN LEGAL ADVICE

12. The Appeal Board took the decision to seek external independent legal advice as a result of the nature of and the issues in this appeal. It is considered that this appeals process is not equipped for the challenges such as that before it. The challenge before it is akin to a judicial review and the Appeal Board is not armed to deal with such a challenge.

13. In accordance with the authorities such as, *Nbueze v General Medical Council [2000]* the parties were informed of the content of the legal advice provided to the Appeal Board, at the outset of the hearing.

14. The commentators, in *Disciplinary and Regulatory Proceedings [9th Edn]* at para 3.99 state as follows:

It has been said that it is a principle of fairness that the parties should be informed of the assessors' advice to a Tribunal and that the parties should be afforded an opportunity to comment on that advice and that the Committee should have an opportunity to consider their comments before announcing their determination. The reason why the legal assessor's advice to the Committee must be given are made

known to the parties afterwards in public is so that the parties may have an opportunity of correcting it or asking for it to be supplemented as the circumstances may require.

15. In this case at the outset of the Hearing, it was announced to the parties that legal advice had been obtained; the parties were then provided with a copy of the summary of that legal advice. Mr. Nugent on behalf of A & L Goodbody, then went through and outlined the advice he had given to the Appeal Board.
16. The Appellant mounted forthright and strenuous objections to the fact that the Appeal Board had sought independent legal advice. The objections can be summarised as follows:
 - (a) Article 14 (5) requires the Chairperson to appoint an Appeal Board of three persons to “hear and determine” the appeal. The Appeal Board even in exercising Article 14 (6)(f) discretion, are constrained by the parameters of the Articles. Accordingly, there is no vires to seek external assistance and in doing so fatally compromises the independence of the Appeal Board.
 - (b) The Appeal Board is appointed from members of the Appeals Committee; the Members are a “judicial committee”.
 - (c) Judicial Committees of the IFA are populated with legally qualified members precisely so that Appeal Boards have the capacity to hear and determine legal questions arising.
 - (d) A & L Goodbody are the IFA’s solicitors; they are paid by the IFA. The IFA are a party to these proceedings.
 - (e) The Appeal Board who has procured such advice will inevitably be influenced by that. This at the very least raises issues of apparent bias and or predetermination.
 - (f) A further issue arose in that the Secretary of the Appeals Committee is also the Company Secretary of the IFA who are now a party to the appeal.
17. In dealing with these matters the Appeal Board considers that the Appellant was incorrect in their submissions. Firstly, the Appeal Board was appointed in accordance with Article 14 (5), however Article 14 (6)(f) provides a discretion to the Appeal Board as to how these proceedings are administered. It is surprising that the Appellant would advance an argument that in a situation where they are challenging the very core of the IFA Articles, that the Appeal Board would be unable to seek legal advice.

18. The Appellant is also incorrect in their analogy that as the Appeals Committee is defined as one of a number of “judicial committees” in the Articles they are somehow acting in a judicial capacity. The members of the Appeal Board are not judicially appointed. They are appointed to hear appeals under the IFA structure. To suggest that the questions before the Appeal Board are “straightforward questions of law” is fundamentally misconceived and incorrect in relation to this matter. It is noteworthy that the Submissions in relation to this appeal both in terms of the Appellant, Respondent and IFA ran to circa 100 pages (of which the Appellant alone submitted over 36 pages in argument), with numerous legal authorities cited and issues of construction and interpretation of Articles prevalent. This is by far not a straightforward appeal.
19. In addition, the Appellant is wrong to suggest that as A & L Goodbody are the IFA’s solicitors that they were not independent. It is accepted that the IFA would pay for A & L Goodbody’s assistance for this Appeal Board. This is not an unusual situation. The Appeals Committee sits within the structure of the IFA and is not a separate legal entity empowered to procure and pay for its own independent legal advice. A & L Goodbody has not advised the IFA in relation to this matter. The Appeal Board was satisfied that A & L Goodbody provided their advice in an independent and impartial manner. The suggestion that they were not independent or impartial was considered to have been made without foundation and accordingly rejected.
20. The issue in relation to the Secretary of the Appeals Committee also being the Company Secretary for the IFA, was withdrawn by the Appellant in the course of the Hearing upon being informed that this was not correct in relation to the present proceedings.
21. The Appeal Board wishes to comment that the Appellant’s approach in relation to the challenge was surprising in relation to the content of the challenge and the tone adopted towards the Appeal Board. When pressed as to what the Appellant’s authority was to suggest that the Appeal Board was not entitled to take legal advice in these circumstances, none was offered save as for a general reference to Article 14.

