

# SECTION 2: WORKSAFE VCFL RULES AND REGULATIONS

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# WorkSafe VCFL

## RULES AND REGULATIONS

### OBJECTIVES AND DEFINITIONS

#### Objectives

The VCFL and Leagues wish to ensure that teams fielded in competitions conducted by a League are as strong and well matched as possible.

The continuing support of such competitions and the opportunity for players to develop and employ their skills both depend upon a League continuing to conduct vigorous competitions between evenly matched and financially viable clubs.

In order to achieve these objectives, the VCFL has adopted these Rules and Regulations to supplement the provisions of contracts of service between players and their clubs to provide a system that will:

- (a) ensure sufficient stability in the membership of Club teams to enable team spirit and public support to be maintained;
- (b) prevent stronger clubs from obtaining an unfair proportion of the best players at the expense of the weaker clubs;
- (c) provide opportunities for players to enter competitions conducted by Leagues and for an orderly system for:
  - (i) players to move between Clubs; and
  - (ii) Clubs to move between Leagues;
- (d) provide Clubs with an incentive to expend time, effort and resources in a development of Australian Football.
- (e) provide Junior Leagues and Clubs with the opportunity to expand participation within all levels of under age football.

Under these Rules and Regulations, a player or a Club is restrained in his or its freedom to transfer if it can be demonstrated that the restraint is necessary to achieve the objectives referred to above.

These Rules and Regulations also establish relevant bodies and a mechanism by which reportable offences and alleged conduct of persons can be referred to, heard and determined by the relevant body.

Australian Football competes with numerous other sports, not only with respect to public attendances, but also participation at a junior and senior level. At a time where athletes have numerous choices between competing sports, the VCFL and Leagues recognise that it is important to encourage such athletes to play Australian Football. This can be achieved, in part, if Australian Football is seen not only as a physical and skillfully demanding sport, but also a sport played within the Rules of game and in the spirit of true sportsmanship.

The VCFL and Leagues consider that Australian Football played within the competitions conducted by the Leagues should aspire to the game being

played both competitively and fairly. It is against this background that relevant disciplinary bodies have been established and are given power to impose sanctions (such as suspension or a monetary sanction) in circumstances where the conduct of a person is in breach of rules and regulations applicable to that person or the Laws of Australian Football. The VCFL considers that the imposition of such penalties is reasonably necessary to ensure fair and responsible conduct and thereby encourage participation in Australian Football in the competitions conducted by Leagues affiliated to the VCFL.

#### Definitions

In these rules and regulations, unless the context requires otherwise, the following words have the following meaning:

**Aggrieved Person** – any person or organisation subject to the decision of a League Independent Tribunal or Area Appeal Committee, excluding umpires

**Area** – has the same meaning as “VCFL Region” contained in the Statement of Rules of the VCFL.

**Area Appeal Committee** – the body established under regulation 7.2.

**Area Co-ordinator** – the person appointed to that position by the VCFL to assist the respective Area Manager.

**Area Manager** – the person appointed to that position by the VCFL Board.

**Bye** – That a bye shall be defined as a break in a draw

- (a) That is caused by an uneven number of teams in a competition in any particular round.
- (b) That is caused by a split round or suspension of a complete round of matches.

**Club** – has the same meaning contained in the Statement of Rules of the VCFL.

**Days** – means each day of the week save for a Saturday or Sunday, but includes public holidays.

**Hours** – when related to Appeals of any description does not include weekends

**Investigations Officer** – a person appointed by a relevant League to investigate a matter referred to him or her for investigation, who is VCFL accredited.

**Junior League or Club** – an affiliated body which provides football competitions at under 16 and a half and younger age levels only.

**Laws of Australian Football** – the Laws of the Game as published by the Australian Football League (refer yellow section).

**League Independent Tribunal** – the tribunal appointed by the relevant League in accordance with regulation 8.1.

**Ordinary Member** – means a member appointed as such pursuant to the Rules of the VCFL Affiliated League, Affiliated Body or League.

**VCFL Appeal Board** – the body established by the VCFL to hear appeals from a decision of a League Independent Tribunal or Area Appeal Committee.

## 1.0 CLEARANCES – PLAYERS

### 1.1 Player who has Previously Played:

Any player who has played football with an affiliated club at any time must obtain a clearance from the club and League with which he last played (as determined by the National Player Transfer Regulations) before playing with his new club. Any player not having played during the previous 24 calendar months is free to register with the club of his choice provided the clearance application can be processed as determined by National Player Transfer Regulations.

### 1.2 Players Seeking Transfer

In the event of a player of a VCFL club who has transferred to a club in another VCFL region, the metropolitan area, or, another state, returning to the VCFL area from which his transfer was effected, he shall not be regarded as bound to his former club and shall not be required to obtain a clearance from such club before being eligible to play with another club in the VCFL, subject to compliance with National Player Transfer Regulations.

In the event of a player of a VCFL club who has transferred to a club of another league within the same VCFL Area wishing to transfer to another club of the league from which he was cleared he shall not be regarded as bound to the club from which he was cleared and shall not be required to obtain a clearance from such club before being eligible to play with another club in his former league subject to compliance with National Player Transfer Regulations.

The procedures to be followed are outlined in the National Player Transfer Regulations.

Note: (a) Refer specific relevant clauses of agreements with the V.F.L., AFL Victoria and V.A.F.A

### 1.3 Penalty for playing ineligible (and)/or unregistered players:

In the event that the League Secretary substantiates that any VCFL registered player, playing with any club affiliated or unaffiliated with the VCFL, without having first been granted the necessary registration, clearance and/or permit to play, required under these Rules, and is therefore deemed ineligible and unregistered, shall be deemed to be ineligible.

The VCFL club with which the player concerned played shall provide a written submission outlining reasons behind the misdemeanour and forward such submission to the relevant Area Manager who in turn will address the matter with the Area Appeals

Committee and the club then be subject to:

- (a) If the Senior Club wins the game:
  - (i) fine not less than \$500,
  - (ii) reversal of match points,
  - (iii) loss of all points For pertaining to that game,
  - (iv) and may be subject to further penalty as determined by the Area Appeals Board.
- (b) If the Senior Club loses the game
  - (i) fine not less than \$500,
  - (ii) loss of all points For pertaining to that game,
  - (iii) and may be subject to such penalty as determined by the Area Appeals Board.
- (c) If the Junior Club wins the game:
  - (i) fine not greater than \$250,
  - (ii) reversal of match points,
  - (iii) loss of all points For pertaining to the game, and
  - (iv) may be subject to further penalty as determined by the Area Appeals Board
- (d) If the Junior Club loses the game
  - (i) fine not greater than \$250,
  - (ii) loss of all points For pertaining to that game, and
  - (iii) may be subject to such further penalty as determined by the Area Appeals Board

### 1.4 Clearance procedure:

Each clearance application shall be signed in his own handwriting by the applicant player and if such player be under the age of eighteen (18) years the clearance application shall be endorsed by the player's parent or guardian and lodged with the Club with which he desires to play; the Club shall forthwith date the application, enter it into the IT system and forward it to the Appointed League Official (by hand, post, facsimile or electronically) of the Club from which the clearance is desired.

Within six (6) clear business days of its receipt by him/her the Appointed League Official from which the clearance is desired shall have the application completed with all the necessary endorsements and returned to the Appointed League Official of the Club to which the player is being cleared.

Once a player's application for a clearance and/or registration has been granted:-

- (a) the player shall become registered with the Club to whom he has sought the clearance registration; and
- (b) the League in which the Club plays shall register the player as a player of that Club and permit him to play.

A player whose application for a clearance has been lodged, as provided for under these rules, shall not be permitted to lodge an application to play with another club until finality has been reached regarding his original application.

Leagues may not impose a 'cut off' time for the handling of clearances prior to 6.00 pm on the Friday before a round of matches.

### **1.5 Uncontested Clearance – Junior Players**

A registered player of an affiliated junior league/association shall be cleared to the club of his choice after the 1st day of February in the year next following that in which he became ineligible by virtue of age, to continue as a registered player of that junior league/association and this clearance may be granted at any time during the season.

If, in the opinion of the respective Area Manager with which such junior league/association is affiliated, the clearance is unreasonably withheld, the Area Manager shall be empowered to grant the necessary permit to allow the player concerned to play with the club of his choice.

### **1.6 Block clearances:**

In the event of a transfer of a club to another League, all registered players shall automatically be transferred with such Club to the new League. The Appointed League Official from which the club is transferring shall supply a certified list of all registered players of the club concerned to the club's new League.

### **1.7 Clearance appeals body:**

A Player who is refused a clearance to transfer from his current Club may lodge an appeal in accordance with regulation 7.4.

### **1.8 Effect of Refused Clearance on Playing Agreement:**

Any agreement between a Player and the Club with which he desires to play will terminate in the event that the Player is unsuccessful in obtaining a clearance from the Club and League with which he last played.

A Player is "unsuccessful in obtaining a clearance" if following the refusal by the Club and League with which he last played, the Player appeals to the Area Appeal Board or subsequently to the VCFL Appeal Board and the Players appeal is unsuccessful.

Where the agreement between a Player and the Club with which he desires to play is terminated by virtue of this regulation, the Player shall reimburse or repay to the Club any prior payment, consideration, advantage or benefit given, provided or applied pursuant to the agreement and subject thereto, each party will be released from all obligations under the agreement.

### **1.9 Closing date for clearances and permits:**

Except for clearances as provided for in Reg. 1.1 and 2.2 and as herein after provided, all applications for clearances lodged with the Appointed League Official of the club with which the player wishes to play shall close on the 30th June in each year and any applications lodged after 30th June shall be invalid and not considered.

All applications for clearances lodged on or before

the 30th June shall be finalised by the clearing League not later than the 21st July and forwarded to reach the Appointed League Official to which the player desires to be cleared, not later than the 31st July, otherwise the clearance shall lapse.

Permits to play will not be granted to players transferring from interstate where the transfer notification is received by the relevant Appointed League Official after 30th June in any year.

- (i) Junior Permits can be applied for after 1st July providing that there exists a current interchange agreement between the two Leagues involved in the interchange.

If a player has not played in the previous 24 months and wishes to register he can do so at any time during the year and is not bound by the June 30 cutoff.

If the player has played in the previous 24 months he requires a clearance and is then subject to VCFL Rule 1.9.

### **1.10 Time limit and issue of permit upon failure to return a clearance applications:**

1.10.1 As of the first (1st) day of February each year, a clearance application lodged by a player or coach of any team, if for any reason the clearance application is not endorsed and received within (6) clear business days from the date of its dispatch by the League to which the player is desirous of transferring the following procedure shall apply;

Refer National Player Transfer Regulations.

1.10.2 The Appointed League/Club Official of the forwarding League who has requested the clearance application ("the application") electronically must keep a record of the original application that has been signed by the player making application and produce a copy of such original application on demand from the Appointed League Official of the recipient League and/or VCFL by no later than 5 pm on the next business day following such request.

The Secretary of the forwarding League shall keep such application for a period of 24 calendar months.

Clearance applications submitted electronically must contain the following information:-

- Players Name,
- Address,
- Date of Birth,
- Player Registration number,
- Club the player desires to be cleared from and it's Affiliated League,
- Club the player desires to be registered with and it's affiliated League.

### **1.11 Players Transferred in Employment:**

Notwithstanding anything elsewhere appearing in these Regulations, in the event of a player who has been in the service of his employer for three consecutive months immediately preceding his transfer, being transferred by his employer after the

1st July to another branch of the same employers business in another locality he shall be entitled to make application for a clearance and permit to play with a League in the Area to which he is transferred at any time after the 1st July, provided that such transfer is completed in time to permit the player playing at least one competition match, with a club in the League to which he is being transferred, prior to the first final match of that League. Provided further that where such League prescribes its own domestic residential or a minimum number of qualifying matches in excess of one for a player to participate in Finals matches, such domestic rules shall take precedence.

The child of a person who is transferred in employment under the above condition is eligible to make application for a clearance and/or permit after the 1st July to play in the region to which his parent(s) is transferred or a contiguous region.

This Regulation is effective only for players transferred after 1st July in each season and a player on temporary transfer being re-transferred by his employer to a branch in another region or back to his original branch, shall receive an immediate clearance and permit to play in such region or with his original club, as the case may be. Such clearance to be made available to the player by the club with whom he is then registered and any such player shall not be required to fulfill domestic residential qualifications.

Players as defined above are subject to National Player Transfer Regulations.

### **1.12 Players in Armed Forces:**

Notwithstanding anything elsewhere appearing in these regulations, a player engaged in the Armed Forces, including a National Service Trainee, transferred in the course of his duties, shall be entitled to receive a clearance and permit to play with a league in the region to which he is transferred, any time after the 1st July provided that such transfer is made and completed in time to permit his playing of at least one competition match with a club in the League to which he is being transferred prior to the first finals match of that body.

He shall be eligible to play with his former club at any time during the currency of the season, including finals and be not subject to domestic rules, in respect of eligibility for finals. In the case of a member of the Armed Forces, including a National Service Trainee, such player shall automatically revert to his former League and club immediately upon termination of his Service duties.

Players as defined above are subject to National Player Transfer Regulations.

### **1.13 Permit – Under Age Compassionate Permit**

- (a) In the event of a player eligible to play in an under age junior affiliated competition being required to move residence for compassionate reasons from one Area to another Area after 1st July, he shall be eligible to make application

to his club for a clearance and, subject to the satisfaction of the Area Manager concerning the compassionate reasons, receive a permit to play from the respective Area Manager to which he transfers, providing that in the season of receiving a permit under this rule, the player shall only be permitted to play in under age grades or competitions.

- (b) Where a player under the age of 16 years as at the 1st of January in a given year and is in a situation where the parents have separated and have special custody arrangements such players may be eligible to apply for a permit to play at a second or alternate club which is more than 150km away from his / her original club.

A player eligible under this permit may only participate in one game per weekend and may be eligible for finals providing they have qualified under the local provisions however they may only play in one finals series per weekend.

Permits will not be granted where a local Area Agreement can be applied.

The ultimate verification and approval of this special Family Permit will rest with the respective Area Manager after lodgment of the Family Permit Form and proof of separation and residence of both parents.

Family Permits cannot be applied for or approved after June 30th in each year and is only applicable for that year.

### **1.14 Transfer Fees – VCFL Clubs:**

No VCFL club shall offer, pay, demand or receive a transfer fee for a player transferring between two VCFL clubs.

No VCFL club shall offer, pay, demand or receive a transfer fee for players transferring between a VFL and VCFL club and a AFL Victoria Affiliated club and a VCFL club. In the event of a VCFL club or clubs being found in breach of this rule the matter shall be referred to the Area Appeals Board for adjudication and if necessary penalty.

The Area Appeals Board shall determine any penalty which may include the following:

- 1) a substantial fine
- 2) such penalty as is determined by the Area Appeals Board

### **1.15 Registered Player:**

A player who is registered with a Club may only play with another Club if:-

- (a) he has obtained a clearance to and become registered with another Club in accordance with these Regulations; or
- (b) he is otherwise 'permitted' to play for another Club under these Regulations.



### **1.16 Disbanded and/or Amalgamated Club Player:**

If a player's club has disbanded the player must obtain a clearance from his club's league.

Where a player's club amalgamates with another club, or clubs, the player shall automatically become attached to the combined club

### **1.17 Player of Disbanded League:**

If a player's League has disbanded, the player must obtain a clearance from his club and its Area Manager.

### **1.18 Player of Disbanded Club and Disbanded League:**

If a player's club and League have disbanded the player must obtain a clearance from his Area Manager.

### **1.19 Refused Permit or Disqualification**

- (a) Any person who has been refused a permit to play or has been disqualified shall not be allowed to hold any position whatever in connection with any club until such permit be granted or the period of disqualification has expired or is removed by the body imposing the disqualification, excepting that a player acting as coach to his club at the time of any disqualification for a field offence shall not be debarred from performing duties as coach to that club during the period of his disqualification.
- (b) Non playing coaches found guilty of an offence and disqualified shall not be permitted to undertake coaching duties or hold any position in conjunction with any club during the period of disqualification. In the event that the non playing coach is a player with the club in another grade, and he is reported for an offence as a player and suspended as a result of such report, such suspension shall not prevent him from participating as a non playing coach in the other grade.

### **1.20 Eligibility of Suspended Player to Seek a Clearance/Providing False Information:**

- (a) A player under suspension by his of suspension has expired or such suspension has been removed by the authority imposing the suspension.

However, where a VCFL player's suspension expires after the closing date for clearances and such player seeks a clearance, the clearance may be granted after expiration of the suspension provided such clearance has been lodged prior to the closing date for the clearances (as per rule 1.9) and is endorsed by the appropriate Area Manager.

A person seeking registration or a transfer from one clubs or league to another shall not falsely or recklessly furnish false information to a club, league or relevant tribunal.

### **1.21 Registration of Players / Minimum Age Entry Levels**

- (a) Each League shall adopt and use the National Player Transfer System.

Where a player has not attained the age of eighteen (18) years the registration must be acknowledged by a parent or guardian or a person authorised in writing by a parent or guardian so to act.

The player transfer cannot be acknowledged by a club official unless they are a parent or guardian of the player.

- (b) Each player shall pay a registration fee annually as determined by the VCFL Board.
- (c) To be eligible to be registered players must have obtained seven (7) years of age at January 1.

A person seeking registration or transfer from one club or league to another shall not knowingly or recklessly furnish false information to a club or league or relevant tribunal, if found to have done so the relevant Football Body shall deal with the player and the Club as it deems fit.

### **1.22 Signing Registration:**

- (a) Where a player intends to play football for a Club for the first time or, having played for another Club intends to re-commence playing for a Club for which he has previously played, then before commencing or recommencing with such Club, the player must:-
  - (i) complete, sign and lodge a current "VCFL Clearance/Registration Form" and
  - (ii) become registered with that Club.
- (b) Regulation 1.23 does not apply to a player who is required to obtain a day permit or area permit in accordance with these regulations.
- (c) Players are permitted to be registered at one club only at any one time.

### **1.23 Coaches:**

Any person or player desirous of coaching (playing or non-playing) any team must comply with the regulations governing the transfer of players and upon receiving such permit to coach, shall also be eligible to play.

This rule does not apply to registered players in an open age competition acting as non-playing coach to a team in an under age competition.

