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**CAF DISCIPLINARY BOARD**  
**DECISION 011 – CAI – 28.11.2022**

General Secretary  
**South Africa Football Association**

*To the attention Royal AM FC*  
*Copy to : TP Mazembe (RD Congo)*

Cairo, 12<sup>th</sup> December 2022

**Re: Decision incident Match 74 Royal AM FC (South Africa) vs. TP Mazembe (RD Congo) played in the frame of the Confederation Cup, CC 2022-2023**

Dear Sir,

Arising out of the Disciplinary Board's meeting held on 28<sup>th</sup> November 2022, the Board was comprised of:

Mr. Issa Sama (Burkina Faso)	Acting Chairman
Mr. Youssef Ali Djae (Comores)	Member
Mr. Samugabo Mustapha (Burundi)	Member

At its meeting held on 28<sup>th</sup> November 2022, the Board examined all the documents relevant to the above-mentioned case.

**I. FACTS:**

1. The officials of the above-mentioned match indicated in their reports that TP Mazembe Club lodged a complaint indicating that the following items were stolen from the dressing room during the match by unknown people.
2. TP MAZEMBE also sent a complaint saying that during their match against Royal AM which was held in Durban the door of the dressing room was broken and several belongings were stolen. The Police was informed of the robbery and TP Mazembe recorded the stolen items of which were mobiles phones, passports, computers, pairs of boots, suitcases and a sum of 6,600 US Dollars.
3. The complaint was sent to the Royal AM Club who in their turn sent CAF a report regarding the damage which occurred in the dressing room of the visiting team, accompanied by photos.
4. The case was submitted to the Disciplinary Board.
5. The elements set out below are a summary of the main relevant facts, as established by the Disciplinary Board on the basis of the report of the match officials. Although the Disciplinary Board has considered all of the facts, allegations, legal arguments and evidence submitted in the context

of these proceedings, it refers in this decision only to those which it deems necessary to explain its reasoning;

## **II. CAF'S COMPETENCE TO THE CASE:**

6. Pursuant to articles 40, 42 and 57 of the CAF Statutes, as well as article 3 and 87 of the CAF Disciplinary Code, the CAF Statutes, Disciplinary Code and Regulations are applicable to this procedure.
7. The competence of the CAF Disciplinary Board results from the following articles:
  - Pursuant to article 10 of CAF disciplinary code *"the disciplinary Board is authorized to sanction any breach of CAF Regulations which does not come under the jurisdiction of another body of the Confederation"*.
  - Article 3 of the CAF Disciplinary Code provides that *"By participation in the various CAF competitions, all the persons referred to in article 2 para 2 above acknowledge and accept that they are bound by this code inclusive of any regulations relating to any specific CAF competitions as well as any directives issued by the CAF Secretariat on behalf of the CAF Executive Committee, inclusive of the Laws of the Game as issued by the International Football Association Board."*
8. In the present case, and in accordance with the articles of CAF Disciplinary Code, the CAF Disciplinary Board is competent to deal with the case.

## **III. Relevant provisions to the Case**

9. The following relevant provisions apply to the case at hand:
10. Pursuant to article 82 of CAF Disciplinary Code "PRINCIPLES OF CONDUCT": *National associations, clubs, officials and members, as well as their players, shall respect the principles of loyalty, integrity, sportsmanship and ethics.*
11. According to article 83 of CAF Disciplinary Code "RESPONSIBILITY" :
  - a. *1. National associations, clubs and officials are responsible for ensuring that the game is not brought into disrepute in anyway whatsoever by the conduct of their players, officials, members, supporters, spectators (especially using dangerous objects and/or lasers) and any other persons exercising a function at a match at the request of the association or club.*
  - b. *2. The host association or club is responsible for order and security both inside and around the stadium before, during and after the match. It is liable for incidents of any kind and can be rendered subject to disciplinary measures.*



12. Pursuant to article 151 of CAF Disciplinary Code "SECURITY FOR ORGANISATION OF MATCHES" :  
*"1. National associations that organize matches shall: e) ensure that law and order are maintained in the stadium and immediate surroundings and that matches are organized properly. f) Ensure that all dangerous objects and/or lasers are not allowed in the stadium or in the areas surrounding it by conducting searches of spectators. 2. National associations are held responsible for the behaviour of their supporters (especially with regard to throwing missiles and invading the pitch) and auxiliary staff.*

#### **IV. Legal Considerations**

13. The Disciplinary Board would like to recall that, according to the constant practice of the disciplinary bodies of CAF, the facts related in the reports of match officials are presumed to be accurate until proven otherwise (art 32 of the disciplinary code of CAF). Considering the above, the Disciplinary Board notes that the Club has not provided any evidence to the contrary of the facts described in the Official reports.
14. In the present case, the CAF officials delegate of the above-mentioned match indicated in their reports that TP Mazembe Club lodged a complaint indicating that the following items were stolen from the dressing room during the match by unknown people.
15. In accordance with article 17.9 of chapter 9 of CAF's CC Regulations relating to security measures during the organization of a match, the disciplinary board recalls that "the police service of the Host Association must ensure the security of all members of the participating teams as well as all the officials designated by CAF. It is the responsibility of the police service to prohibit any invasion of the field, any attack against the players and/or officials in and outside the stadium."
16. The Disciplinary Board noted the seriousness of the offences reported by the match commissioner as well as the lack of the security in the visiting club's dressing room.
17. Furthermore, the Disciplinary Board recalls that the host association or club is responsible for order and security both inside and around the stadium before, during and after the match. It is liable for incidents of any kind and can be rendered subject to disciplinary measures.

#### **DECISION:**

##### **18. CAF Disciplinary Board decided**

- 1. to impose upon your club a financial sanction of 15,000USD (Fifteen Thousand US Dollars) for the lack of security during the above-mentioned match which led to the theft of TP Mazembe belongings from the dressing rooms.**

Payment of 15.000 US Dollars must be made within 60 days of the date hereof, in American Dollars to:  
Bank CIB - Swift Code: CIBEEGXXX - Account No: 100044333389 -  
IBAN: EG970010008000000100044333389 OR by Cheque in the name of CONFEDERATION AFRICAINE DE FOOTBALL.



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**LEGAL ACTION:**

This decision can be contested before CAF Appeal Board. The party intending to appeal shall announce his intention in writing within three (3) days of notification of the decision. If the last day of the time limit coincides with a public holiday in the country of residence, the time limit will expire the next day which is not a public holiday.

Reasons for the appeal shall be given in writing within a further time limit of seven (7) days, commencing upon the expiry of the first time limit of three (3) days. The deposit mentioned in article 58 of the CDC must be paid to CAF's account. The appeal is invalid without the relevant deposit within the relevant time limit.

The decision becomes final at the expiration of the appeal deadline.

Best Regards,

**CONFEDERATION AFRICAINE  
DE FOOTBALL**

Issa Sama  
Acting Chairman  
Disciplinary Board