RECUSAL APPLICATION

22. Having been informed that the Appeal Board had taken legal advice and thereafter provided with the legal advice and offered the ability to comment and correct any errors that they believed to be in the advice, the Appellant nevertheless decided to make a Recusal Application on the basis of “apparent bias”. The grounds relied upon were the grounds set out above (in paras 15 (a)-(e)).

23. Although not opened to the Appeal Board, the Appeal Board reminded itself that the test for apparent bias comes from the case of **Porter v Magill** namely “*whether a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Tribunal was biased*”. It is of course to be noted, that this Appeal Board is not judicially appointed nor are we sitting in a judicial capacity, however it was still considered the **Porter** case was helpful in determining this application.

24. In **R v Jones 2010] NICC 39**, governing principles in this type of application were discussed as follows:

[7] In considering whether the composition of any court or tribunal poses any threat to the fairness of a given trial, the test to be applied is that of apparent bias, as articulated by the House of Lords in Porter v Magill [2002] 2 AC 357 : would a fair-minded and informed observer conclude that, having regard to the particular factual matrix, there was a real possibility of bias? In Regina v Mirza [2004] 1 AC 1118, the question formulated by Lord Hope was whether a juror had “knowledge or characteristics which made it inappropriate for that person to serve on the jury”: see paragraph [107]. Bias, in my view, connotes an unfair predisposition or prejudice on the part of the court or tribunal, an inclination to be swayed by something other than evidence and merits”.

[10] It is trite that where an application of this kind is made, an asserted risk to the fairness of the trial which is flimsy or fanciful will not suffice. However, the converse proposition applies with equal force. The court is required to make an evaluative judgment based on all the information available. This requires, in the words of Lord Mustill, the formation of “what is essentially an intuitive judgment” (Doody v Secretary of State for the Home Department [1993] 3 All ER 92, p. 106e). In making this judgment, the court will apply good sense and practical wisdom. Ultimately, the court's sense of fairness, as this concept has been explained above, and its grasp of realities and perceptions will be determinative.”

In ***Gillies v Secretary of State for Work and Pensions [2006] 1 WLR 751***, Lord Hope said as follows:

[17] The fair-minded and informed observer can be assumed to have had access to all the facts that were capable of being known by members of the public generally bearing in mind that it is the appearance that these give rise to that matters not what is in the mind of the particular judge or tribunal member who is under scrutiny. It is to be assumed ...that the observed is neither complacent nor unduly sensitive or suspicious when he examines the facts that he can look at. It is to be assumed too that he is able to distinguish between what is relevant and what is irrelevant and that he is able when exercising his judgment to decide what weight should be given to the facts that are relevant.

25. The Appeal Board rejects the contention that the fact that they obtained legal advice meant that they were biased (apparent not actual). It was a surprising proposition to advance given the very nature of this appeal and the fact that it is not unusual for legally qualified persons to take advice and be so advised in relation to their decisions, for example Coroners.

26. To follow the logic of the Appellant through, no-one would ever be able to take legal advice if they were to be influenced by it, which would be contrary to the fact that legal advice was taken.

27. In the Appellant's own documents, it was cited that this appeal was in relation to "***pure questions of law***". This appeal was brought in the fashion of a judicial review. The Appellant was reminded that the role of the Appeal Board is not that of judicially appointed officers and whilst sitting under the umbrella of "judicial committees"¹ they do not have any special obligations. Accordingly, the application for recusal was rejected.

THE DECISION UNDER APPEAL AND THE PARTIES' CONTENTIONS

¹ The "Judicial committees" are considered to be the Disciplinary Committee, the Licensing Committee and the Appeals Committee (See Article 1).

28. At the outset of the appeal the Appellant confirmed that the decision under appeal was the decision of NAFL to “*publish criteria and proceed with the implementation of the proposed Conference league*” on **18 February 2026**.