## **2.0 PERMITS**

### **2.1 Permits to Major Leagues:**

Affiliated Leagues in an Area shall be required by the respective Leagues, detailed in Statement of VCFL Rules and Purposes to adopt a provision permitting any player of a District or Junior League to play with a club in a Major League provided the player resides within the radius of such Major League club (with the exception of Junior League players playing within a



current interchange agreement between leagues), without a clearance, for not more than eight matches in any one season.

Provided that, before each such match, he shall obtain permission in writing from his parent club so to play. This written permission shall be made out in triplicate and signed by the applicant player. One copy which the opposing club Secretary or Captain is compelled to acknowledge by signing prior to the player taking the field must be forwarded by the Appointed League Official of the Major League club with which the player desires to play to the Appointed League Official of that club's League; one copy must be sent by the Secretary of the club granting such permit to the Appointed League Official, and the third copy shall be retained by the Secretary of the club granting the permit.

All such permits shall be filed by the respective Officials and retained for production whenever required.

Any player having in any one season played eight matches under the provisions of this rule, and desiring to continue to play with a Major League club, shall only be permitted to do so upon applying for and receiving a clearance and permit from his club and League in the usual manner or where such is refused upon an appeal being lodged and upheld.

This clearance may be granted at any time during the current season.

In the case where a registered player of a club of a District League is not within the specific radius of any Major League he shall be entitled to apply for a day permit to any club in the Major League nearest to his own residence.

Players from District and Junior Leagues who are playing on permits in Major Leagues and are reported for a field offence shall have the charge heard by the Major League tribunal which in the event of finding the player guilty shall determine the penalty which shall then apply to matches of the club in the grade of competition where the offence occurred. The suspended player is not eligible to resume with his District League club until his penalty (matches suspended for) has been completed by the Major League club where the offence occurred.

## **2.2 Eight Matches:**

This provision shall be restricted to a maximum of eight matches with a Major League club (with the exception of Junior League players playing within a current interchange agreement between leagues), in any one season, but such eight matches need not necessarily be with the same club of a Major League provided that any player having played under permit with one Major League club and desiring to play with another Major League club must, in addition to having the written permission of his parent club, also obtain the written consent of the Major League club with which he previously played under permit and such club shall thereupon cease to have any jurisdiction over such player.

Any player seeking a permit to play in a Major League with which such player has been registered in the past 24 months requires such permit to be endorsed by the club in the Major League with which the player played in the previous 24 months.

## **2.3 Rule for District and Junior Leagues:**

It shall be obligatory upon any District and Junior League to insert in its rules the provision laid down in this regulation, but no player can play with a Major League unless his parent club shall first grant him the necessary permit required under the provision of this regulation.

## **2.4 Endorsement:**

A day permit granted pursuant to this regulation shall not require any endorsement or approval by the League of the club granting the permit.

## **2.5 Transfer of Player:**

Any player having played on permit under the provisions of this regulation and desiring to transfer from his parent club to another Major League club in the same League must also have his clearance approved by the last Major League club with which he played in that League under permit, but the right of such Major League club to endorse the clearance shall not extend beyond the season during which the last permit to play with such Major League club was granted.

## **2.6 Issue of Day Permits & Teams of Clubs competing in different Competitions:**

One day permits shall be restricted to the Area concerned.

A Major League may limit the use of incoming day permits issued pursuant to the provisions of Regulation 2.1 and 2.2 as that Major League may deem fit.

For the purpose of interpretation of Regulations 2.1 to 2.7, a Major League shall be deemed to be the first eighteens only of the clubs comprising such Major League.

Any player who is older than under 16 and a half who is a member of a team which is affiliated with a Senior club, wherein the player participates in a different competition to that of the Senior club, may play with the Senior club, without the need to obtain a matchday permit.

## **2.7 One Match per Day:**

A player shall not be permitted to play with a District or Junior League club and a Major League club on a one day permit on the same day.

Players are allowed to play with a VFL senior team or the TAC Cup Competition, but not in the VFL reserve grade on the one day. Players may only do so when the VFL senior team player or TAC Cup Competition player has played less than twenty five minutes of actual playing time and has been granted a medical clearance from the VFL or TAC Cup club, then he may return to play with his VCFL club on the same weekend.

## 2.8 Day Permits – No Appeal:

There is no right of appeal against the refusal to grant a day permit.

## 2.9 Permits for Players of Opposing Teams:

Affiliated Leagues may approve the granting of a day permit to reserve grade and under-age players to play with the players opposing Reserve grade team or under-age competition team where the opposing team does not have the required number of players for that match.

Where a Senior grade team does not have the required number of players for a match and requires extra players from an opposition team the Affiliated League may apply to the relevant Area Manager, or in his absence the VCFL Operations Manager for approval to grant requested day permits.

Affiliated Leagues approving the granting of such permits must obtain from their Area Manager, or in his absence the VCFL Operations Manager, approval for the system under which the League will grant day permits for players to play with the opposing clubs.

## 2.10 Area Permits:

- (a) Notwithstanding anything contained in these Regulations requiring the production of a clearance by a player, Leagues of an area and Leagues in adjacent areas may enter into written agreements annually to allow an interchange of players to meet local conditions, provided however that the provision of Regulation 2.1 (Permits to Major Leagues) must in all cases be strictly complied with when a registered player of a District or Junior League club desires to play with a club in a Major League. Permission may be granted for Areas to enter into written agreements to permit the transfer of players from District and Junior Leagues for the purpose of interpretation of this Regulation.

The written agreements must be submitted to, and approved by, the respective Area Manager concerned before the agreements become operative.

The respective Area Managers shall be empowered to approve agreements to operate between Affiliated VCFL Leagues including under age competitions for the interchange of players between the competitions.

- (b) A registered player of an affiliated club who is an age which permits him to play in an underage competition up to and including under 15 years of age shall be required to obtain a permit from his club to play with a club or competition other than an Under age grade of his league. Such permission may be granted at any time during the season and may be granted subject only to the conditions of an Area Agreement between the relevant leagues.

- (c) Area Agreements shall operate under the following conditions:

An Agreement between the .....  
Football League and the .....  
Football League for the ..... Season.

This agreement is signed pursuant to the VCFL rules and regulations pertaining to clearances and permits and in particular the Clause 2.10 – Area Permits, whereby an interchange of players between clubs of the abovementioned Leagues may take place without clearance or permits and is subject to any provisions contained within this agreement.

## PROVIDED HOWEVER:

- (i) That this Agreement is in force for the current season only.
- (ii) That the player(s) concerned are acquainted with VCFL regulations 2.1 and 2.5 regarding one day permits to Major Leagues and eight (8) matches.
- (iii) That prior to each match played, the player shall obtain written permission to do so from his parent club. The permit shall be in triplicate similar to a one day permit form and dispersed as required under Regulation 2.1 of the VCFL Rules and Regulations.
- (iv) With the exception of players of Junior age competitions, players of any club having a bye will not be allowed to play with another club on that day, unless he has previously played with that club in the current season under this agreement. The club playing the player from the other League shall show his registered club on the match team sheet.
- Players of third 18 teams of Senior Grade competitions are not to be classified as players of Junior age competitions.
- (v) That this agreement cannot be altered unless agreed to by the Area Manager.
- (vi) That in order for a player playing under such Area Permit to participate in a finals series in that season the player must have played a minimum of five (5) games in the team of the grade in which he has been selected to play in the finals and has met any additional league eligibility requirements.

## 2.11 Permits – Students Living Away from Home

- (i) A player resident away from his usual place of abode while attending a secondary/TAFE college, institution or university on a full time and continuous basis and playing in any competition may, during registered school holidays and registered semester vacations, receive a permit to play with the club with which the player was last registered before being cleared to his current club from the respective Area Manager where such former club is located. If required by the respective

Area Manager, the player shall supply documentary evidence of his attendance at the said college, institute or university.

- (ii) In order for a student playing under such permit to participate in a finals series in that season a student must have played a minimum of 5 games in the team of the grade in which he is selected to play in the finals.

## **2.12 Permits – Special Regulations relating to the VAFA**

The transfer referred to in clause 7 (a) of Appendix 1 of the National Player Transfer Regulations must take place before 1st July.

## **2.13 – Special Circumstance Permit – Drought/Recess**

Temporary Permits in Drought Effected Leagues Affiliated Clubs in Drought effected Leagues, as determined by the VCFL, where their season will be delayed (unable to begin on their scheduled starting date as previously fixtured) shall be required to adopt a provision permitting any player of a Major or District League to play with a club in another League without a clearance for not more than eight matches in any one season provided that before each such match(es) he shall obtain permission in writing from his parent club so to play.

This written permission may be for one or two weeks at a time only and shall be made out in triplicate and signed by the applicant player. One copy which the opposing club Secretary or Captain is compelled to acknowledge by signing prior to the player taking the field must be forwarded by the Secretary of the club with which the player desires to play to the Secretary of that club's League; one copy must be sent by the Secretary of the club granting such permit to the Secretary of his League, and the third copy shall be retained by the Secretary of the club granting the permit. All such permits shall be filed by the respective Secretaries and retained for production whenever required. Permits cannot be issued for players to represent multiple clubs.

Any player having in any one season played eight matches under the provisions of this rule, and desiring to continue to play with the League club, shall only be permitted to do so upon applying for and receiving a clearance from his club and League in the usual manner or where such is refused upon an appeal being lodged and upheld. This clearance must be granted prior to July 1.

Once the registered club's season begins all existing permits cease to exist in each case.

Players who are playing on permits in other Leagues and are reported for a field offence shall have the charge heard by the League tribunal in which the alleged offence occurs which in the event of finding the player guilty shall determine the penalty which shall then apply to matches of the club in the grade of competition where the

offence occurred. Players are unable to play for any team if suspended.

## **Temporary Permits for Players of Clubs in recess**

Leagues who have clubs who go into recess, as determined by the VCFL, shall be required to adopt a provision permitting any player of a Major or District League to play with a club in another League without a clearance for not more than one season provided that before or during the season he shall obtain permission in writing from his parent club/league so to play.

This written permission shall be made out in triplicate and signed by the applicant player. One copy which the opposing club Secretary or Captain is compelled to acknowledge by signing prior to the player taking the field must be forwarded by the Secretary of the club with which the player desires to play to the Secretary of that club's League; one copy must be sent by the Secretary of the club/league granting such permit to the Secretary of his League, and the third copy shall be retained by the Secretary of the club/league granting the permit.

All such permits shall be filed by the respective Secretaries and retained for production whenever required.

Permits cannot be issued for players to represent multiple clubs.

Any player having played under the provisions of this rule, and desiring to continue to play with the League club, shall only be permitted to do so upon applying for and receiving a clearance from his club and League in the usual manner or where such is refused upon an appeal being lodged and upheld. This clearance must be granted prior to July 1.

Once the registered club comes out of recess all existing permits cease to exist in each case.

Players who are playing on permits in other Leagues and are reported for a field offence shall have the charge heard by the League tribunal in which the alleged offence occurs which in the event of finding the player guilty shall determine the penalty which shall then apply to matches of the club in the grade of competition where the offence occurred. Players are unable to play for any team if suspended.

## **3.0 CLUBS/ADMISSION OF NEW CLUBS**

### **General**

#### **3.1**

For the purposes of Regulations 3 and 4, a decision of the Board means a decision of the VCFL Board as constituted under the Statement of Rules.

## New Clubs

### 3.2

An Affiliated League may only:-

- (a) admit a newly formed club as a member or the representatives of such a club as members of the Affiliated League; or
- (b) include a newly formed club in the Affiliated League's fixture of matches to be played in its football season; or
- (c) permit a newly formed club to participate, compete or take part in any football match played under the authority, control or direction of the Affiliated League.

Where it has first sought and obtained the written consent of the Board.

### 3.3

- (a) Where an Affiliated League proposes to permit or admit a newly formed club or Umpire Group under Regulation 3.2, it shall lodge an application in writing with the Chief Executive Officer during the period commencing on 1 August and ending on 30 November in each year.
- (b) The Board shall as soon as practicable grant or refuse the application and notify the Affiliated League of its decision in writing.
- (c) A decision of the Board to refuse an application does not take effect unless at a meeting held in accordance with Regulation 3.4, the Board confirms the decision.

### 3.4

A meeting of the Board to confirm or revoke its decision to refuse an application must be held not earlier than seven (7) days and not later than twenty-eight (28) days after notice has been given to the Affiliated League in accordance with Regulation 3.5.

### 3.5

For the purposes of giving notice in accordance with Regulation 3.4, the Chief Executive Officer shall, as soon as practicable, give written notice to the Affiliated League:-

- (a) advising of the Board's decision to refuse the application;
- (b) stating the date, place and time of the meeting at which the Affiliated League may address the Board; and
- (c) informing the Affiliated League that it may do the following:-
  - (i) attend the meeting; and
  - (ii) give to the Board before the date of the meeting, written submissions in support of a revocation of the Board's decision.

### 3.6

- (a) At a meeting of the Board to confirm or revoke a decision to refuse an application under Regulation 3.3(b), the Board:-
  - (i) shall provide the Affiliated League an opportunity to be heard;

- (ii) shall hear and determine the matter before it in an unbiased manner;
  - (iii) is not bound by the rules of evidence or practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit;
  - (iv) may regulate the proceedings before it in such manner as it thinks fit; and
  - (v) shall determine by ordinary resolution whether to confirm or revoke the decision.
- (b) The Board shall not be obliged to give reasons for confirming or revoking its decision to refuse an application under Regulation 3.3(b).

## Existing or Amalgamated Clubs

### 3.7 Existing or Amalgamated Clubs

#### 3.7.1 An Affiliated League shall not:-

- (a) admit an existing or amalgamated club as a member or the representatives of such a club as members of the Affiliated League; or
- (b) include an existing or amalgamated club (or an under age club) in the Affiliated League's fixture of matches to be played in its football season; or
- (c) permit an existing or amalgamated club to participate, compete or take part in any football match played under the authority, control or direction of the Affiliated League, until:-
  - (i) the existing or amalgamated club has obtained the written consent of the immediate past Affiliated League with whom the existing or amalgamated club was affiliated ("the Governing Affiliated League"); and
  - (ii) the decision by the Governing Affiliated League to give its consent is approved by the Board pursuant to Regulation 3.11; or
  - (iii) the Board allows an appeal made by the existing or amalgamated club under Regulation 4.2

#### 3.7.2 Negotiations with clubs/leagues:-

- (a) An affiliated League or club shall not engage in negotiations with another league or club without first notifying the Area Manager of their intentions.

In the event that the Area Manager is not notified in writing of their intention to approach, discuss or negotiate a potential move of an affiliated club from an existing league, the matter will be referred to the VCFL Board for determination or action should the breach of this rule be proven.

A Club/League seeking permission to negotiate with a VCFL affiliated Club/League, in relation to a transfer, must apply to the Area Manager for such permission prior to July 31st and the club seeking the transfer must apply for a transfer from the Governing Affiliated League prior to October 31 in the same year.

- (b) Upon receipt of such notice by the club or league the Area Manager shall notify the parties involved of his approval or otherwise for the club and or league to approach, discuss or negotiate any potential club movement.
- (c) If an approach, discussion or negotiations in any given year fail to result in the movement of a club to a new league, any further application to approach, discussion or negotiations may not take place for a period of two years.

### **3.8**

- (a) An existing or amalgamated club proposing to:-
  - (i) transfer wholly to another Affiliated League; or
  - (ii) transfer an under age team or teams to another Affiliated League, shall lodge an application ("Transfer Application") in writing with the Governing Affiliated League within the time specified in Regulation 3.8(b).
- (b) A Transfer Application relating to the transfer of:-
  - (i) the whole club shall be made during the period commencing on August 1 and ending on October 31 in each year; Permission granted by an Area Manager ceases to take effect if an application is not lodged within the timeframe (3.8 b) i) or is unsuccessful by either being denied by the Governing Affiliated League and the decision not appealed or appealed but the appeal denied by the VCFL Board. The right to seek future permission is restricted in relation to the above – please refer Rule 3.7.2 c), or
  - (ii) an under age club shall be made during the period commencing on 1 August and ending on 31 March in the following year. A transfer of an under age club or teams after 31 October, and within the time limit specified, may only take place where a club has the prior written consent of both Affiliated Leagues involved in the transfer of the club.

### **3.9 The Transfer Application shall:-**

- (a) state the Affiliated League to whom the club or under age team of the club proposes to transfer;
- (b) contain full and detailed particulars in support of the existing or amalgamated club's application;
- (c) be accompanied by the signed minutes of the existing or amalgamated club's meeting at which the existing or amalgamated club's members resolved to transfer from the Governing Affiliated League; and
- (d) be signed by a majority of Executive members of the existing or amalgamated club.

### **3.10 Within twenty-one (21) days of receiving a Transfer Application, the Governing Affiliated League shall:-**

- (a) notify the existing or amalgamated club in writing whether it has consented to or refused the Transfer Application; and

- (b) where it refuses the Transfer Application, provide written reasons to the existing or amalgamated club.

### **3.11**

Upon the Governing Affiliated League notifying the existing or amalgamated club of its decision under Regulation 3.10, the following provisions shall apply:-

- (a) where the Governing Affiliated League consents to the Transfer Application:-
  - (i) the Governing Affiliated League shall immediately lodge the Transfer Application and evidence of its consent with the Board;
  - (ii) the Board shall as soon as practicable, approve or reverse the decision of the Governing Affiliated League; and
  - (iii) the Chief Executive Officer shall notify all affected parties of the Board's decision to approve, vary or reverse the decision of the Governing Affiliated League.
- (b) where an Affiliated League refuses the Transfer Application, the existing or amalgamated club may appeal to the Board in accordance with Regulation 4.

### **3.12**

- (a) Where an Affiliated League does not notify an existing or amalgamated club of its decision within twenty one (21) days of receiving a Transfer Application, then upon application by the existing or amalgamated club, the Board may:-
  - (i) approve or refuse the Transfer Application; or
  - (ii) make such other determination as it in its absolute discretion thinks fit.
- (b) For the purposes of Regulation 3.12(a):-
  - (i) an application by an existing or amalgamated club is made by lodging a copy of the Transfer Application with the Chief Executive Officer; and
  - (ii) once the Transfer Application is lodged with the Chief Executive Officer, an Affiliated League is unable to approve or refuse the Transfer Application.

### **3.13**

An existing or amalgamated club desiring to transfer, to a league affiliated to a controlling body other than the VCFL, shall obtain approval to transfer in accordance with the terms of the agreement between the VCFL and the controlling body.