29. The National Conference League Project (“The Conference League”), was clearly a project that had been in prospect for some time. It represents a significant restructure of the men’s football pyramid in Northern Ireland to enhance the competitiveness and sustainability of the men’s amateur game.

30. At the centre of this appeal was the issue around the delegation (or otherwise) by the IFA of the functions of the organisation and administration of football, in particular the Conference League and the appointment of NAFL as the preferred operator.

31. The Appellant in its appeal confirmed that “*the merits or demerits of the Conference league are not at issue in this appeal. Indeed, the efforts and evident increased professionalism on the part of the NAFL is to be commended. However, this appeal raises pure questions of law, and no factual disputes arise between the parties*”. [Emphasis added].

32. In the Appellant’s additional written submissions, when discussing the nature of this appeal, they state “*In theory, every single decision, both disciplinary and otherwise, is vulnerable*”. This is insightful into the reality of the challenge mounted by the Appellant, which discloses the potential wide-ranging effect this challenge would have, despite the arguments of the Appellant in the hearing to the contrary.

33. In the course of the Respondent’s submissions a very helpful timeline of events was set out. This timeline was not disputed by any party and indeed the accuracy of it was agreed. It is set out below for completeness.

Agreed Timeline

June 2024 - The IFA commenced a tender process to appoint a League Operator of a new conference layer of the men’s football pyramid to achieve the specific pillar of the 2022-2027 strategic plan – as noted above. The Respondent entered the process which involved the submission of a 30-page tender proposal and a stringent independent interview process.

August 2024 - The IFA notified the Respondent of their success within the tender process and appointment as the League Operator for the new Conference layer of the men's football pyramid. That appointment was subsequently formally ratified by the IFA, and the National Conference League project was initiated.

September 2024 - Informal engagement commenced on project timelines, high-level conference layer structure and operation, and resource requirements.

October 2024 - The IFA provided approval for formal engagement on the co-design and league operator support agreement formulation with the Respondent, as operator of the National Conference League.

October 2024 - August 2025 - The formal co-design process was completed to final draft form and had included items such as league structure analysis, interaction with other key stakeholders, a roadshow to outline concepts, engagement on key items such as ground criteria and National Conference League application process to name some such aspects.

December 2024 - The operational support agreement formulation commenced with a draft agreement provided by the IFA which would create the basis of the formal legal arrangement. The extent of this legal arrangement was support from the IFA by way of financial remuneration and elements of practical support, on terms that the Respondent operated the National Conference League to specific standards.

December 2024 - July 2025- The league operator support agreement between the IFA and the Respondent was negotiated under various mark-up versions between the two parties over the time period noted.

February 2025 - The IFA organised 'roadshows' across Northern Ireland, and online, at which the IFA presented their update on the National Conference League Project, including confirming to the public that the Respondent had been appointed as the National Conference League Operator.

July 2025 - The IFA Football Committee approved the Season 2025/2026 competition rules of the Northern Ireland Football League ("NIFL"), NAFL, and the two other Intermediate Leagues in Northern Ireland. Proactive advice was provided by the relevant Football Committee sub-Group to ensure all aforementioned leagues included details on the National Conference League, outlining promotion only from Conference Premier directly to NIFL, and

relegation from NIFL to only Conference Premier in the revised men's football pyramid. Also, promotion from the existing aforementioned Intermediate Leagues to the new National Conference League Two was included, again a revision to the men's football pyramid. Indeed, in some instance the IFA Football Committee sub-group wrote to the certain leagues to ensure the National Conference League correct promotion/relegation pathways were properly recorded.

July 2025 - The IFA and NAFL confirmed that a league operator support agreement was now in final form for execution (*referred to by the Appellant as the IFA-NAFL SLA*).

June 2025 - August 2025- The final draft form of the co-design process was concluded by way of an Information Pack for circulation to the football family in Northern Ireland. The documentation was presented to the IFA Football Committee for approval. This was completed on the 14th August with only minor amendments suggested relating to internal IFA / Sport NI terminology on Ground Criteria.

September 2025 - The league operator support agreement was presented to the Board of the IFA for ratification, however the execution of this formal document proposing financial remuneration and practical support was not completed. It is the understanding of the Respondent that this decision was taken by the Board of the IFA following commissioned legal opinion relating to IFA Articles, principally Article 11.6.