N.B. Refer to AFL Victoria Regulations relating to club transfers.

### **3.14**

An existing or amalgamated club may only lodge one (1) Transfer Application in each year.

### **3.15 Transfer of a League to another Area**

A league which desires to transfer to another Area shall lodge a written application with its Area

Manager and a deposit of \$1,000. The application must be lodged prior to 31 October in the year preceding the year in which the transfer will take effect if granted. The application for transfer will be forwarded by the Area Manager within nine (9) days of receipt to the Chief Executive Officer and shall be dealt with within a period of thirty (30) days by the VCFL Board.

Prior to convening a meeting of the VCFL Board, the applicant league and the two affected Areas shall tender written submissions to the VCFL Operations Manager outlining the facts, reasons and arguments concerned in such application. The application must be lodged with the VCFL Operations Manager within nine (9) days of the date of receipt by the Area Manager. The deposit may be forfeited either in whole or part, if in the opinion of the VCFL Board the application is considered frivolous.

### **Transfer of a League to another Area**

**3.16 (1) –** Expulsion (or fining) of an affiliated Club by an affiliated League, due to inadequate player numbers.

VCFL affiliated leagues electing to fine or expel a member club of their league on the grounds of an inability to field a side(s) (other than the first senior team) must;

- a) in the case of a fine – consult with the VCFL Area Manager
- b) in the case of expulsion of a club – consult with the VCFL Board

In either case a hearing could be held.

The matter to be heard in accordance with VCFL Rules and Regulations (refer VCFL Rules 4.4 and 4.5 for procedures relating to the Appeal).

**3.16 (2) –** Expulsion or suspension of an affiliated Club by an affiliated League, for whatever reason, other than inadequate player numbers; apply as per b) above.

## **4.0 APPEALS OF CLUBS**

### **4.1**

For the purposes of this regulation the Appeal Board shall be the VCFL Board of which not less than four (4) directors shall constitute a quorum.

### **4.2**

- (a) An existing or amalgamated club may appeal to the Appeal Board in respect of a decision of an Affiliated League to refuse a Transfer Application, provided the appeal is lodged in writing (“the notice of appeal”) with the Chief Executive Officer within seven (7) clear days of receiving written notification of the refusal.
- (b) The notice of appeal shall be accompanied by
  - (i) a copy of the Transfer Application
  - (ii) the sum of \$500 for Senior clubs and \$250 for Junior clubs, for costs of the appeal, which shall not be refunded in any circumstances; and

- (iii) a further sum of \$1500 for Senior clubs and \$750 for Junior clubs which sum shall be dealt with as follows:
  - where the Appeal Board upholds an appeal the sum paid by the club shall be refunded; or
  - where the Appeal Board dismisses the appeal and determines that the Club's reason(s) for the appeal did not have sufficient merit, it may determine in its absolute discretion, that all, or part of the sum not be refunded.

### **4.3**

An appeal shall be considered by the Appeal Board within twenty-one (21) days of receipt of the notice of appeal by the Chief Executive Officer, or such other period as the Appeal Board may determine.

### **4.4**

- (a) Prior to determining the appeal, the existing or amalgamated club and both Affiliated Leagues shall, within the time specified by the Appeal Board, lodge with the Chief Executive Officer written submissions which contain:–
  - (i) any facts, reasons and arguments concerning the Transfer Application and the appeal; and
  - (ii) any other matters which they desire to be taken into account by the Appeal Board in determining the appeal.
- (b) The Chief Executive Officer shall as soon as practicable but prior to the hearing of the appeal, distribute the written submissions to the parties concerned in the appeal.

### **4.5**

- (a) The hearing before the Appeal Board shall be:–
  - (i) inquisitorial in nature; and
  - (ii) conducted with as little formality and technicality and with as much expedition as a proper consideration of the matters before it permits.
- (b) The Appeal Board:–
  - (i) shall consider and determine the matter before it in an unbiased manner;
  - (ii) is not bound by the rules of evidence or by practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit;
  - (iii) may regulate the proceedings before it in such manner as it thinks fit; and
  - (iv) may confirm, reverse or modify the decision of an Affiliated League and make such orders and give such directions in such manner as it thinks fit.
- (c) The Appeal Board shall not be obliged to give reasons for its decision.

### **4.6**

An existing or amalgamated club may only lodge one (1) appeal in each year under this Regulation 4.



#### 4.7 WorkSafe VCFL Reviews - Implementation and Appeals

Where the WorkSafe VCFL has conducted a review of a WorkSafe Affiliated League(s) or Area(s) the recommendations are required to be accepted provided that the following requirements have been met:

- WorkSafe VCFL Review – framework distributed to all affected stakeholders named in the framework
- WorkSafe VCFL Review – consultation meetings offered to all affected stakeholders named in the framework
- WorkSafe VCFL Review – draft review recommendations distributed to all affected stakeholders named in the framework
- WorkSafe VCFL Review – submissions on draft review recommendations from all affected stakeholders named in the framework considered by the Review Panel
- WorkSafe VCFL Review – submissions on draft review recommendations for stakeholders not originally included in the initial review framework considered by the Review Panel
- WorkSafe VCFL Review – final review recommendations distributed to all affected stakeholders named in the framework
- WorkSafe VCFL Review – appeal against the implementation of the review recommendations by an affected stakeholder(s)

Any appeal against the implementation of the final review recommendations would be heard by the WorkSafe VCFL Board.

##### 4.7.1 Appeals of Stakeholders

For the purposes of this regulation the Appeal Board shall be the VCFL Board of which not less than four (4) directors shall constitute a quorum.

##### 4.7.2

- (a) An affected stakeholder to a review may appeal to the Appeal Board in respect of WorkSafe VCFL review recommendations, provided the appeal is lodged in writing ("the notice of appeal") with the Chief Executive Officer within seven (7) clear days of receiving written notification of the final review recommendations.
- (b) The notice of appeal shall be accompanied by:
  - (i) a copy of the final review recommendations
  - (ii) the sum of \$500 for Senior appellants and \$250 for Junior appellants, for costs of the appeal, which shall not be refunded in any circumstances; and
  - (iii) a further sum of \$1500 for Senior appellants and \$750 for Junior appellants which sum shall be dealt with as follows:
    - where the Appeal Board upholds an appeal the sum paid by the club shall be refunded; or

- where the Appeal Board dismisses the appeal and determines that the appellants reason(s) for the appeal did not have sufficient merit, it may determine in its absolute discretion, that all, or part of the sum not be refunded.

##### 4.7.3

An appeal shall be considered by the Appeal Board within twenty-one (21) days of receipt of the notice of appeal by the Chief Executive Officer, or such other period as the Appeal Board may determine.

##### 4.7.4

- (a) Prior to determining the appeal, the appellant shall, within the time specified by the Appeal Board, lodge with the Chief Executive Officer written submissions which contain:-
  - (i) any facts, reasons and arguments concerning the review recommendations and the appeal; and
  - (ii) any other matters which they desire to be taken into account by the Appeal Board in determining the appeal.
- (b) The Chief Executive Officer shall as soon as practicable but prior to the matter being dealt with with the Appeals Board, distribute the written submissions to the parties concerned in the appeal.

##### 4.7.5

- (a) The hearing before the Appeal Board shall be:-
  - (i) by submission only
- (b) The Appeal Board:-
  - (i) shall consider and determine the matter before it in an unbiased manner;
  - (ii) is not bound by the rules of evidence or by practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit;
  - (iii) may regulate the proceedings before it in such manner as it thinks fit; and
  - (iv) may confirm, reverse or modify the review recommendations and make such orders and give such directions in such manner as it thinks fit.
- (c) The Appeal Board shall not be obliged to give reasons for its decision.

##### 4.7.6

An appellant may only lodge one (1) appeal in each year under this Regulation 4.7

## 5.0 UNBECOMING CONDUCT

### Rule 5.1 Appointment of Investigation Officer:

Each league shall appoint a VCFL accredited investigation officer to investigate any matter referred to him pursuant to Rule 5.2 (unbecoming conduct).



## Rule 5.2 Unbecoming Conduct:

- (a) The League, League Executive members, Club, Player, League or a VCFL appointed official, who alleges that a player or an official of a club, umpire, official of an umpires' Association, VCFL Official, League official, Club, player advocate, or League appointed official has been guilty of conduct which is unbecoming to a player, umpire, such official, or club, or which has or is likely to bring the game of football into disrepute, may lodge with the League a Notice in writing setting out particulars of the allegation. Unless the notice is lodged by the League a deposit of \$500 shall accompany the notice which shall be forfeited in whole or part in the event that the Investigation Officer or Independent Tribunal considers it frivolous. A Notice under this paragraph must be lodged with the League within five days after the date of the act or omission to which it relates unless the League agrees to extend this period to a maximum of thirty (30) days.

An extension agreed to by the League may be subject to such conditions as the League thinks fit and such request for an extension is to be provided to the League in writing outlining the reasons for the extension request.

When a League grants an extension it shall do so in writing and advise all parties to the matter.

- (b) Notice of any allegation received under paragraph (a) shall be referred to the Investigation Officer for investigation by him.

The Investigation Officer may investigate the allegation as he sees fit. Such investigation shall be completed within 21 days of the matter being referred to the Investigation Officer, unless, at the completion of the 21 days, one (1) extension of time being not more than ten (10) days is then granted by the League at the request of the Investigation Officer.

- (c) If the Investigation Officer, after investigation of the allegation, is of the opinion that the Player, Official or Club in question may have been guilty of conduct unbecoming to a Player, an Official or Club or is likely to bring the game of football into disrepute and that the allegation ought to be dealt with by the League Independent Tribunal as hereinafter provided, he may lodge with the League a Notice in writing setting out details of the allegation. (Refer to pro forma notice item 5 page 124).
- (i) If the Investigation Officer is requested to investigate a matter pertaining to AFL Law 5.5.3 (Players Exceeding Permitted Number) – he will lodge with the League a Notice in writing setting out his findings which will be considered by the League in determining the matter as justice in the case may require.
- (d) If a Notice is lodged with the League under paragraph (c), the League Secretary shall fix a date, time and place for the hearing of the allegation before the League Independent Tribunal, being a date not later than 9 days

after lodgment of the Notice and shall advise the Player, official or club, in question of those particulars and forward to the Player, Official, or club, care of the Club Secretary in question a copy, with a copy also to be forwarded to the Club Secretary of the Notice lodged under paragraph (c). Such notices shall be forwarded only to the charged player or official or club prior to the Hearing with such notice to be forwarded to the player and club at least 48 hours prior to the Hearing and the charged player or official or club shall be informed at the time as to whom it is proposed to call as witnesses.

Notices should include any other relevant information pertaining to the matter at hand.

- (e) In any proceeding brought before a tribunal or Appeals Board under this rule the Investigation Officer shall personally appear before it and lay the necessary charge or charges and act as the prosecuting officer for the League.
- (f) If the League Independent Tribunal is of the opinion that the Player, Official or Club in question has engaged in unbecoming conduct or conduct which has or is likely to bring the game of football into disrepute, it may make such orders and give such directions in the matter as it thinks fit. Without limiting the generality of the foregoing, the League Independent Tribunal:–
- (i) may impose a fine of such amount as it thinks fit on the Player, Official or club in question: or
- (ii) must suspend the Player, Official or Club in question for such period as it thinks fit, if the Player, Official or Club is found guilty (refer VCFL Rule 7.6.11 a)
- (g) For the purposes of interpretation of VCFL Rule 5.2, the Investigation Officer shall not be deemed to be an advocate.

## 6.0 AFFILIATED/UNAFFILIATED CLUBS

An affiliated club is a club which is a member of a League/Association which is affiliated with the VCFL.

### 6.1

An affiliated club is a club which is a member of a League/Association, which is affiliated with the VCFL, and must pay an affiliation fee annually as determined by the VCFL. Board.

### 6.2

Clubs in recess must pay an Affiliation Fee including Public Liability Insurance to the level of one senior team rate.

### 6.3

After a period of two years in recess the club in recess will be deemed to have disbanded unless, after an application from the club, the VCFL extends the term.

## 7.0 DISCIPLINARY MATTERS AND APPEALS

### 7.1 League Independent Tribunal

#### 7.1.1 Appointment by League

Each League shall, in accordance with its Statement of Rules/Constitution and any relevant rules or regulations, appoint from time to time persons to a disciplinary tribunal to be known as the League's Independent Tribunal. A League Independent Tribunal must, when hearing a matter, consist of at least 3 members, one of whom shall act as chairman.

#### 7.1.2 Qualification

A person shall not be appointed to the relevant League Independent Tribunal if that person in the twelve months preceding the date of the proposed appointment

- (a) has held any office of the League;
- (b) has held any office of a Club competing in a competition conducted by the League; or

### 7.2 Area Appeal Committee

#### 7.2.1 Appointment and Members of Appeal Committee

Subject to the remaining provisions of Regulation 8.2, an Area Appeal Committee shall consist of the relevant Area Manager, Operations Manager and a Rules Committee member.

For the purposes of hearing and determining a matter, an Area Appeal Committee shall comprise 3 persons one of whom shall act as chairman.

### 7.3 Jurisdiction of League Independent Tribunal and Area Appeals Committee

#### 7.3.1 League Independent Tribunal

The following matters shall be referred to a League's Independent Tribunal for hearing and determination:

- (a) reportable offences under the Laws of Australian Football;
- (b) a matter referred by an Investigation Officer;
- (c) any appeal by a club/s, player/s or official/s against the decision of the affiliated League or it's independent tribunal for non reportable offences;
- (d) any other matter referred to it by the relevant League or the Chief Executive Officer of the VCFL.

#### 7.3.2 Area Appeal Committee

The relevant Area Appeal Committee shall, in accordance with these Regulations, hear and determine:

- (a) any appeal by a player against a decision of either his current Club or League to refuse his application for a clearance; or
- (b) any other matters referred to it by the Chief Executive Officer of the VCFL; or

- (c) any appeal by a club/s, player/s or official/s against a decision of the affiliated league or its independent tribunal for non reportable offences.

### 7.4 Appeals Against Refused Clearances – Players & Other Appeals under 7.3.2

#### 7.4.1 Player May Appeal

- (a) A player may appeal to his relevant Area Appeal Committee if:
  - (i) he is not granted a clearance to transfer from his current Club to another Club within the same League;
  - (ii) he is not granted a clearance to transfer from his current Club to another Club which plays in a League located within the same Area; or
  - (iii) he is not granted a clearance to transfer from his current Club to a Club which plays in a League located in another Area.
- (b) A player may only appeal if the refused clearance is in respect of a VCFL Clearance/Registration Form which is lodged on or before 1 July in the relevant year.
- (c) Where a player lodges more than one VCFL Clearance/Registration Form in which he seeks a clearance to the same or a different Club, he may only appeal with respect to one decision to refuse his application for a clearance in each year.

#### 7.4.2 Form of Appeal and Appeal Fee

An appeal by a Player under Regulation 7.4.1 or by a Club, Player or Official under regulation 7.3.2 (c) must be brought by lodging with the Area Manager or his appointed deputy of the relevant Area, a duly completed Notice of Appeal in or substantially in the form prescribed in schedule 1 as Form 1. The Notice of Appeal must be accompanied by:

- (a) the VCFL Clearance/Registration Form initially lodged by the Player;
- (b) payment of an application fee of \$250.00 to the VCFL (via the Area Manager), which sum shall not be refunded in any circumstance; and
- (c) payment to the VCFL (via the Area Manager) of a further sum of \$500.00 for Senior Clubs, for Junior Clubs a sum of \$250, which sum will be dealt with as follows:
  - (i) where the Area Appeal Committee upholds the appeal and grants a clearance to the player, the sum paid by the Player shall be refunded; or
  - (ii) where the Area Appeal Committee dismisses the appeal and considers that the appeal did not have sufficient merit, it may determine in its absolute discretion that all or part of the sum paid by the Player, Club or Official not be refunded.

#### 7.4.3 Timing of Appeal

A Notice of Appeal must be lodged with the Area Manager or his appointed deputy no later than 9 days from the date of email, posting or facsimile of

the decision by the League Secretary or appointed representative of the Club which refused the clearance.

An appeal shall be considered by the Area Appeal Committee within fourteen (14) days of receipt of the notice of appeal by the relevant Area Manager, or such other period as the Area Appeal Committee may determine.

- (a) Prior to determining the appeal, the parties to the appeal (club requesting the transfer and the club opposing the transfer or parties to an appeal under 7.3.2 b) & c) shall, within the time specified by the Area Appeal Committee, lodge with the relevant Area Manager, or his appointed deputy of the relevant Area, written submissions which contain:-
  - (i) any facts, reasons and arguments concerning the Transfer Application and the appeal; and
  - (ii) any other matters which they desire to be taken into account by the Area Appeal Committee in determining the appeal.
- (b) The relevant Area Manager shall as soon as practicable distribute the written submissions to each party and seek final submissions from each party which, in turn, will be distributed to the Area Appeals Committee.
- (c) The Area Appeal Committee:-
  - (i) shall consider and determine the matter before it in an unbiased manner;
  - (ii) is not bound by the rules of evidence or by practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit;
  - (iv) may grant or deny the transfer and make such orders and give such directions in such manner as it thinks fit.
- (d) The Area Appeal Committee shall not be obliged to give reasons for its decision.

#### 7.4.4 How an Appeal may be Lodged

A Notice of Appeal may be lodged by hand, registered post, electronically or facsimile, addressed to the Area Manager or his appointed deputy.

#### 7.4.5 Convening Appeal and Timing for Hearing of Appeal

Upon receipt of a Notice of Appeal, the following shall apply:

- (a) within 48 hours of receiving the Notice of Appeal, the Area Manager or his appointed deputy shall provide a copy of that Notice to the player's current Club which has refused the player's application for a clearance or the League who has made the decision which is being appealed – refer 7.3.2 b) & c);
- (b) within 48 hours of receiving the Notice of Appeal from the Area Manager or his appointed deputy, the current Club must advise the Area Manager or his appointed deputy in writing whether it intends to oppose the player's appeal (the "opposing notice") – *clearance appeals only*;

- (c) if the current Club does intend to oppose the player's appeal, it must, at the same time as lodging the opposing notice, pay to the VCFL – *clearance appeals only*:
  - (i) the sum of \$250 for costs of the appeal, which sum shall not be refunded in any circumstances; and
  - (ii) a further sum of \$500 for Senior clubs and \$250 for Junior clubs, which sum shall be dealt with as follows: - *clearance appeals only*
    - where an Area Appeal Committee dismisses an appeal made by a player/club, the sum paid by the Club shall be refunded; or
    - where the Area Appeal Committee upholds the player's appeal and determines that the Club's reason(s) for refusing the clearance did not have sufficient merit, it may determine in its absolute discretion, that all, or part of the sum not be refunded;
- (d) If the current Club does not, within the prescribed time, lodge an opposing notice or pay the required amounts, the player's clearance must be granted by the relevant Area Manager without the Area Appeal Committee hearing the appeal - *clearance appeals only*.