October 2025 - November 2025- The Board of the Respondent considered the position of the IFA and agreed to continue with implementation of the National Conference League without receipt of financial remuneration or practical support. With the passage of time and delay on the part of the IFA, a further decision was taken by the Board of the Respondent to delay Conference League One and Conference League Two commencements until Season 2027/2028, while proceeding with Conference Premier in Season 2026/2027 – all on the basis of time and practical implementation. The Respondent communicated this approach to the wider Football Family in Northern Ireland by way of issued statement.

This decision by the NAFL Board was taken in the knowledge of two key aspects:

- i that no financial support would be available from the IFA until the National Conference League Project was implemented, and
- ii a strategic partnership was formed with NIFL which included practical support in the stand-up of the National Conference League and general advice.

December 2025 - Following the December IFA Board Meeting, NAFL received correspondence from the Chairman of the IFA Football Committee requesting an update on the National Conference League Project.

January 2026 - The Respondent, via an updated *National Conference League Information Pack* and accompanying cover letter outlining all relevant National Conference League particulars, was presented to the Football Committee of the IFA who confirmed their contentment.

February 2026 - NAFL published the *National Conference League Information Pack*.

34. What can be readily ascertained from the agreed timeline are the extensive steps and decisions taken in relation to the set up and organisation of the Conference League from as far back as June 2024.

35. In the course of the IFA's submissions an extract from the Annual Report of the IFA (24/25) was handed in to the Appeal Board. Within this extract, titled, 'Operating Review' the following is outlined to Members,

Men's Football Pyramid

A strategic objective of the Irish FA corporate strategy "A Roadmap for Football" is to transform the football pyramid and create a clear pathway for ambitious clubs.

To achieve this the Irish FA has advanced plans to restructure the men's football pyramid in Northern Ireland. Following a consultation and selection process, the Association identified the Northern Amateur Football League (NAFL) as the preferred partner to work in collaboration with Irish FA to introduce a new conference layer within the pyramid. Together, the two organisations will now develop appropriate and consistent league formats and fixture calendars for top tiers of amateur football.

36. This Annual report was presented to the AGM in 2024/25 which was convened in June 2025. The Annual Report/ Report of the Board was adopted having been proposed and seconded by two of the member clubs, Ballynure OB and Linfield Women. Any dissent would have been recorded, however there was none. The minutes of the AGM were circulated to the parties after this hearing and a period of 2 days was allowed for any submissions on this point.

37. All IFA member clubs received a copy of the agenda for the AGM and the Annual Reports and Financial Statements for all three companies at least 21 days before the meeting. Within the invitation the contact details of the IFA's Finance Director were included, should there be any questions on the reports or financial statements ahead of the AGM. No queries were received from the Appellant.

38. In the course of the additional written submissions dated 26 March 2026, the IFA submitted extracts from X (formerly Twitter) which showed tweets from the Appellant's representative, Mr Bryson, dated 25 June 2025. The Tweets read as follows:

"Firstly, there is a serious question about whether the IFA in putting this in place is in fact acting ultra vires the Articles.

Secondly, the "league operator" is the NAFL- "

39. There was a second longer Tweet, provided to the Appeal Board, from the Appellant's representative, largely reflecting the arguments made before this Board.

40. In the Appeal Board's view this is demonstrative that the issue about the decision to implement a Conference League and the appointed operator was known as far back as 25 June 2025 (if not before, as per the agreed timeline).

41. Given that the Appellant went to great lengths in the course of this appeal to confirm that they were not challenging the Conference League itself (e.g. the criteria), and that (according to them) there were no factual disputes the focus of this appeal must therefore be on the decision to proceed with the Conference League.

42. The Appeal Board gave all parties the opportunity to provide further written submissions on the issue of the AGM and approval of the Conference League by

member clubs after the oral hearing concluded on Monday 23rd March. A time limit of 48 hours from receipt of the minutes of the AGM, for said submissions to be received was given. This was, in reality, 10am on Thursday 26th March. Sequential exchange of submissions was not directed. Despite the clear directions of the Appeal Board, the Appellant deliberately held back their submissions in order to be able to comment on the other parties' submissions, submitting their submissions at 10:48am. This was done without leave of the Appeal Board.

43. The IFA then, unsurprisingly, wrote and asked the Appeal Board for permission to submit a brief reply, to address the Appellant's additional submissions. Permission was provided to both the Respondent and IFA to submit any additional submissions by 12 noon on Friday 27th March. This direction was complied with. Despite having caused this situation, the Appellant then over the weekend sought to lodge further submissions again without leave. Leave was refused.

44. In response, the Appellant indicated that *"The Appellant reserves the right to raise this issue in any subsequent Arbitration or other legal proceedings given the importance of the issue, and procedural irregularity in permitting the Respondent to file the final submission"*. Given that it was the Appellant's actions in direct contravention of the directions from the Appeal Board this response was surprising. However, at this point it is important to pause and recognise that this has been a common theme in these proceedings where there is a constant threat of further litigation from the Appellant in response to any decision that is made which they are not in agreement with.

45. The Appeal Board considers that these constant threats of further litigation are designed to do nothing other than to seek to exert pressure on the Appeal Board in this matter.

46. In the Appellant's supplementary submission, the issue of timing is not addressed, despite being given the opportunity to comment on the AGM issue. The Appellant

deals with the issue of “reliance on the AGM” but simply states that this is “misplaced”.

47. Turning to the supplementary submissions of the IFA and the Respondent. Both asserted that no new decision in relation to proceeding with the Conference League was made in February 2026. The decision to proceed with the Conference League was outlined to member clubs in the AGM in June 2025. Accordingly, it was argued that any challenge to the decision should have been made, either at the AGM in June 2025 or shortly thereafter.

48. The IFA and the Respondent also rely on Article 10(5) of the Articles which provides as follows:

An act done by the Board, whether ultra vires or not, that receives the express or implied sanction of the Association in general meeting, shall not be afterwards impeached by any Members on any grounds whatsoever, and shall be deemed to be a valid and binding act of the Association.

49. The relevance of Article 10(5) is that at the AGM, the IFA’s annual report (referred to previously) which outlined the Conference League and that NFL was the preferred provider, was adopted at the AGM.

Article 14(4)

50. By virtue of Article 14 (4)

An appeal must be dispatched by special delivery letter to the Chief Executive within four days after the date of the meeting at which the decision appealed against was taken unless for any reason it was not made known to the appellant at that meeting, in which case it must be dispatched by special delivery letter to the Chief Executive within four days after the date on which the decision was

notified in writing to the person or body concerned. Such letter shall state the grounds of appeal. A deposit of £100 shall be lodged with each appeal which shall be returnable only where the appeal is upheld. A copy of the appeal must be sent simultaneously by special delivery letter to the body or committee whose decision is appealed against.

51. It is noted that the IFA in their supplementary submission dated 25 March 2026 state that “*any delegation by the IFA made under the IFA’s articles will be done when the league actually commences*” appearing to suggest that this appeal is preemptory. This is a surprising argument given the extensive debates that had occurred in the written and oral submissions before the Appeal Board. No evidence or documentation has been provided to support the contentions now made. Indeed, it is the submission of the Respondent that the non-execution of the League Operator Support agreement did not impact on the overall National Conference League project, indeed as agreed amongst the parties to this appeal, the Respondent and IFA continued to work towards the set-up of the National Conference League.

52. This appeal proceeded on the basis that the agreed position of the parties, in general terms, was that a decision had been made and that the Respondent had been appointed as the preferred operator. There was a debate about the date of the decision and what that looked like, however overall, that is the position of the parties in their written submissions and oral submissions at the hearing. Indeed, that was the understanding of the Appeal Board in hearing this matter. Therefore, the Appeal Board is extremely concerned that this position was put forward at the last minute and after submissions had closed.

53. The Appeal Board considers that there was a lack of candour around what was happening in September 2025 and this new case being made by the IFA is a volte face and is entirely contradictory to the case previously made. If the IFA is correct, then why was this not flagged at the outset of this appeal, in order that all parties,

including the Appeal Board could deal with it? The Appeal Board considers that if this was in fact correct this would have been at the forefront of the IFA's submissions. The Appeal Board is concerned that this new position is a lack of transparency towards the Appeals Board. The IFA's submission in this regard is rejected.