In that event, the current club shall be fined \$150 payable to the VCFL within 10 days of the date of Notice of Appeal with all monies to be refunded to the appellant - *clearance appeals only*.
- (e) if the current Club does, within the prescribed time, lodge an opposing notice and pay the required amounts, Regulation 7.4.6 shall apply.

#### 7.4.6 Time and Notification for Appeal

- (a) Upon receiving a notice of appeal and payment of the required amounts within the prescribed time, the Area Manager or his appointed deputy shall:
  - (i) arrange the hearing of the appeal within 14 days of receiving the notice of appeal, or as soon as practicable after that time; and
  - (ii) give written notice of those particulars to all parties interested in the appeal at least 72 hours before the date scheduled for the appeal.

If the Area Manager does not fix a date, time and place for the hearing of the appeal, the Chief Executive Officer of the VCFL may, upon application by the player, refer the matter directly to the VCFL Appeal Board for hearing and determination.
- (b) Variation of Hearing

The Area Appeal Committee may vary the hearing initially specified for the appeal and upon doing so, shall immediately provide all parties interested in the appeal written notice of any such variation.

## **7.5 Sanction imposed by a Club – Player Appeal**

### **7.5.1 Right of Appeal**

A Player may appeal to the League Independent Tribunal of the League in which his Club plays, in respect of a decision by his Club to impose a sanction upon him, including without limitation a suspension or monetary sanction.

### **7.5.2 Form and Timing of Appeal**

An appeal by a player must:

- (a) be in writing, signed by the player lodging the appeal;
- (b) provide full particulars of the decision of the player's Club;
- (c) be lodged with the Secretary of the relevant League no later than 9 days after the player is notified of the sanction imposed by his Club; and
- (d) be accompanied by a payment to the League Independent Tribunal of \$500.00 for Seniors and \$250 for Juniors, which the League Independent Tribunal shall determine in its absolute discretion whether to refund none, all or part of the \$500.

### **7.5.3 Time for Hearing**

- (a) Upon receipt of an appeal under this Regulation 7.5, the Secretary or appointed representative of the relevant League shall:–
  - (i) fix the date, time and place for the hearing of the appeal within 14 days of receipt of the appeal, or as soon as practicable after that time; and
  - (ii) give written notice of these particulars to the player and the relevant Club at least 72 hours before the date and time scheduled for the appeal.
- (b) The League Independent Tribunal may vary the date, time and place initially specified for the appeal and upon doing so, shall immediately provide all parties interested in the appeal written notice of any such variation.

### **7.5.4 Player may still Lodge Clearance**

Nothing in this Regulation 7.5 shall prevent a player from seeking a clearance from his Club in accordance with these Regulations.

### **7.5.5 No Further Right of Appeal**

A decision by a League Independent Tribunal in respect of an appeal brought under this Regulation 7.5 shall be final and no appeal may be made to the VCFL Appeal Board.

## **7.6 Procedure and Evidence before League Independent Tribunal and Area Appeal Committee**

### **7.6.1 Application of this Regulation**

Unless otherwise stated, the provisions contained in this Regulation 7.6 shall apply in respect of all hearings of a League Independent Tribunal or Area Appeal Committee.

### **7.6.2 Regulate Own Procedure**

Subject to the further matters set out in this Regulation 7.6, a League Independent Tribunal or Area Appeal Committee may regulate any proceedings brought before it in such manner as it thinks fit.

### **7.6.3 Conduct of Hearing and Attendance**

#### **(a) Conduct**

A hearing before a League Independent Tribunal shall be:

- (i) inquisitorial in nature; and
- (ii) conducted with as little formality and technicality and with as much expedition as a proper consideration of the matters before it permits

#### **(b) Attendance**

A person shall attend and appear before a League Independent Tribunal (Area Appeal Committee hearings are determined by submission – no attendance at such hearings are required) at the date, time and place fixed for hearing. Where a person fails to attend, other than a player reported for a field offence, before a League Independent

Tribunal or Area Appeal Committee, as the case may be, that body may hear and determine the matter in that party's absence.

Players reported for a field offence must attend the next tribunal hearing of the League Tribunal. The player can not play unless the case has been heard. Where the Tribunal deems that the player has reasonably been unable to attend the hearing and therefore adjourns the matter the player shall be eligible to play pending resolution of the matter.

#### **(c) Adjournment**

In the event that an adjournment is sought by a charged player, because of legal action, such player will be automatically ineligible to play or participate in any official match until such charges have been heard.

### **7.6.4 Rules of Evidence**

#### **(a) Not Bound by Rules of Evidence**

A League Independent Tribunal or Area Appeal Committee is not bound by the rules of evidence or practices and procedures applicable to courts of record, but may inform itself as to any matter and in such manner as it thinks fit.

#### **(b) Video Evidence – League Independent Tribunal**

Where a League Independent Tribunal is conducting a hearing into a reportable offence or other alleged conduct of a person and it considers that video evidence is capable of determining the reportable offence or alleged conduct, the League Independent Tribunal may make a finding solely on the basis of that video evidence.

### *7.6.5 Specific Procedure for Player Clearance – Contract in Dispute – Area Appeal Committee Only*

Where a player has lodged an appeal for a clearance and an issue before the Area Appeal Committee is the validity of a contract between the player and his current Club, the following procedure shall apply:

- (a) the Area Appeal Committee shall adjourn the hearing of the matter for a period of 14 days, or such other period as determined by the Chairman of the Area Appeal Committee;
- (b) within 7 days of the adjournment, the player and the Club shall provide written submissions to the Chairman regarding the contract in dispute;
- (c) the Area Appeal Committee shall determine the validity of the contract based upon the written submissions provided by the parties. In undertaking that task, the Area Appeal Committee may obtain its own legal advice concerning the issues requiring determination;
- (d) where the Area Appeal Committee determines that the contract is valid and enforceable, it shall advise the parties in writing and the appeal shall stand dismissed.

Such a decision shall be deemed to be a decision made under Regulation 7.6.11(a); and

- (e) where the Area Appeal Committee determines that the contract is invalid and unenforceable, the Area Appeal Committee shall advise the parties accordingly in writing, re-convene the further hearing of the appeal, and proceed to determine the appeal based on any other relevant matters put before it.

### *7.6.6 Natural Justice and Other Obligations*

A League Independent Tribunal or Area Appeal Committee Board shall:

- (a) provide any person whose interest will be directly and adversely effected by its decision a reasonable opportunity to be heard (in writing);
- (b) hear and determine the matter before it in an unbiased manner; and
- (c) make a decision that a reasonable body could honestly arrive at.

### *7.6.7 Express Exclusion of Natural Justice – League Independent Tribunal Only*

A League Independent Tribunal shall endeavour to hear and determine any reportable offence or matter referred to it before the person's Club is next scheduled to compete, irrespective of whether the hearing is scheduled at short notice or whether the hearing of the matter may affect the person's or the person's Club's preparation for the next scheduled match. To the extent that the rules of natural justice require that:

- (a) a person be given adequate notice of or sufficient time to prepare for a hearing; or
- (b) the hearing be scheduled at a time that does not affect the person or the person's Club preparation for the next scheduled match, those requirements are expressly excluded from these Regulations.

### *7.6.8 New Hearing*

An Area Appeal Committee and a League Independent Tribunal (if it is hearing an appeal), shall deal with the appeal as a new hearing.

### *7.6.9 Standard of Proof*

A League Independent Tribunal or Area Appeal Committee shall decide a matter before it to its reasonable satisfaction.

### *7.6.10 Onus of Proof*

No person appearing before a League Independent Tribunal or Area Appeal Committee shall bear an onus of establishing the matters before the relevant body for determination.

### *7.6.11 Decision and Sanction*

#### *(a) Decision*

If the case is heard by the Tribunal or Area Appeals Board and a player is found guilty of an offence the player must receive the one match set penalty as a minimum (suspended sentences can only be provided for if the one match set penalty is applied – ie. player found guilty and suspended for 3 matches for striking with 2 matches suspended, player to serve 1 match). Players may also be subject to further penalty at the discretion of the tribunal.

#### *(b) Majority Decision*

The question(s) before a League Independent Tribunal or Area Appeal Committee must be decided according to the opinion of a majority of members constituting the relevant body.

#### *(c) Sanction – League Independent Tribunal*

In the case of a League Independent Tribunal determining a sanction for a reportable offence or other conduct which has been sustained against a person, the League Independent Tribunal may have regard to any matters which it considers relevant to the question of sanction and without limitation may consider:

- (i) the seriousness of the reportable offence or conduct sustained against the person;
- (ii) any injury sustained or effect upon the person against whom the reportable offence or conduct has been committed;
- (iii) the prior record of reportable offences or conduct committed by the person; and
- (iv) in so far as they are relevant, any objectives contained in the VCFL Rules and Regulations or League Rules.

#### *(d) Hearing on Sanction – League Independent Tribunal*

Where a matter is sustained against a person by a League Independent Tribunal, the League Independent Tribunal shall provide that person a reasonable opportunity to be heard on the question of sanction before imposing any sanction.

- (e) Set Sanctions  
A League may pass a rule which prescribes a range of set sanctions for particular reportable offences, provided the rule complies with any guidelines published from time to time by the VCFL.
- (f) Payment of Monetary Sanction  
Unless otherwise determined by a League Independent Tribunal or Area Appeal Committee, any monetary sanction imposed shall be paid to the relevant League or no later than 28 days after the decision of a League Independent Tribunal or Area Appeal Committee, as the case may be.

#### *7.6.12 No Reasons*

A League Independent Tribunal or Area Appeal Committee is not obliged to give reasons for any decision made by it.

#### *7.6.13 Unreasonable Restraint of Trade*

A League Independent Tribunal or Area Appeal Committee shall not make a determination which amounts to an unreasonable restraint of a person's trade.

#### *7.6.14 Guidelines*

- (a) The VCFL may make, revoke or amend guidelines for the practice and procedure with respect to a hearing before a League Independent Tribunal or an Area Appeal Committee. Such guidelines must be adopted and followed by each League and League Independent Tribunal and each Area Appeal Committee.
- (b) The current guidelines for the practice and procedure with respect to a hearing before a League Independent Tribunal or Area Appeal Committee is contained in the document headed "VCFL Independent Tribunal and Appeal Board/ Committee – Guidelines for Tribunal and Appeal Board Members".

#### *7.6.15 Representation*

At any hearing before a League Independent Tribunal or Area Appeal Committee, a person, other than a witness, may appear in person or appear with and be represented by an advocate. No person shall be represented by an advocate who is a barrister or solicitor or qualified to practise as a barrister or solicitor.

#### *7.6.16 Co-operation with League Independent Tribunal or Area Appeals Committee*

- (a) A person shall appear before a League Independent Tribunal or Area Appeal Committee if requested, unless the relevant body is satisfied that the person has a legitimate reason for not attending.
- (b) Any person who appears before a League Independent Tribunal or Area Appeal

Committee shall:

- (i) fully co-operate with the relevant body;
- (ii) truthfully answer any questions he or she is asked;

- (iii) upon request by the relevant body, provide any document in that person's possession or control which is relevant to the matter to be determined by the relevant body;
  - (iv) not make any statement or act in a manner which is false or misleading or calculated to or which is likely to mislead; and
  - (v) act in a courteous and polite manner during the hearing and after a decision has been made.
- (c) Where a League Independent Tribunal or Area Appeal Committee considers that a person has contravened this Regulation 7.6.16, it may deal with the matter and impose sanctions upon the person as it in its absolute discretion deems fit.

## **8.0 VCFL APPEAL BOARD – APPEAL FROM LEAGUE INDEPENDENT TRIBUNAL OR AREA APPEAL COMMITTEE DECISION**

### **8.1 VCFL Appeal Board**

#### *8.1.1 Appointment*

The Chief Executive Officer of the VCFL may from time to time appoint persons to a board to be known as the VCFL Appeal Board.

#### *8.1.2 Members of VCFL Appeal Board*

The VCFL Appeal Board shall consist of:-

- (a) a chairman and a deputy chairman, and
- (b) a panel of not more than 5 who in the opinion of the VCFL Chief Executive Officer, possesses a knowledge of Australian Football and is suitable for appointment ("panel members").

#### *8.1.3 Absent Members*

If for any period and for any reason a member is absent or unable to attend a hearing of the VCFL Appeal Board, the VCFL Chief Executive Officer may appoint a person who in his opinion is a suitable replacement.

#### *8.1.4 Resignation*

A member of the VCFL Appeal Board may resign by providing notice in writing to the VCFL Chief Executive Officer.

#### *8.1.5 Removal*

The Chief Executive Officer may remove a member of the VCFL Appeal Board at any time in his absolute discretion.

#### *8.1.6 Composition for Hearing*

For the purpose of hearing and determining an appeal, the VCFL Appeal Board shall be constituted by:-

- (a) the chairman or in the chairman's absence, the deputy chairman who shall act as chairman; and
- (b) at least two panel members; and the VCFL Appeal Board as constituted shall conduct a hearing in respect of the appeal.



## 8.2 Regulation Paramount

Regulation 8 prescribes the procedures for an appeal commenced by a person or organisation, excluding umpires in respect of a decision made by a League Independent Tribunal or Area Appeal Committee.

To the extent that any provision in Regulation 8 is inconsistent with any other VCFL rule or regulation, the provisions of Regulation 8 shall prevail.

## 8.3 Right of Appeal

- (a) An aggrieved person or organisation, excluding umpires subject to the decision of a League Independent Tribunal or Area Appeal Board under Rule 7.6.11, may appeal to the VCFL Appeal Committee provided the appeal is brought no later than 2.00 p.m. on the second day after which the decision of the relevant body was made.
- (b) The right of a person to appeal to the VCFL Appeal Committee does not apply to a decision of a League Independent Tribunal in respect of an appeal by a Player under Regulation 7.5.

## 8.4 Notice of Appeal

An appeal under Regulation 8.3 shall be brought by lodging with the VCFL Chief Executive Officer a duly completed "VCFL Notice of Appeal" in or substantially in the form prescribed in schedule 1 as Form 2, accompanied by:-

- (a) any documents initially provided to the relevant body whose decision is the subject of the appeal;
- (b) payment or evidence of payment to the VCFL of the sum of \$2,500 for Senior clubs/umpires and for Junior clubs/umpires a sum of \$1250 for costs of the appeal, which sum shall not be refunded in any circumstances; and
- (c) payment or evidence of payment to the VCFL of the further sum of \$3,000 for Senior clubs/umpires and for Junior clubs/umpires a sum of \$1500, which sum shall be dealt with as follows:-
  - (i) where the VCFL Appeal Board upholds the appeal, the sum of \$3,000 or \$1500 shall be refunded; or
  - (ii) where the VCFL Appeal Board dismisses the appeal and considers that the appeal did not have sufficient merit, it may determine in its absolute discretion that all or part of the sum of \$3,000 or \$1500 not be refunded.

## 8.5 Lodgment of Notice of Appeal

A VCFL Notice of Appeal shall be lodged by:-

- (a) hand delivering;
- (b) transmitting by facsimile, or
- (c) electronically that notice addressed to the VCFL Chief Executive Officer, which must be received by him no later than 2.00 p.m. on the second day after the decision of the relevant body was made. A Notice of Appeal lodged by facsimile is lodged within time if it is accompanied by evidence that the \$5,500 for

Seniors or \$2,750 for Juniors required to be paid under Regulation 8.4 has been paid and in that respect, the Chief Executive Officer may accept a photocopy of a cheque for the relevant amount and an undertaking that the cheque has been posted to the VCFL as sufficient compliance with Regulation 8.4.

## 8.6 Time for Hearing of Appeal

### 8.6.1 Notification

Upon receipt of a VCFL Notice of Appeal and the required sum of \$5,500 (Senior) or \$2,750 (Junior), the VCFL Chief Executive Officer shall:-

- (a) fix the date, time and place for the hearing of the appeal as soon as practicable; and
- (b) advise all parties interested in the appeal in writing of those particulars.

### 8.6.2 Variation of Time or Place

The VCFL Appeal Board may vary the date, time or place specified under Regulation 8.6.1 and upon doing so shall immediately provide all parties interested in the appeal written notice of any such variation. Where the appeal relates to a suspension imposed upon an appellant by a League Independent Tribunal, the VCFL Appeal Board shall endeavour to hear and determine the appeal before the day on which the appellant's Club is next scheduled to compete.

### 8.6.3 Attendance

All parties to the appeal shall attend and appear before the VCFL Appeal Board at the date, time and place fixed for the hearing of the appeal. Where a party fails to attend before the VCFL Appeal Board, the VCFL Appeal Board may hear and determine the appeal in that party's absence or have the unavailable party available by phone should the need arise.

## 8.7 Obligations of Appeal Board

### 8.7.1 Natural Justice and Other Obligations

The VCFL Appeal Board shall:-

- (a) provide any person whose interest will be directly and adversely affected by its decision a reasonable opportunity to be heard;
- (b) hear and determine the matter before it in an unbiased manner; and
- (c) make a decision that a reasonable body could honestly arrive at.

### 8.7.2 Express Exclusion

Subject to Regulation 8.6.2 and 8.8, the VCFL Appeal Board shall endeavour to hear and determine an appeal brought under this Rule 8 before the appellant's Club is next scheduled to compete, irrespective of whether the appeal is heard at short notice or whether the hearing of the appeal may affect the appellant's or the appellant's Club's preparation for the next scheduled match. To the extent that the rules of natural justice require that:-

- (a) a person be given adequate notice of or sufficient time to prepare for an appeal; or



- (b) the appeal be scheduled at a time that does not affect the appellant's or the appellant's Club's preparation for the next scheduled Match, those requirements are expressly excluded from these Regulations.

## **8.8 Adjournment and Stay of Sanction**

### *8.8.1 Person to Serve Sanction*

Subject to Regulation 8.8.2, where a League Independent Tribunal imposes a sanction which prevents the appellant from participating in a match, the appellant shall serve that sanction pending the determination of the appeal.

### *8.8.2 Power to Adjourn and Stay of Sanction*

Subject to Regulation 8.8.3, the VCFL Appeal Board may of its own motion or upon application of any party to the appeal, order:–

- (a) that an appeal be adjourned; and/or
- (b) a stay of the execution of the sanction imposed by a League Independent Tribunal pending the determination of the appeal.

### *8.8.3 Exceptional and Compelling Circumstances*

The VCFL Appeal Board shall make an order under Regulation 8.8.2 only where it is satisfied that there are exceptional and compelling circumstances that make it harsh and unconscionable if an order was not made. In determining that question, the VCFL

Appeal Board shall without limitation have regard to:–

- (a) the merits of the appeal and the appellant's prospects of success;
- (b) the interests of other Clubs and Players; and
- (c) the effect on the results of the competition conducted by the relevant League.

## **8.9 New Hearing**

- (a) Subject to Regulation 8.9(b), the VCFL Appeal Board shall deal with the appeal as a new hearing.
- (b) The VCFL Appeal Board may have regard to any record of the proceeding before a League Independent Tribunal or Area Appeal Board, including a record of any evidence taken at the hearing.

## **8.10 Procedure and Evidence**

### *8.10.1 Regulate own Procedure*

Subject to the further matters set out in this Regulation 8, the VCFL Appeal Board may regulate any proceedings brought before it in such manner as it thinks fit.

### *8.10.2 Conduct of Appeal*

The hearing before the VCFL Appeal Board shall be:–

- (a) inquisitorial in nature; and
- (b) conducted with as little formality and technicality and with as much expedition as the proper consideration of the matters before it permits.

## **8.10.3 Rules of Evidence**

The VCFL Appeal Board is not bound by the rules of evidence or by practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit.

### *8.10.4 Video Evidence*

Where VCFL Appeal Board is conducting a hearing into a reportable offence or other alleged conduct of a person and it considers that video evidence is capable of determining the reportable offence or the alleged conduct, the VCFL Appeal Board may make a finding solely on the basis of that video evidence.

### *8.10.5 Specific Procedure: Validity of Playing Contract*

Regulation 7.6.5 shall apply to the VCFL Appeal Board where an issue before it is the validity of a contract between the appellant and a Club and any reference to the Area Appeal Board shall be read as a reference to the VCFL Appeal Board.

## **8.11 Power of VCFL Appeal Board**

### *8.11.1 Decisions*

The VCFL Appeal Board may confirm, reverse or modify the decision of the body the subject of the appeal and make such orders and give such directions in such manner as it thinks fit.

### *8.11.2 Certain Regulations to Apply*

Regulations 7.6.11(c) and (d) and Regulation 8.6.3 shall apply to appeals before the VCFL Appeal Committee and any reference to the League Independent Tribunal or Area Appeal Committee, as the case may be, shall be read as a reference to the VCFL Appeal Committee.

## **8.12 Onus of Proof**

No person appearing before the VCFL Appeal Board shall bear an onus of establishing the matters before it for determination.

## **8.13 Standard of Proof**

The VCFL Appeal Board shall decide a matter before it to its reasonable satisfaction.

## **8.14 Majority Decisions**

The question on appeal before the VCFL Appeal Board must be decided according to the opinion of a majority of the members constituting the VCFL Appeal Board.

## **8.15 No Reasons**

The Appeal Board is not obliged to give reasons for a decision under Regulation 8.11.

## **8.16 Representation**

At any hearing before the VCFL Appeal Board, a person or organisation, excluding umpires may appear in person or appear with and be represented by an advocate. No person shall be represented by an advocate who is a barrister or solicitor or qualified to practise as a barrister or solicitor, excepting

Investigation Officers who are barristers or solicitors or qualified to practise as a barrister or solicitor, who can act as an Advocate where an appeal originates from an investigation and they were the Investigating Officer in the matter.

If the above circumstances prevail, a person or organisation, excluding umpires subject to an appeal wishes, in the interest of fairness, to be represented by an advocate who is a barrister or solicitor or qualified to practice as a barrister or solicitor, they may make application to the VCFL Appeal Board prior to the commencement of the hearing.

### 8.17 Questions of Law and Fact

In the hearing and determination of an appeal, the VCFL Appeal Board shall decide all questions of law and fact and without limitation, shall determine the meaning of any words.

### 8.18 Costs

Parties to a VCFL Appeal can apply for reasonable costs by contacting the VCFL Football Operations Department.

### 8.19 Abandon Appeal

- (a) An appellant may abandon an appeal no later than 48 hours prior to the time set down for the hearing by giving written notice to the VCFL Chief Executive Officer, in which case the payments made by the appellant under Regulations 8.4 (b) and (c) shall be refunded.
- (b) Where an appellant abandons the appeal within 48 hours of the time as set down for the hearing or during the conduct of the appeal and the VCFL Appeal Board considers that the appeal did not have sufficient merit, the VCFL Appeal Board may determine in its absolute discretion that all or part of the payment made under Regulation 8.4(c) not be refunded.

### 8.20 Validity of Hearing

- (a) Where there is any procedural irregularity in the manner in which an appeal has been brought, the VCFL Appeal Board may still hear and determine the appeal unless it is of the opinion that the irregularity has caused or may cause injustice if the appeal was heard.
- (b) A decision of the VCFL Appeal Board is not invalid because of any defect or irregularity in, or in connection with, the appointment of a VCFL Appeal Board Member.

### 8.21 Co-operation with VCFL Appeal Board

- (a) A person shall appear before the VCFL Appeal Board if requested, unless the VCFL Appeal Board is satisfied that the person has a legitimate reason for not attending.
- (b) Any person who appears before the VCFL Appeal Board shall:
  - (i) fully co-operate with the VCFL Appeal Board;
  - (ii) truthfully answer any questions he or she is asked;

- (iii) upon request, provide any document in that person's possession or control which is relevant to the matter to be determined; and
  - (iv) not make any statement or act in a manner which is false or misleading or calculated to or which is likely to mislead.
- (c) Where the VCFL Appeal Board considers that a person has contravened this Regulation 8.21, it may deal with the matter and impose sanctions upon the person as it in its absolute discretion deems fit.

### 8.22 Exhaust Internal Appeal

A person shall exercise his or her right of appeal under this Regulation 8 and have any appeal heard and determined by the VCFL Appeal Board before commencing any proceedings or becoming a party to any proceedings in a court of law.

### 8.23 Further Time

Notwithstanding any other provision of these Rules and Regulations, where any time limit is imposed for the doing of any act or thing or for any other purpose (including the time within which a person may appeal to the relevant Area Appeal Board or the VCFL Appeal Board), the Chief Executive Officer may in his absolute discretion extend or allow any further period of time within which a person may do any act or thing under these Rules & Regulations.

## 9.0 RACIAL AND RELIGIOUS VILIFICATION POLICY

### Section 1 Prohibited Conduct

#### 1.1 Racial and Religious Vilification

No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to being a participant in the League shall engage in conduct that offends, humiliates, intimidates, contempts, ridicules, incites, threatens, disparages, vilifies or insults another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.

#### 1.2 Serious Racial and Religious Vilification

No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to being a participant in the League shall intentionally engage in conduct that he/she knows is likely to incite hatred against another person, or threaten physical harm or incite hatred in others to cause physical harm to a person or to a person's property because of that person's race, religion, colour, descent or national or ethnic origin.

#### 1.3 Racial and Religious discrimination

No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to

being a participant in the League shall engage in conduct that discriminates, directly or indirectly against another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.

## 1.4 Victimisation

1.4.1 No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to being a participant in the League shall victimise another person.

1.4.2 A person will victimise another person (the victim) if:

- (a) the person subjects or threatens to subject the victim, or a person who acts as a witness, to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy; or
- (b) the person assists, requests, induces, encourages or authorises another person to subject the victim, or a person who acts as a witness, to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy.

## Section 2 Authorised Persons

- 2.1 The League will appoint a Complaints Officer (the League's Complaints Officer) to ensure that any breach of this Policy is responded to in an equitable and prompt manner.
- 2.2 The League shall appoint an Authorised Person as the senior decision-maker in the League's Complaints Process. Should the Authorised Person be absent for a significant period, he/she must nominate a person to act on his/her behalf should the process need to be enacted.

## Section 3 Confidentiality and Records

- 3.1 Confidentiality must be maintained throughout the complaints process. All parties to a complaint, the Authorised Person (or Delegate), the League's Complaints Officer, any witnesses and the Conciliator must all agree, in writing, to the maintenance of confidentiality. No person involved in the complaints process shall publicly comment on any aspect of the complaints process without the prior written agreement of all parties.
- 3.2 The League shall ensure that any documents relating to a complaint shall remain confidential and be retained for 7 years from the date that the complaint is made.

## Section 4 Inter club Breach of the Policy

In the event that it is alleged that a spectator or participant has contravened this Policy:

- 4.1 an Umpire, spectator or participant of the Club may by 5.00pm on the first working day following the day on which the contravention is alleged to have occurred, lodge a complaint in writing with Complaint's Officer of the Club;
- 4.2 the Complaint's Officer of the Club where the complaint was made shall, by 5.00pm on the next working day following the day that the complaint was lodged with the Club, lodge the complaint with the League's Complaints Officer;
- 4.3 the Club's Complaints Officer will take no further action once the complaint has been lodged with the League unless otherwise instructed by the League's Complaint's Officer.

## Section 5 Management of Complaints

The League's Complaints Officer shall:

- 5.1 make every effort to ensure that:
  - 5.1.1 confidentiality is maintained at all times during the complaints process and that the outcome of the complaints process remains confidential;
  - 5.1.2 any breach of confidentiality is referred to the League's Tribunal no later than 5pm on the next working day following the day that the breach is discovered;
- 5.2 inform the person alleged to have contravened the Policy of the complaint, the complaint procedures and provide that person with an opportunity to respond to the complaint;
- 5.3 inform only the President of the League or Nominee, that a Complaint has been received by the Complaints Officer;
- 5.4 obtain written statements from any witnesses identified by both parties to the complaint;
- 5.5 where available, obtain any other evidence; the Complaints Officer may refer the matter to a League Investigation Officer if in the view of the Complaints Officer, the detail provided by some or all of the parties to the allegation is contradictory or requires further clarification. Any information or evidence obtain by the Investigation Officer shall be provided to all parties to the allegation and form part of the complaint process.
- 5.6 make available any witness statements or any other evidence obtained in the course of investigating a complaint to both parties, with an opportunity to comment, as part of the conciliation process or prior to a tribunal hearing.
- 5.7 arrange for the complaint to be conciliated, by a conciliator agreed upon by both parties except when the complaint is referred to the League's Tribunal in accord with clause 5.9.2 and 5.9.3 herein.
- 5.8 take all steps necessary for the complaint to be conciliated within 10 working days from the day on which the incident is alleged to have

occurred; following the Conciliation process, the Complaints Officer may refer the matter to a League Investigation Officer if in the view of the Complaints Officer, the detail provided by some or all of the parties during the conciliation is contradictory or requires further clarification. Any information or evidence obtained by the Investigation Officer shall be provided to all parties to the allegation and form part of the complaint process.

## **5.9 refer the complaint to League's Tribunal:**

5.9.1 when the Complainant informs the Complaints Officer that the matter has not been resolved through conciliation. The Complaints Officer will if requested by the Complainant within one working day from the day on which the conciliation failed, take all steps necessary for the complaint to be referred to League's Tribunal in accordance with clause 8.2 herein.

5.9.2 when both the League's Complaints Officer and the Authorised Person have determined that the complaint was lacking in substance and/or was made vexatiously;

5.9.3 when both the League's Complaints Officer and the Authorised Person determine that under sections 24 or 25 of the Racial and Religious Tolerance Act 2001 (Vic) the complaint could be considered as "serious", he/she will take all steps necessary for the complaint to be referred to the League's Tribunal within 5 working days from the day on which the incident is alleged to have occurred;

5.10 ensure that any time limit referred to in this Policy may be extended by the League if in the opinion of the Authorised Person of the League it is just and equitable to do so;

5.11 ensure that where a matter is resolved by conciliation the only public statement that shall be made shall be agreed to by both parties to the complaint and the Authorised Person and that the terms of any settlement are finalised to the satisfaction of the complainant and respondent and signed by the parties and the conciliator.

## **Section 6 League Tribunal Process and Penalties**

6.1 The League's Tribunal will be constituted in accordance with the rules and regulations of the League.

6.2 Where a complaint is referred to the League's Tribunal pursuant to clause 5.9.1 of this Policy or as a result of a referral from a Club's Complaint Officer arising from an intra club breach, the Tribunal will hear the complaint within 5 working days of the complaint being referred.

6.3 The League's Tribunal has the power to order any reasonable penalties or directions for breaches of this Policy as are allowable under the rules and regulations of the League in force at the time of the hearing.

6.4 If found to have contravened this Policy a Club may be vicariously liable for conduct engaged in by a participant acting as the club's agent or employee, if the Club is unable to establish that it took reasonable precautions to prevent the participant from engaging in that conduct.

## **Section 7 Appeals from the League Tribunal**

7.1 Where a complainant or respondent is unsatisfied with the decision made by the League Tribunal, either party may request that an Appeal be heard as per VCFL rule pertaining to appeals.

7.2 The panel established to hear and determine the appeal has the power to order any penalties or directions which it decides are reasonable in the circumstances. Such penalties may include a monetary fine and/or exclusion from attending or participating in any football matches conducted by the League for a period of time.

Refer Racial & Religious Vilification Policy for further particulars.

## **10.0 INTERSTATE PLAYER TRANSFERS**

Attention is directed to the Australian Football League player transfer regulations governing Interstate Player Transfers, known as the National Player Transfer Regulations.

## **11.0 ORDER OFF RULE**

In accordance with the AFL Laws of Australian Football, permission has been granted to the VCFL requiring all affiliated Leagues to adhere to the following guidelines for the Order Off rule:

(A) A player who commits the following AFL Laws of the Game offences shall be reported and ordered off the ground for the remainder of the game and is able to be replaced after 20 minutes of actual playing time. The player red carded can take no further part in the game :-

19.2.2 (Laws of Australian Football):

- (a) intentionally, recklessly or negligently making contact with or striking an Umpire.
- (b) attempting to make contact with or strike an Umpire.
- (g) intentionally, recklessly or negligently:-
  - (i) kicking another person;
  - (p) any act of misconduct

(Note: misconduct covers offences not covered specifically under other laws, eg urinating in view of spectators, exposing themselves in front of spectators, headbutting etc).

- (B) A player who commits the following AFL Laws of the Game offences shall be reported and ordered from the ground for 15 minutes of actual match playing time:–

19.2.2 (Laws of Australian Football):

- (c) using abusive, insulting, threatening or obscene language towards or in relation to an Umpire.
- (d) behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an Umpire.
- (e) disputing a decision of an Umpire.
- (f) use of an obscene gesture;
- (g) intentionally, recklessly or negligently:–
  - (ii) striking another person;
  - (iii) tripping another person whether by hand, arm, foot or leg;
  - (v) charging another person;
  - (vi) throwing or pushing another Player, after that Player has taken a mark, disposed of the football or after the football is otherwise out of play;
  - (vii) engaging in rough conduct against an opponent which in the circumstances is unreasonable;
  - (x) spitting at or on another person.
  - (xi) bumping or making forceful contact to an opponent from front-on when that player has his head down over the ball;
- (h) attempting to kick another person;
- (i) attempting to strike another person;
- (j) attempting to trip another person whether by hand, arm, foot or leg;
- (l) wrestling another person.
- (C) A player who commits the following AFL Laws of the Game offences, depending upon the severity of such offence, may be ordered from the ground for 15 minutes of actual match playing time. The player may also be reported.

19.2.2 (Laws of Australian Rules Football):

- (g) intentionally, recklessly or negligently:
  - (iv) engaging in time wasting;
  - (viii) engaging in a melee.
- (k) intentionally shaking a goal or behind post when another Player is preparing to kick or is kicking for goal or after the Player has kicked for goal and the ball is in transit.
- (m) using abusive, insulting, threatening or obscene language;
- (n) failing to leave the playing surface when directed to do so by a field umpire.
- (o) wearing boots, jewellery and equipment prohibited under Law 9 of the AFL Laws of the Game.
- (D) Any player reported for a second offence listed in (B) and (C) shall be sent from the field for the remainder of the match and is able to be replaced after 20 minutes of actual playing time. The player red carded can take no further part in the game.

## Implementation

A Red Card indicates the player is ordered off for the remainder of the match and is able to be replaced after 20 minutes of actual playing time. The player red carded can take no further part in the game.

- (E) For under age matches, field umpires may order a player off the ground for 15 minutes without reporting him.

Note: This would only apply when a player has not committed a reportable offence but has breached the law and given away a free kick in a deliberate or undisciplined manner or behaves in a manner detrimental to the image of the game.

The intention of this rule is to provide the player with a cooling off period.

## Implementation

Only field umpires and emergency field umpires have the power to send players from the ground.

When ordering a player off, an umpire shall signal his intention by pointing to the interchange area with an outstretched arm and holding a coloured card above his head with the other.

A Red Card indicates the player is ordered off for the remainder of the remainder of the match and is able to be replaced after 20 minutes actual playing time.

A Yellow Card indicates the player is ordered off for 15 minutes of actual match playing time and cannot be replaced within that time.

A player ordered from the ground must leave the ground through the interchange area, report to the Interchange Steward or appropriate official on leaving the field and before returning.

In the event of a player failing or refusing to leave the field when ordered off, he shall be reported for misconduct. The player's captain or deputy shall be advised by the umpire that his team shall forfeit the match unless the player leaves the field immediately. If the player still refuses to leave the field, his team shall forfeit the match.

Boundary and goal umpires have the power to report however they do not have the power to order players from the ground, they shall advise one of the field umpires, of their report at the next appropriate break in play and the field umpire shall, with the umpire making the report, advise the player he/she has been reported and that player will be ordered from the ground.

For a player to be sent from the ground for the remainder of the match due to being reported twice (on two separate occasions) under Sections (B) and (C) of the Order Off Rule that player must have been reported on both occasions by a field umpire or league appointed boundary or goal umpire.