54. It is considered and found as a fact by this Appeal Board, based on the information provided to it by all the parties, that there is no new decision in February 2026. The actual decision at the core of this and under challenge was that of the IFA Board in appointing the Respondent as the preferred operator for the operation of and implementation of the Conference League. This decision was communicated to members in June 2025 and did not change (see the agreed timeline). Although the decision under challenge had been made in advance of June 2025. The Appeal Board finds as a fact that the Conference League was not "paused" in and of itself in September 2025 but rather any delay was to address relevant issues.

55. Accordingly, the time for seeking to challenge the relevant decision under Article 14 was four days after the meeting at which the decision was made or, if not known at that time, within four days after the date on which the decision was notified in writing to the person or body concerned.

56. As this appeal was not lodged until 19th February 2026, when clearly it was within the knowledge of the Appellant in June 2025 (at the latest), the appeal is considered not to have been brought within the time limits as set out under Article 14(4). The reason for such time limits is to ensure that decisions of whatever nature can be made and progressed in an efficient manner.

57. Time limits and legal certainty are a vital pillar of our modern society. Society must be able to make decisions and act accordingly without the ongoing threat of litigation hanging above those who make the decisions. In this case the Appeal Board considers that the decision had been made sometime prior to June 2025

regarding the Conference League and the appointment of the Respondent as the preferred operator. The Respondent was notified in August 2024 that they had been successful, and the appointment was formally ratified by the IFA, and the National Conference League project was initiated.

58. In February 2025 the IFA confirmed to the public that the Respondent had been appointed as the National Conference League Operator. Member clubs knew as late as 30 June 2025 that this was the decision (although the Appeal Board considers this would have been known well before 30 June 2025). Steps were taken to implement this decision (see timeline previously set out) and matters had moved on. The Appeal Board considers that in February 2026, the publishing of an information booklet reflecting the decision regarding the Conference League, which had been in motion since June 2024, was not a new decision, rather the imparting, to interested parties, of further information.

59. Turning to Article 14(4); as currently drafted it does not provide for any extension of time and accordingly the appeal must fail on this ground.

60. In light of the Appeal Board's decision that the appeal has been lodged out of time there is no need to consider the overall merits of the case or to make any determination on the other issues in this appeal such as Delegation, Article 11(1) (both limbs), Article 11(6), Article 10(2) or 10(5).

OBSERVATIONS

61. The Appeal Board expects all of those who are before it to behave in a candid manner. Considerable preparation and effort was put into this appeal by the Appeal Board. Upon occasions the Appeal Board felt that some of the parties before it were evasive in answering questions put to them, such as the issue about what had happened in September 2025 and the alleged "pausing" of the Conference League.

62. Further, the Appeal Board considers that it would have been helpful if the IFA at an earlier stage had addressed its mind to the issue of the AGM in 2024/25, rather than it emerging late in the day as the appeal was unfolding. This issue, in light of the findings of the Appeal Board, was fundamental to the appeal and surely should have been considered at any earlier stage in proceedings.

63. In addition, it would have been helpful if a clearer picture of the alleged delegation was set out by the IFA including details of the interplay between the IFA Board, the Football Committee and the Respondent. It is envisaged this would include letters/documents/minutes of meetings where delegation was discussed and implemented.

64. Finally, Article 10(5) was an Article upon which the focus only shifted to in the course of the Appeal hearing. It is considered by the Appeal Board that this Article was central to the arguments before it and it would have expected all before it to have addressed their minds to this issue before it being raised almost at the end of the hearing.

SUMMARY

65. The Appeal Board finds that the decision in relation to the National Conference League and appointing the Respondent as the preferred operator was taken in advance of the IFA AGM in June 2025. Accordingly, the time limit for challenging this decision was four days from the date of the meeting where the decision was made or from when the Appellant was aware of it.

66. The Appeal Board finds as a fact that the Appellant as a member club of the IFA was aware in June 2025 (if not before) of the relevant decisions.

67. There was no new decision in February 2026. On 18th February 2026 the Respondent published an information booklet setting out the criteria relating to the Conference League. The Appellant specifically outlined that they were not challenging the “merits or demerits” of the League.

68. In all the circumstances, this appeal fails on a jurisdictional ground relating to the timing of the appeal. The appeal should have been brought in June/July 2025 when this matter was raised at the AGM.

R BEST KC (Chair of the Appeals Committee)

C CHAPMAN (Vice- Chair of the Appeals Committee)

D LENNOX

01.04.26