## 12.0 SET PENALTIES & REPRIMANDS

All VCFL affiliated Leagues shall adopt set penalties for reportable offences and such set penalties shall contain the following provisions.

1. Any player reported for the following offences (as numbered in the Laws of Australian Football) may apply for a suspension of one match.

### 19.2.2 (Laws of Australian Rules Football):

- \*(g) intentionally, recklessly or negligently: -
  - \*(ii) striking another person
  - \*(iii) tripping another person whether by hand, arm, foot or leg
  - \*(iv) engaging in time wasting
  - (v) charging another person
  - \*(vi) throwing or pushing another Player after that Player has taken a mark, disposed of the football or after the football is otherwise out of play
  - (vii) engaging in rough conduct against an opponent which in the circumstances is unreasonable
  - \*(viii) engaging in a melee except where the Player's sole intention is to remove a team mate from the incident.
- \*(i) attempting to strike another person
- \*(j) attempting to trip another person whether by hand, arm, foot or leg.
- \*(k) intentionally shaking a goal or behind post when another player is preparing to kick or is kicking for goal or after the player has kicked for goal and the ball is in transit
- \*(l) wrestling another person
- \*(m) using abusive, insulting, threatening or obscene language
- \*(n) failing to leave the playing surface when directed to do so by a field umpire
- \*(o) wearing boots, jewellery and equipment prohibited under Law 9 of the AFL Laws of the Game.

Players are encouraged to apply for the minimum set penalty.

If the reported player has been previously suspended or reprimanded in the current or the preceding season the player shall not be able to accept the set penalty until offered by the League Secretary/General Manager.

The League Secretary / General Manager is the only person empowered to decide, after studying a player's tribunal history whether a player can accept the minimum prescribed penalty or will be required to attend the Tribunal hearing.

If a player wishes to accept the minimum set penalty the club secretary must contact the League Secretary /General Manager, no later than 12 noon on the first business day immediately following the match for approval.

Such requests shall be made in writing, delivered, sent by facsimile or email to the League Secretary/General Manager.

If the case is heard by the Tribunal or Area Appeals Board and a player is found guilty of an offence (as outlined in 1 or 3) the player may receive the one match set penalty as a minimum (suspended sentences can only be provided for if the one match set penalty is applied - ie. player found guilty and suspended for 3 matches for striking with 2 matches suspended, player to serve 1 match), or a reprimand (refer following).

Players may also be subject to further penalty at the discretion of the tribunal.

### Reprimands

If the case is heard by the Tribunal and a player is found guilty of an offence the player may receive a reprimand.

Only the offences as listed following can carry a reprimand as the minimum penalty.

Reprimands can be applied where a player is found guilty of an offence as follows and any reprimand is to be determined at the Independent Tribunals discretion taking into consideration, but not limited, to a player's playing record and player's previous tribunal history.

Offences Where A Reprimand May Apply (at the discretion of the Independent Tribunal)

### 19.2.2 (Laws of Australian Rules Football)

- \*(g) intentionally, recklessly or negligently: -
  - \*(ii) striking another person
  - \*(iii) tripping another person whether by hand, arm, foot or leg
  - \*(iv) engaging in time wasting
  - \*(vi) throwing or pushing another Player after that Player has taken a mark, disposed of the football or after the football is otherwise out of play
  - \*(viii) engaging in a melee except where the Player's sole intention is to remove a team mate from the incident.
  - \*(xi) bumping or making forceful contact to an opponent from front-on when that player has his head down over the ball;
- \*(i) attempting to strike another person
- \*(j) attempting to trip another person whether by hand, arm, foot or leg.
- \*(k) intentionally shaking a goal or behind post when another player is preparing to kick or is kicking for goal or after the player has kicked for goal and the ball is in transit
- \*(l) wrestling another person
- \*(m) using abusive, insulting, threatening or obscene language
- \*(n) failing to leave the playing surface when directed to do so by a field umpire
- \*(o) wearing boots, jewellery and equipment prohibited under Law 9 of the AFL Laws of the Game.



2. Umpires shall report and charge any player in accordance with the normal procedures for offences listed in 1 but the report shall not be heard by a Tribunal unless so requested by either the Umpire who lodges the report, the reported player, the player allegedly offended against or the President/Secretary of either club.

If the report is not requested to be heard by a tribunal by any party named above the player is automatically given a one match set penalty.

Such requests shall be made in writing, delivered, sent by facsimile or email to the League Secretary/General Manager, no later than 12 noon on the first business day immediately following the match.

3. Any player reported for the following offences shall appear before the League Tribunal:

19.2.2 (Laws of Australian Rules Football):

- (a) intentionally, recklessly or negligently making contact with or striking an umpire.
- (b) attempting to make contact with or strike an umpire
- (c) using abusive, insulting, threatening or obscene language towards or in relation to an umpire.
- (d) behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an umpire.
- (e) disputing a decision of an umpire
- (f) use of an obscene gesture
- (g) intentionally, recklessly or negligently:-
  - (i) kicking another person
  - (x) spitting at or on another person
  - \*(xi) bumping or making forceful contact to an opponent from front-on when that player has his head down over the ball;
- (h) attempting to kick another person;
- (p) any act of misconduct.

(Note:- misconduct covers offences not covered specifically under other laws,

e.g. urinating in view of spectators, exposing themselves in front of spectators, headbutting, etc.)

4. These set penalties do not apply to club officials.
5. Offences as outlined in 12.1 do not apply to the MPNFL and MPJFL as they operate an abridged Report Form and Set Penalty system, where Set Penalties are listed for the majority of offences, with matters brought before an Independent Tribunal subject to the suspensions as determined by the panel.

Reprimands (as outlined in rule 12.0) are also applicable in relation to section (5) above (specifically the MPNFL and MPJFL), if a player is found guilty of an offence.

6. Offences listed with (\*) in 1 & 3 above are the only offences where a reprimand may be applied.

## 13.0 TREATMENT OF BLEEDING PLAYERS

Please refer to the AFL Laws of the Game Rule 22 – INFECTIOUS DISEASES.

## 14.0 FINALS ELIGIBILITY – TAC CUP PLAYERS

For the purpose of finals qualification and player eligibility, the TAC Cup competition shall be considered the equal of VCFL senior competition and TAC Cup matches shall be considered matches of the players senior VCFL team for the purpose of eligibility to play in VCFL finals.

## 15.0 UNDERAGE COMPETITION PLAYERS – GLOVES

Gloves are permitted to be worn by VCFL open age and junior registered players in competition matches.

## 16.0 COACHING ACCREDITATION

- (a) All coaches of VCFL clubs are required to obtain Level 1 Accreditation specific to the age of the players they are coaching, prior to the commencement of the season. The penalty to be imposed by leagues if coaches continue to coach having not obtained the necessary accreditation must be i) a \$200 fine (Senior) or \$100 fine (Junior) and ii) the loss of match points for the matches won by the team whilst the unaccredited coach continues to coach. In the event of no match points being received the league must apply the above fines. Fines are applied once only (\$200 or \$100) and are not applicable to every match.

In the instance where coaches are not accredited and commit to completing the next available (or otherwise agreed upon) AFL Victoria Coach Accreditation Course, the following bonds for clubs are to apply \$200 (Senior) and \$100 (Junior).

Where a coach fails to complete the agreed upon AFL Victoria Coach Accreditation Course the bond paid by the club is forfeited.

- (b) All coaches of Affiliated VCFL teams up to and including U/18's will be reimbursed \$50.00 following the achievement of Level 1 accreditation. All applications for reimbursement must be made through the VCFL Area Manager.



## 17.0 OFFICIAL CLUB RUNNERS/ TRAINERS/WATER CARRIERS

### 17.1 Eligibility

No person who is a registered player or an official of any club of an open or junior age team, who is under disqualification or suspension by his home club or League, shall act as an official runner or water carrier in any competition match, or any other match in which a VCFL affiliated club or League is participating.

### Coaches

Further provided that no coach or assistant coach of a VCFL team shall act as a runner, trainer or water carrier in a match in which the team that he coaches is participating.

### Listing of Officials

All official runners, trainers and water carriers shall be listed on the official team sheet and for the purposes of interpretation of this regulation shall be deemed to be officials of the club for the match.

### Number of Trainers/Water Carriers

No team shall be permitted to have more than the combined total of 6 trainers and water carriers, except where the VCFL Heat/Cold Policy is invoked.

### Doctors

Registered doctors are not required to be registered as an official on the day or included on the official teamsheet.

### Infringements

Any club that infringes this rule shall appear before the League's Independent Tribunal to determine the penalty. The penalty applicable for determination by the Independent Tribunal shall include the following:

- (a) Substantial fine, and/or
- (b) Loss of points for the match, and/or
- (c) Such other penalties as determined appropriate by the Tribunal.

### 17.2 Duties

All official runners, trainers and water carriers are to be dressed in a uniform determined by the league.

The sole duty of the runner shall be to confer with the player or players of his/her club and to immediately leave the playing arena.

The sole duty of a water carrier shall be to convey water to players and to immediately leave the playing arena.

The duty of a trainer shall be to render medical assistance and convey water as required.

The officiating field umpire may, upon infringement of this rule, order the runner, trainer or water carrier of the offending club from the arena for a period of 15 minutes.

Any infringement of this rule or other infringement reported by the officiating umpire that shall include a field umpire, boundary umpire, goal umpire and

emergency umpire, shall be referred to the leagues independent tribunal.

## 18.0 REPRESENTATIVE TEAM AVAILABILITY

Any VCFL registered player who is not available for selection in a VCFL Representative Team, without providing an adequate reason to the Selection Committee will incur a penalty of not being permitted to play in the next match in which his club is engaged.

## 19.0 CLUB TEAM NUMBERS – COUNTRY CHAMPIONSHIP LEAGUES

Championship competing leagues clubs on weekends when club matches are played in addition to Championship matches may increase the number of players per team by 2.

## 20.0 SERVICE AWARDS:

### 20.1 Recognition of Service Medallion:

V.C.F.L. areas, affiliated leagues, clubs and umpire groups may nominate suitable persons to be recipients of the Recognition of service Medallion, where it is desired to acknowledge outstanding service. Conditions of the award are as follows.

The award is to be made to persons who have rendered outstanding service to the V.C.F.L.'s areas, leagues, clubs or umpire associations/groups.

The award is to recognize an administrator or volunteer's outstanding contribution to Australian Rules Football with a V.C.F.L. affiliate, over an extended period of time. A playing or umpiring career is not necessarily considered when assessing a nominee's qualifying status.

Nominations of people to be the recipients of the award are to be furnished through the affiliated League to the Area Manager for presentation to a VCFL Board Meeting for approval. All nominations must be lodged with the VCFL Chief Executive Officer twenty one (21) days prior to the date of the meeting at which such nomination will be considered.

A record of the service rendered by the nominated person is to be forwarded with each application for issue of the medallion. Unless the conditions of nominating for VCFL Service Medallion have been observed by submitting an application prior to VCFL meetings Service Medallions will only be approved under extenuating circumstances.

### 20.2 Award of Merit

In accordance with the following provisions the VCFL Award of Merit can be presented in acknowledgement of very special and outstanding service to VCFL activities:-

- (a) The nominee must have previously received a VCFL Recognition of Service Medallion.

- (b) That nominations must be received from Area Managers and will be considered by the VCFL Board for recommendation.
- (c) That a maximum of two Awards will be approved in any one year.
- (d) Nominations must be lodged with the VCFL CEO between the 1st January and the 30th June in the year in which the nomination is applicable.

## 21.0 PERCENTAGE WHEN CLUB FORFEITS

Percentage calculation for forfeited matches –

- (a) Where a team forfeits during the progress of a match.
- (b) Where a team fails to appear.

References (a) and (b) – See AFL Laws of the Game 10.7.

- (c) Where a match result is altered by protest or dispute.

Reference (c) – The team winning the protest or dispute to be awarded full premiership list points and their points scored FOR in such match to be recorded as usual in the calculation of percentage. The offending team shall lose their points scored FOR in such match and as such the calculation of their percentage adjusted accordingly. Scores for the match are to be adjusted following that round of matches.

*WorkSafe VCFL rule to be read in conjunction with AFL Law 10.7.2 (b) – please note the WorkSafe VCFL has been granted an exemption to Law 10.7.2 (b) and the WorkSafe VCFL rule is to be applied in all cases.*

## 22.0 LEAGUES

### 22.1 Major Leagues:

The following shall be Major Leagues of their respective areas: Ballarat Football League, Bendigo Football League, Goulburn Valley Football League, Hampden Football League, Mornington Peninsula Nepean Football League, North Central Football League, Ovens and Murray Football League, Gippsland League, Sunraysia Football League, Western Border Football League, Wimmera Football League, Murray Football League, Bellarine Football League, Geelong Football League, Yarra Valley Mountain District Football League and the Central Murray Football League. At the September/October meeting of the VCFL Board the Major Leagues for the next Season shall be named but no alteration shall be made unless at least three fourths of the Directors in attendance vote in favour of such alteration.

Should any area desire the naming of more than one Major League an application must be made to the VCFL Board for consideration and recommendation to the VCFL Board.

### 22.2 District Leagues:

All other affiliated Football bodies shall be known as the District Leagues.

### 22.3 Junior Leagues

All affiliated football bodies that provide for football competitions at under 16 and a half or lower age groups only shall be known as the Junior Leagues.

### Resolution – Age grouping determination:

It is the responsibility of the VCFL to set, or approve any changes in the age grouping structure within an Area, in consultation with affected leagues.

## 23.0 UMPIRES

### 23.1 Registration:

Field Umpires officiating at matches under the control of affiliated Leagues supplied by an official umpiring association shall be registered with, and required to pay an annual registration fee to the VCFL. Those not supplied from an official umpiring association body shall register with the respective Area Manager under such conditions as are from time to time determined by the Area Manager or the VCFL. It shall be competent for umpires so registered with the Area Manager to be appointed and officiate in an area other than that for which the Area Manager acts in the VCFL Fees

The fees and expenses of VCFL Umpires are to be submitted annually to the VCFL Board by the General Manager of Umpiring for approval and adoption.

### 23.2 Umpires as Players:

Members of recognised Umpires Groups and registered umpires of the VCFL forfeit all rights as a registered player and shall be ineligible to play during the current season of registration unless approval has been granted by the Area Manager before the 1st July, and furthermore he must comply with the domestic requirements of his League as a player.

### 23.3 Players as Umpires:

Notwithstanding rule 23.2 Umpires as Players, a registered player will be permitted to officiate as an umpire in any affiliated League or association provided approval has been granted by the League concerned and the player is not under disqualification. Leagues must liaise with umpires associations in cases where this rule is applied.

### 23.4 Approaches to Umpires:

Only the team captain shall be permitted to speak to Field Umpire during the progress of a match at intervals.

Any player or official in breach of this rule shall be reported by the Umpire and the matter referred to the league independent tribunal and if found guilty their club shall incur the following maximum penalty:

1st offence \$100.00

2nd offence \$200.00

3rd or any further offence \$400.00

## 24.0 DOMESTIC MATTERS

Subject to the provision herein applied, each League shall have power to draw up rules not inconsistent with these Rules and provide for the management of its own domestic affairs. In the event of conflict between VCFL Regulations and rules, and all amendments to its rules the VCFL Regulations will take precedence.

## 25.0 INTERPRETATIONS OR RULINGS FROM AREA MANAGERS

### 25.1 Questions not Provided for:

In the event of any question arising not provided for in these Rules, the VCFL Board shall have power to decide such question.

### 25.2 Decisions of the VCFL Board:

All decisions arrived at by the VCFL Board. shall be final. Where the question of interpretation or ruling is involved in connection with appeals, disputes, etc., it is desired that the League or the competent authority concerned obtain such interpretation or ruling on the relevant VCFL Constitution, Rules and/or Regulations from, or through, the appropriate Area Managers.

### 25.3 Authority – Area Manager:

The Area Manager may make decisions in that area providing that they are not in contradiction to the Rules, Regulations and Resolutions of the VCFL.

## 26.0 LICENSING

**26.1** Each player in each team of each Club shall wear a uniform (including without limitation guernseys and shorts) that:

- (a) complies with the minimum standards of quality and appearance and layout for uniforms as determined by the VCFL from time to time; and
- (b) features the official VCFL Logo (as determined by the VCFL from time to time), in a manner and on a location on each item of the uniform as specified by the VCFL from time to time.

**26.2** Each Umpire of each Match shall wear a uniform (including without limitation guernseys and shorts) that:

- (a) complies with the minimum standards of quality and appearance and layout for uniforms as determined by the VCFL from time to time; and
- (b) features the official VCFL Logo (as determined by the VCFL from time to time), in a manner and on a location on each item of the uniform as specified by the VCFL from time to time.

**26.3** Each Club and League shall ensure that the football used in any match:

- (a) complies with the minimum standards of quality for footballs as determined by the VCFL from time to time; and

- (b) features the official VCFL Logo (as determined by the VCFL from time to time) in a manner and on a location on the match football as is specified by the VCFL from time to time.

**26.4** Each Club shall ensure that its players comply with this regulation.

**26.5** Each League shall ensure that any affiliated Clubs comply with this regulation.

### 26.6 Sanction:

A sanction of up to \$50 for a player wearing an incorrect uniform in each senior grade match, up to a maximum of \$500 per team per match.

A sanction of up to \$50 for any Umpire wearing an incorrect uniform in any Match.

A sanction of up to \$50 where an incorrect football is used in a senior grade match.

A sanction for non-compliance with this regulation by any other teams (including junior teams), Clubs or Leagues as determined by the VCFL Board on a case by case basis, upon the recommendation by the VCFL CEO and Area Manager.

Any sanction shall be payable to the VCFL.

## 27.0 DOPING POLICY

The Doping Policy of the Australian Football League for the time being in force, shall apply to and be binding upon all Leagues, Associations and Bodies affiliated with the AFL, or affiliated with an Affiliated body of the AFL (refer AFL Laws of the Game – 21 Anti-Doping Policy).

## 28.0 RISK MANAGEMENT

All Affiliated Leagues and Clubs are directed to introduce appropriate Risk Management procedures as outlined in the Risk Management Manual ("Policy"). All affiliated members of the VCFL are to adopt this policy and use of the checklists as outlined in the VCFL Risk Management Manual.

Each League shall be responsible in ensuring that each club completes the checklists as outlined and that the storage of the checklists are kept in a safe and secure place for a period of (7) seven years from the date of the checklist.

## 29.0 AFL JUNIOR MATCH POLICY

The VCFL has adopted the AFL Junior Match Policy for junior affiliated leagues.

Any Junior leagues wishing to adopt by-laws that are not consistent with the AFL Junior Match Policy must obtain approval from the Area Manager.



# **AUSTRALIAN FOOTBALL LEAGUE**

# **NATIONAL PLAYER**

# **TRANSFER REGULATIONS**

**Amended February 2012**  
**ACN: 004 155 211**

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# 1. GENERAL

The National Player Transfer Regulations (**Regulations**) are intended to operate as an agreement between and amongst all Football Bodies and Tier 1 and Tier 2 Leagues. In the event that State Football Bodies cannot agree on the interpretation of these Regulations they agree to submit the details of their dispute to the AFL for decision, which decision shall be final and binding on each of the State Football Bodies and/or Leagues.

Should individual Football Bodies, to which Tier 2 Leagues within the same State are affiliated, be unable to agree with each other on the interpretation of these Regulations they agree to submit the details of their dispute to the relevant State Football Body in accordance with the rules, regulations or by-laws of the State Football Body for a decision, which decision shall be final and binding on such

Football Bodies. Where individual Football Bodies with affiliate Tier 2 Leagues in different States are unable to reach agreement on the interpretation of these Regulations and their affiliated State

Football Bodies are also unable to reach agreement, all parties agree to submit the details of their dispute to the AFL for decision, with such decision to be final and binding on each of the Football Bodies.

In the event of any inconsistency between these Regulations and any individual Football Body or League rules, regulations and/or by-laws, these Regulations shall prevail.

## 2. DEFINITIONS

**AFL** means Australian Football League ACN 004 155 211 of 140 Harbour Esplanade, Docklands, Victoria 3008.

**AFL Community Development Manager** means the person appointed to the position by the AFL.

**AFL Internal Legal Department** means one or all of the AFL's General Manager – Legal and Business Affairs, Manager - Broadcasting, Scheduling & Legal Affairs, and Legal Counsel.

**AFL Footyweb** means the online competition management system designed to assist affiliated Football Bodies with the management of their competitions and membership data.

**AFL Primary Listed Player** means a player currently listed by an AFL Club under the AFL player rules.

**AFL Rookie Listed Player** means a player who is listed on the rookie list of an AFL Club.

**Business Day** mean each day of the week save for a Saturday or Sunday, but includes public holidays.

**Club** means a football club fielding a team within a competition conducted by the AFL, State Football Body or Unaffiliated Football Body.

**Contracted Player** means a player who is obliged, pursuant to a contract, to render his services as

a footballer to a Club of a Tier 1 or Tier 2 League provided that the particulars of such contract are in accordance with Regulation 3.11.

**Destination Club** means the Club which a player is Transferring to.

**Football Body** means a football body conducting Tier 1, Tier 2 or Unaffiliated Australian football competitions, as the context dictates.

**Former Club** means the Club which a player is Transferring from.

**Interchange Agreement** means an agreement between two affiliated Football Bodies to allow a player to play under a permit between different Leagues.

**Junior Player** means a player under 18 years of age as at 1 January in the year concerned.

**League** means Tier 1 and/or Tier 2 League.

**NFL** means the Northern Territory Football League.

**Permit** means the forms or process required to make a player eligible to play in competitions conducted by a League other than the one with which the player is registered.

**Permit Committee** means a committee appointed pursuant to Regulation 3.26.

**Practice or Trial Matches** means a match between two Clubs, not forming part of the official match program of the competition in which the Clubs compete.

**State** means each State in the Commonwealth of Australia, the Australian Capital Territory and the Northern Territory.

**State Football Body** means the governing State and Territory Football Bodies affiliated with the AFL as follows:

- (a) AFL NSW/ACT
- (b) AFL Queensland
- (c) AFL Northern Territory
- (d) AFL Tasmania
- (e) AFL Victoria
- (f) South Australian National Football League
- (g) West Australian Football Commission

**Tier 1 League** means Senior Grade, Reserve Grade and Under 18 teams directly comprising clubs of the following:

- (a) South Australian National Football League;
- (b) Victorian Football League;
- (c) TAC Cup;
- (d) West Australian Football League;
- (e) North East Australian Football League; and
- (f) Tasmanian State League;

**Tier 2 League** means all other teams directly comprising Clubs within an Australian football competition, other than the AFL, Tier 1 or Unaffiliated Leagues.

**Temporary Transfer** means a player who has temporarily transferred to or from the Northern Territory Football League for a maximum of one (1) season in accordance with these Regulations.

**Transfer** means the process of moving a player from one Club to another.

**Transfer Fee** means the fee agreed according to Regulation 3.24.

**Unaffiliated** means a Football Body, League or Club conducting or participating in an Australian football competition which is not affiliated to the AFL or a State Football Body.

**Uncontracted Player** means:

- (a) A player other than a Contracted Player who has attained the age of 18 years, who is currently registered and has played with a Club of a Tier 1 League in the past 24 months or who is not currently registered with a Club of a Tier 1 League but has played for a Club of a Tier 1 League within the previous 12 months.
- (b) A player other than a Contracted Player who has attained the age of 18 years who has not registered or played with a Club of a Tier 1 League but who within the past 12 months played for a State Football Body in the AFL National Under 18 Championships.

## 3. NATIONAL PLAYER TRANSFER REGULATIONS

### 3.1 TRANSFER PROCESS

- 3.1.1 A Transfer must be initiated by the Destination Club by logging into AFL Footyweb and submitting a Transfer request.
- 3.1.2 Each Transfer application must be signed by the Transferring player. Where the player is under the age of eighteen (18) years, the Transfer application must also be endorsed by the player's parent or legal guardian.
- 3.1.3 The Destination Club must keep a record of the original application signed by the player and produce a copy of such original application on demand from the Football Body to which the Former Club is affiliated by no later than 5pm on the next Business Day following such request.
- 3.1.4 The Former Club has six (6) Business Days, commencing from when the application to Transfer is lodged through AFL Footyweb, to object the Transfer application. If the Former Club does not object within six (6) Business Days, the Transfer application will be automatically approved and finalised. Once a player Transfer application has been finalised, the playing history, including the tribunal record, of the player will be automatically sent to the Football Body to which the Destination Club is affiliated, via AFL Footyweb.

3.1.5 The Former Club can approve the Transfer any time within the six (6) Business Days via AFL Footyweb. Should the Former Club fail to respond, the Transfer will occur automatically following the expiry of the six (6) Business Days.

3.1.6 Should any player complete the Transfer form incorrectly, the relevant Football Body shall deal with the player and the Club as it deems fit.

### 3.2 REFUSALS

- 3.2.1 The Former Club can refuse the Transfer within the six (6) Business Days via AFL Footyweb.
- 3.2.2 A refusal can only occur where a Club can substantiate that the player:
  - (a) Is a Contracted Player; and/or
  - (b) Is indebted to the Club; and/or
  - (c) Is in possession of Club property (e.g. jumper) that needs to be returned; and/or
  - (d) Wishes to withdraw their Transfer application. Clubs can only submit this as a reason for refusal where the player has signed the Player Withdrawal of Transfer Form in accordance with Regulation 3.3 below.
- 3.2.3 A Club refusing to Transfer a player must provide evidence to its affiliated Football Body within 72 hours of the refusal in order to substantiate the claim. Failure to provide such evidence will result in the Football Body re-opening and approving the Transfer.

### 3.3 TRANSFER WITHDRAWALS

- 3.3.1 Should a player wish to withdraw their Transfer application, the player must complete the Player Withdrawal of Transfer Form (Appendix 1).
- 3.3.2 The player's registered Club must submit the form to its affiliated Football Body when refusing the Transfer within the six (6) Business Days from the date on which the Transfer application was lodged.

### 3.4 SUSPENDED PLAYERS

- 3.4.1 A player under suspension by a League can Transfer to another League, but cannot Transfer from the new Club until 28 days after the suspension has been completed.
- 3.4.2 Suspended players seeking a Transfer from winter competitions to summer competitions and vice versa must refer to Law 19.4.4 of the Laws of Australian Football, as amended from time to time.



### 3.5 APPEALS

- 3.5.1 Where the player disputes the reason for a Transfer refusal, the player/Destination Club must resolve the dispute with the Former Club. Where a dispute between the parties cannot be resolved, the player/Destination Club can appeal against the refusal of Transfer by notice in writing lodged with the relevant appeal body.
- 3.5.2 An appeal involving Clubs associated with the same League will be heard by the League's Independent Appeals Tribunal (refer to the appeals procedure for the respective Football Body).
- 3.5.3 An appeal involving Clubs from two different Leagues within the same State will be heard in accordance with the rules and regulations of the State Football Body to which they are affiliated. If a State Football Body does not have an appeals process in place, the following rules shall apply:
- (a) A player who has been refused a Transfer may appeal to the relevant State Football Body Independent Panel (Panel) against such refusal, by notice in writing lodged with the State Football Body within ten (10) Business Days of such refused Transfer being received by the Football Body to which the Destination Club is affiliated.
  - (b) A player may, if so desired, submit more than one (1) Transfer application during the current season and each application shall be dealt with separately although a player may submit only one (1) appeal in any season.
  - (c) The Clubs and players concerned shall each be entitled to representation at the hearing, the number of persons having representation to be limited to the player and his advocate, who shall also be the Club's representative, and the defendant Club's representative and its advocate.
  - (d) Such representation shall not be by a person who is legally qualified.
  - (e) Such appeal shall be heard within a period as determined by State Football Body.
  - (f) The State Football Body shall inform each affected Football Body of the appeal as soon as practical after lodgement by the player of his notice of appeal.
  - (g) The appellant player/Club must lodge a bond of \$550 (including GST) made payable to the State Football Body and such bond may be forfeited should the appeal be considered frivolous. A \$250 administrative fee will be retained from the appeal bond.

- (h) The appellant player/Club must also lodge a completed Player Appeal Form together with a copy of the latest Player Transfer Refusal Form (Appendix 2) for the player in addition to the appeal bond.
- (i) The defendant Club must also lodge a bond of \$550 (inc. GST) and such bond may be forfeited should the defence be considered frivolous. A \$250 administrative fee will be retained from the appeal bond.
- (j) Should the defendant Club fail to lodge with the State Football Body:
  - (i) The "Intention to Appeal – Defending Club Form" within four (4) days of being notified of the appeal details from the State Football Body; and
  - (ii) Bond of \$550 (including GST) within six (6) days of being notified of the appeal details from State Football Body;it shall be deemed to have granted the Transfer.
- (k) In all cases in reference to the applicable time lines, the State Football Body shall determine the date and time for lodgement of the Form or bond, as the case may be.
- (l) The Panel may regulate the proceedings before it as it deems fit and the decision of the Panel shall be final and binding on all parties.

### 3.6 TRANSFER FEE

- 3.6.1 Neither a Club nor Football Body affiliated with a Tier 2 League shall directly or indirectly receive any or pay monetary amount or any other consideration in respect of or in connection with the Transfer of a player to a Club competing in a Tier 2 League.
- 3.6.2 Transfer Fees shall not be payable by Tier 2 Leagues or Clubs for players Transferring from Tier 1 Leagues or the AFL.

### 3.7 TRANSFER APPLICATION PERIOD

- 3.7.1 No Transfer is to be lodged prior to 1 February in a given year.
- 3.7.2 No Transfer shall be lodged after 30 June in a given year.
- 3.7.3 The above commencement and conclusion period is not applicable for Northern Territory competition where seasons are primarily conducted from October to March.

### 3.8 PLAYER AGE GROUP

- 3.8.1 A player must be 7 years old as at 1 January in each year to be eligible to be registered with an affiliated body in that year.
- 3.8.2 A player's age group shall be based on a player's age as at 1 January in each year.

- 3.8.3 Football Bodies who extend the age of a competition must adhere to the 1 January as the age determination date. E.g. for an Under 18 ½ competition in 2009, the age shall be extended back to 1 July 2008, thus allowing the player to be 18 ½ on 1 January 2009.

### **3.9 INTERCHANGE AGREEMENT**

- 3.9.1 A Football Body may enter into an Interchange Agreement with another Football Body at the discretion of the relevant Football Bodies. A copy of the Interchange Agreement must be validly submitted through AFL Footyweb within ten (10) days of its execution. Interchange Agreements do not apply amongst the Tier 1 League Clubs, excluding the North East Australian Football League.
- 3.9.2 All Interchange Agreements must be in place by 30 June in each year.
- 3.9.3 Once an Interchange Agreement has been lodged with the State Football Body it will be considered ongoing unless revoked by one of the Football Bodies party to the Interchange Agreement by advising the State Football Body.

### **3.10 PERMITS**

- 3.10.1 An Interchange Agreement must be in place in accordance with Regulation 3.9 above, prior to requesting a Permit.
- 3.10.2 Permits are to be applied in accordance with the respective State Football Body rules, regulations and/or by-laws and it is the responsibility of the relevant Football Body to monitor the application of Permits.

### **3.11 PLAYER CONTRACTS**

- 3.11.1 It is recommended that Clubs use the standard playing contracts developed by their State Football Body or League, as applicable, from time to time.
- 3.11.2 The following guidelines will also apply to player contracts:
- (a) A player must be at least 18 years old to sign a contract;
  - (b) For a contract to be valid both parties shall have signed the contract and neither shall be in breach of contract; and
  - (c) All contracts expire on 31 October in the year the contract ceases.
- 3.11.3 The contract shall only be valid when the player becomes registered with the Club.
- 3.11.4 A player will remain contracted to the Club until the expiration of the contract, unless the Former Club releases the player from the contract.

- 3.11.5 A Tier 1 League Club/AFL contract will take precedence over a Tier 2 League contract should the player wish to pursue their career at a Tier 1 League or AFL level, however should the player be released from a Tier 1 League/AFL contract within the time constraints of the Tier 2 League contract the player will still be bound to that Tier 2 League Club until it expires.

- 3.11.6 A Tier 1 League which by any means permits a Contracted Player of another Tier 1 League to play in a Club of its State without the consent in writing of the Club to which he is contracted or is otherwise in breach of these Regulations shall be liable to a penalty determined by the Permit Committee but not exceeding \$5,000 and may be dealt with by the Permit Committee as if it had been guilty of conduct prejudicial to the interest of Australian Football.

- 3.11.7 If there is a dispute between a player and a Former Tier 1 League as to whether that player is a Contracted Player or an Uncontracted Player the player's Former Tier 1 League may refer the dispute to the AFL to determine, via the AFL Community Development Manager or equivalent, by giving notice in writing of such dispute, together with a copy of any contract, to the AFL within six (6) Business Days of the date on which the Former Tier 1 League completes the AFL Footyweb application. The AFL Community Development Manager may seek the advice of the AFL Internal Legal Department in reaching a determination, with such determination to be final and binding on the Tier 1 Leagues concerned.

### **3.12 JUNIOR PLAYERS**

- 3.12.1 Junior Players resident in one State may not be recruited or registered with a Tier 1 League in another State without the approval of the Permit Committee. Such approval may only be granted where the Junior Player concerned has:
- (a) transferred interstate with his/her family;
  - (b) a bonafide transfer of employment;
  - (c) enrolled in a tertiary education course in another State which is not available or in which the player could not obtain enrolment in his/her home State; or
  - (d) the support of the General Manager AFL Game Development, in the interests of developing his/her football career.

### **3.13 PRACTICE AND TRIAL MATCHES**

- 3.13.1 A Tier 1 Contracted or Uncontracted Player shall not be permitted to play in a Practice or Trial Match with a Club of another State without the consent in writing of the Club with which he is registered to play football.

- 3.13.2 A Tier 1 League whose Club breaches this Regulation is liable to a sanction determined by the Permit Committee but not exceeding \$5,000 for each offence.

### **3.14 STATE FOOTBALL BODY RESPONSIBLE**

Where a Tier 1 League is separately constituted the Football Body to which it is affiliated shall be responsible for ensuring that the Tier 1 League concerned observes and complies with these Regulations.

### **3.15 24 MONTH RULE**

- 3.15.1 A player who has not played competitive football in the previous 24 months and wishes to play at another Club can apply for registration with that Club at any time. The player's Former Club cannot object to the Transfer.
- 3.15.2 Should the player lodge the registration application prior to 1 July the player will be registered with the Destination Club using the normal AFL Footyweb Transfer process.
- 3.15.3 Should the player lodge the registration application after 1 July, only the Destination Football Body that the player intends to register with can process the registration.
- 3.15.4 Upon registration with the Destination Club, the Player's Former Club/Football Body must forward the player's history, including any tribunal or disciplinary action, to the Football Body to which the Destination Club is affiliated within six (6) Business Days.

### **3.16 SEPARATE AGREEMENTS**

- 3.16.1 A Tier 1 League may enter into an agreement with any other Tier 1 League, concerning the Transfer of players between those Leagues.
- 3.16.2 A copy of any such agreement is to be lodged with the AFL by 1 of February or within six (6) Business Days of making such agreement if made between the 1 February and 30 September.
- 3.16.3 A Tier 1 League may enter into an agreement with the AFL concerning the Transfer of players from that Tier 1 League to the AFL.
- 3.16.4 Each such agreement shall for all purposes be regarded as valid and subsisting when otherwise declared by any Court and if the provisions of any such agreement are inconsistent with these Regulations the agreement shall prevail.

### **3.17 TEAM IN ANOTHER TIER 1 LEAGUE**

Where a team located in one State (State A) is admitted to a Tier 1 League of another State (State B), the players of the team from State A will be considered players from the State in which the team is based, that being State A. For the avoidance of doubt, from 2010, Northern Territory Football Club will be considered a Tier 1 League team of the

Northern Territory and Gold Coast Football Club will be considered a Tier 1 League team of Queensland.

### **3.18 NORTHERN TERRITORY FOOTBALL LEAGUE (NTFL)**

- 3.18.1 Players shall Transfer to or from the NTFL via a Temporary Transfer using AFL Footyweb.  
Such players shall remain registered with the League from which they have received the Temporary Transfer.
- 3.18.2 Temporary Transfers are valid for one (1) season only. Players wishing to continue on a Temporary Transfer basis will be required to complete a new AFL Footyweb application for each subsequent season.
- 3.18.3 Where a Tier 1 League Club recruits a player on a Temporary Transfer, the Tier 1 League shall be responsible for ensuring that the player participates with the Club for one (1) season only.
- 3.18.4 Where a player has participated under Temporary Transfers and has not played or made himself available for selection for more than five (5) home and away matches for his original Tier 1 League for a period of twenty-four (24) months, he shall be required to lodge a Transfer application through AFL Footyweb and the Transfer Fee specified in Regulation 3.24 shall apply.
- 3.18.5 Where players are drafted as an AFL Primary or Rookie Listed Player during the period of the Temporary Transfer, they shall be regarded as having been recruited from the League granting the Temporary Transfer.
- 3.18.6 Any player who is registered with, or has been registered with the Northern Territory Football Club (NT Thunder) in the last twenty-four (24) months is not eligible for a Temporary Transfer. For the avoidance of doubt, a Transfer Fee is payable for each player that has been registered with the Northern Territory Football Club in the past twenty-four (24) months should such player become registered with a Tier 1 League outside of the Northern Territory.

### **3.19 STATE AFFILIATION – TIER 2 LEAGUES**

Tier 2 Leagues with two thirds or more of their Clubs domiciled in a State shall be required to affiliate with the Football Body recognised by the AFL as responsible for the region concerned and to process Transfer of players accordingly.

### **3.20 NEW TIER 1 LEAGUE CLUB**

Where a Tier 2 League Club is admitted to a Tier 1 League after a player's Transfer from that Club to another State, subject to the approval of the Permit Committee, such player may return to his Former Club without payment of a Transfer Fee.

### 3.21 TRANSFER OF PLAYERS TO THE AFL

- 3.21.1 Contracted or Uncontracted Players of Tier 1 or 2 Leagues are automatically registered to an AFL Club upon being drafted.
- 3.21.2 Upon registration with the AFL, the player may interchange with a Tier 1 League Club at the discretion of his AFL Club, provided that such interchange conforms to Transfer regulations of the Tier 1 League concerned.
- 3.21.3 An AFL Rookie Listed Player shall remain a registered player of the Club from which he was recruited until such time as he is registered as an AFL Primary Listed Player.
- 3.21.4 Should a Player be listed as an AFL Primary Listed Player by an AFL Club located in a State different to that of his Tier 1 League Club, he may play with a Tier 1 League Club in that State. In the event that he is delisted he will be regarded as a player of his original Tier 1 League.
- 3.21.5 For the purposes of these Regulations an AFL Primary Listed Player demoted to a Rookie List shall continue to be regarded as an AFL Primary Listed Player.
- 3.21.6 A player who is delisted by an AFL Club who returns to play for a Club of the Tier 1 League from which he was drafted will be bound by any Transfer and registration rules and regulations of that Tier 1 League if he desires to play football for a Club of that Tier 1 League other than the Club with which he was registered at the time of delisting.
- 3.21.7 Where a player is delisted from an AFL Club's Primary or Rookie List and is drafted or Rookie Listed by another AFL Club for the following AFL season he shall be regarded as having continuous AFL registration.

### 3.22 TRANSFER FEE – DELISTED AFL PLAYERS

- 3.22.1 Where an AFL Primary Listed Player has been delisted by an AFL Club, no Tier 1 League Transfer Fees shall be payable to the Tier 1 League from which he Transferred to the AFL.
- 3.22.2 Where an AFL Rookie Listed Player has been delisted by an AFL Club without having previously been an AFL Primary Listed Player the Transfer Fees, specified in Regulation 3.24, shall be payable by the Tier 1 League to which he Transfers, should the player Transfer to a Tier 1 League other than that from which he had Transferred to the AFL.
- 3.22.3 Where a player has been delisted by the AFL and subsequently been registered with a Tier 1 League for a minimum twelve (12) months he shall be regarded as a Tier 1 League player for the purposes of these Regulations, unless he has been listed by another AFL Club as an AFL Rookie Listed Player.

### 3.23 AFL TALENT DEVELOPMENT FEE

- 3.23.1 For purposes of determining allocation of talent incentive payments and future talent development fee allocations, players shall be regarded as having been drafted from the State in which their Former Club is based.
- 3.23.2 Where a player has played in more than one (1) State in the three (3) years prior to Transferring to the AFL a one third pro-rata allocation shall be applied for each year. Should a player have played in two (2) or more States in one (1) year, the one third pro-rata shall apply in respect to the State where he played the majority of matches in that year.
- 3.23.3 Where a player is on a Temporary Transfer from the Northern Territory Football league, he shall be regarded as an NTFL Player irrespective of the State from which he Transferred to the AFL.
- 3.23.4 Players shall be listed as being recruited from the State they were registered in at the time of being drafted and when nominating for the AFL National Draft the player may nominate a secondary Club to be recognised for promotional purposes..

### 3.24 TRANSFER FEES

- 3.24.1 Where an Uncontracted Player Transfers from or to a Tier 1 League Club in another State, the maximum Transfer Fees set out in this Regulation shall be payable by the Destination Club to the Former Club within six (6) Business Days, except where the parties otherwise mutually agree.
- 3.24.2 For the purpose of this Regulation only:
  - (a) Category (a) Tier 1 Leagues (Category (a)) are as follows:
    - (i) South Australian National Football League;
    - (ii) Victorian Football League;
    - (iii) TAC Cup; and
    - (iv) West Australian Football League;
  - (b) Category (b) Tier 1 Leagues (Category (b)) are as follows:
    - (i) North East Australian Football League;
    - (ii) Tasmanian Football League; and
- 3.24.3 The maximum Transfer Fee payable shall be the lesser of the player's total payments under the proposed contract between the Destination Club and the player, or the following amount:
  - (a) From Category (a) Tier 1 League to Category (a)
    - Upon registration \$15,000
    - Upon registration for a second year \$5,000

- (b) From Category (a) Tier 1 League to Category (b)
    - Upon registration \$5,000
    - Upon registration for a second year \$5,000
  - (c) From Category (b) Tier 1 League to Category (a)
    - Upon registration \$15,000
    - Upon registration for a second year \$5,000
  - (d) From Category (b) Tier 1 League to Category (b)
    - Upon registration \$2,500
    - Upon registration for a second year \$2,500
- 3.24.4 A player's total payment refers to the maximum amount that the player can expect to receive in the year of contract.
- 3.24.5 A Destination Tier 1 League may lodge an appeal with the Permit Committee for deferral of the registration fee or part thereof until the player has participated in one (1) to five (5) first grade matches with his new Club, as determined by the Permit Committee.
- 3.24.6 State Football Bodies will govern transfer fees between Affiliated Clubs as they deem appropriate.

### **3.25 PERMIT COMMITTEE**

- 3.25.1 A Permit Committee comprising three (3) members nominated by any of the Tier 1 Leagues, shall be appointed by the AFL and shall hold office until replaced.
- 3.25.2 The AFL may revoke Permit Committee appointments at any time.
- 3.25.3 The Permit Committee shall hold the following powers and responsibilities:
- (a) Consider and determine interstate Transfer applications lodged by Junior Players.
  - (b) Consult with State Football Bodies on any proposed amendment to these Regulations.
  - (c) Make such recommendations to the AFL for amendments to these Regulations as may be approved by not less than six (6) State Football Bodies.
  - (d) Determine matters raised under Regulation 3.11.6.

## APPENDIX 1 - PLAYER TRANSFER WITHDRAWAL FORM

# PLAYER WITHDRAWAL OF TRANSFER FORM

**SECTION ONE** - To be completed (BLOCK LETTERS) and signed by the player:-

I, (Players full name) ..... Date of Birth:...../...../.....

Of (Address).....

(Suburb)..... (State)..... (P/Code).....

Wish to withdraw my application to transfer to the..... Football Club

In the..... Football League/Association

And wish to remain a registered player with the ..... Football Club

In the..... Football League/Association

Home Phone:..... Work Phone:.....

Mobile:.....

Email:.....

I declare that all information provided is true and correct.

Signed: .....Date:.....

NB: Deliberately providing misleading information could result in immediate penalties against the player and / or the Club.

**SECTION TWO** - To be completed (BLOCK LETTERS) and signed by the Club President / Secretary (or delegated representative) that the player wishes to remain at:-

On behalf of the Football Club, I declare that the above particulars are, to the best of my knowledge true and correct. (Penalties will apply to any Club that lodges a false Player Withdrawal of Transfer Form).

Name: (Please Print) .....

Position: (President /Secretary) .....

Signature: ..... Date: .....



# PLAYER TRANSFER REFUSAL FORM

To be completed (BLOCK LETTERS) and signed by either the Club President / Secretary only:-

The..... Football Club in the  
..... Football League/Association

**Refuses the transfer of** (Player's full name) ..... of  
(Address) .....  
(Suburb)..... (State) ..... (P/Code) .....

Wishing to transfer to the ..... Football Club in the  
..... Football League/Association

Based on the following reason/s (**Please Note: A refusal can only occur where the Club can substantiate the reason**):

REASON	(Please tick)
1. The Player is contracted; and/or	
2. The Player wishes to withdraw their Transfer application. Clubs can only submit this as a reason for refusal where the Player has signed the Player Withdrawal of Transfer Form (which must be attached to this form).	
3. Other (Community Football League players only). i.e. Player is indebted to the Club or is in possession of Club property that needs to be returned	

Further comments to support the reason above

.....

.....

.....

.....

It is generally expected that a Club refusing a transfer of a player on one or more of the above grounds will be prepared to defend its position at a formal appeal hearing if required.

**This form must be lodged with your affiliated league within time prescribed by the relevant Regulations.**

Name: (Please Print) .....

Position: .....

Signature: ..... Date: .....

# NOTES



# **AFL VICTORIA AFFILIATES REGULATIONS**

**NOVEMBER 2011**

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<b>2</b>	<b>Affiliate to Affiliate: Movement of Clubs</b>
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# 1. INTRODUCTION

## 1.1 Overview

Further to the AFL Victoria / Affiliate Agreements, particularly clause 5, AFL Victoria provide these regulations and policies to assist Affiliates in the development of the game. The regulations and policies are to be read in conjunction with the AFL Victoria Membership Agreement particularly preserving the internal autonomy of the Affiliate.

## 1.2 Application

These regulations apply to all Affiliates of AFL Victoria and their subsequent affiliated leagues and clubs. Specifically in relation to player, club or league movements, these regulations govern the said movement from the jurisdiction of one Affiliate to another Affiliate.

## 1.3 VFL Competition

It is noted that regulations in respect of the VFL Competition are detailed in the "VFL Playing Rules and Regulations" and are to be applied to VFL Club Licence Holders.

## 1.4 Variation

Following Affiliate input and in accordance with the time line as set down in Regulation 9.2, AFL Victoria may, from time to time, alter these regulations in its absolute discretion.

# 2. DEFINITIONS AND INTERPRETATIONS

## 2.1 Definitions

Unless the context requires otherwise, the following terms shall have the following meanings:

<b>AFL Victoria</b>	Australian Football League (Victoria) Limited ACN 24 147 664 579
<b>Metropolitan Affiliate</b>	a direct AFL Victoria Affiliate conducting a competition within Metropolitan Melbourne
<b>Metropolitan Affiliates</b>	the collective of all Metropolitan Affiliates
<b>VAFA</b>	Victorian Amateur Football Association
<b>VCFL</b>	Victorian Country Football League
<b>Local League</b>	an Affiliate of the VCFL, a Metropolitan Member or the VAFA
<b>Local Club</b>	an Affiliate Club of a Local League
<b>Under Age Competition</b>	a schedule of underage matches
<b>Under Age Match</b>	a match where participation is limited by the age of players
<b>Open Age Match</b>	a match where participation is not limited by the age of players
<b>Third 18</b>	the oldest under age team where such team is directly linked to an open age team
<b>New Affiliated Body</b>	the league to which a player or club seeks to transfer to
<b>Former Affiliated Body</b>	the league from which a player or club seeks to transfer away from
<b>Days</b>	business days, inclusive of the date of receipt regardless of the actual time received. For the purposes of these Regulations, business days relate to all weekdays (days excluding Saturday and Sunday) and excludes the following official Victorian Public Holidays when they fall on a weekday – New Years Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queens Birthday, Melbourne Cup Day, Christmas Day and Boxing Day.
<b>AFL Victoria Decision</b>	An AFL Victoria decision or determination for the purposes of these regulations include a decision or determination of the AFL Victoria Executive Committee which shall comprise the GM and at least two other persons appointed by the GM.

## 2.2 Interpretations

In the interpretation of these regulations, unless the context requires otherwise:-

- (a) words importing the singular shall be deemed to include the plural and vice versa;
- (b) words importing any gender shall be deemed to include the other gender;
- (c) headings are included for convenience only and shall not affect the interpretation of these Regulations;
- (d) "including" and similar words are not words of limitation;



- (e) any words, terms or phrases defined in the remainder of these Regulations shall have the meaning prescribed within the particular Regulation; and
- (f) words, terms or phrases not otherwise defined in these Regulations, shall be given their ordinary meaning.

## **3. PLAYER, CLUB & LEAGUE TRANSFER REGULATIONS**

### **3.1 Involvement**

AFL Victoria regulations are applicable for any transfers involving more than one AFL Victoria Affiliate.

### **3.2 Disputes**

AFL Victoria will make determinations in relation to any disputes that arise involving more than one Affiliate and decisions of AFL Victoria shall be binding.

### **3.3 Appeal Process**

Unless otherwise determined by AFL Victoria, relevant appeals will be heard as follows:

Applications for an appeal hearing are to be lodged with AFL Victoria within ten (10) days of notification of a decision by a club, league or Affiliate (refer AFL National Player Transfer Regulations).

De-registration/player transfer appeals will be heard by the AFL Victoria Independent Panel as appointed from time to time pursuant to regulation 3.8.

All other appeals to AFL Victoria will be heard by the AFL Victoria Appeals Board as appointed from time to time pursuant to regulation 3.8.

### **3.4 Conflicting Regulations**

No Affiliate shall have in place rules or regulations that conflict with these regulations unless such rule or regulation affects the Affiliate only. In the event of such rules or regulations being inconsistent, in conflict with or designed to circumvent these AFL Victoria regulations, then the latter shall bind Affiliates.

### **3.5 Existing Agreements**

Existing agreements in place involving more than one Affiliate (i.e. VCFL / Metropolitan Affiliates, Metropolitan Affiliates / VAFA, VAFA / VCFL, Metropolitan Affiliates internal) are replaced by these regulations and Appendix 1 AFL National Player Transfer System and Appendix 2 Affiliate to Affiliate: Movement of Clubs.

### **3.6 AFL / VFL Players**

The following regulations relate to the movement of players between the Affiliate and the VFL Open Age and Under Age competitions and the AFL.

#### **3.6.1 AFL Listed Players**

For the purposes of these regulations, the definition of VFL registered players includes those listed players at an AFL club where such club also competes in the VFL competition.

#### **3.6.2 Interchange Form**

Players desiring registration with the VFL Open Age or Under Age competitions shall complete the appropriate Interchange Form.

Upon lodgement of the form not yet signed by the player's local club or league, the VFL may grant the applicant a permit to play.

Such form shall then be forwarded to the relevant League for completion and returned to the VFL within 10 days.

#### **3.6.3 Suspended Players**

- (a) The permit to play will be withdrawn in the event the player is under suspension at the relevant time.
- (b) Disqualifications by the VFL or local league tribunal shall be recognised by all parties to this agreement.

#### **3.6.4 Interchange to Local Club**

The relevant player retains registration with the local club and, in accordance with the VFL interchange regulations, the VFL may permit players to return to their interchange club when their VFL Club does not require their services. The VFL or a VFL club may not interchange a player to a club other than the players' interchange club unless the player has first obtained a relevant transfer from his current interchange club.

### **3.7 Affiliate to Affiliate Regulations**

#### **3.7.1 Player Transfer and Appeal Process**

Refer Appendix 1 AFL National Player Transfer System Regulations for appropriate rules.

### **3.7.2 Admission of New Clubs / Transfer of Existing Clubs and Appeals Process**

Refer Appendix 2 for appropriate rules.

### **3.7.3 League Transfer process**

Refer Appendix 2 for appropriate rules

### **3.7.4 Interchange Agreements**

Interchange agreements involving two Affiliates may be introduced with support from both Affiliates and AFL Victoria.

AFL Victoria will make a determination on a dispute regarding a current interchange agreement following request for such determination from either party.

## **3.8 AFL VICTORIA Independent Panel & AFL VICTORIA Appeals Board Nominations**

Nominations from Affiliates for appointments to either the AFL Victoria Independent Panel or AFL Victoria Appeals Board are to be received by the AFL Victoria GM by no later than 1st August in a given year.

AFL Victoria is to confirm the appointment of Affiliates to the AFL Victoria Independent Panel and AFL Victoria Appeals Board by no later than 1st October in a given year and shall make decisions on temporary vacancies. The decision of AFL Victoria regarding appointments shall be final.

## **4. GENDER REGULATION**

- a) In accordance with the Equal Opportunity Act 1995 (Vic.) ("the Act"), people aged under 12 years of age cannot be excluded on the basis of sex or gender identity from participating in a competitive sporting activity. Pursuant to section 66 (1) of the Act, people of one sex or gender aged 12 and over can be excluded from participating in competitive sporting activities in which the strength, stamina and physique of competitors is relevant.

AFL Victoria Affiliates will exclude females who reach 14 years of age as at 1 January in the year of play from playing in any competition that is not a 'female competition'.

- b) People who have been through the gender re assignment process shall be deemed the gender as verified by the appropriate Victorian State Government documentation. .

### **Definition: Female competition**

A female competition is a competition in which the majority of the players are female.

## **5. AFL VICTORIA POLICIES**

### **5.1 Required Affiliate Policies**

Considering the AFL Victoria objectives as set out in the Affiliate Agreement, each Affiliate must as a minimum adopt procedures and policies to address:

- 5.1.1 Risk Management;
- 5.1.2 Racial and Religious Tolerance;
- 5.1.3 Health Through Football;
  - 5.1.3 (a) Anti-Doping Policy
  - 5.1.3 (b) Infectious Diseases Policy
  - 5.1.3 (c) Alcohol Management Policy
  - 5.1.3 (d) Smokefree Policy
- 5.1.4 Codes of Conduct;
- 5.1.5 AFL Victoria De-registration Policy;
- 5.1.6 AFL Victoria Member Protection Policy;
- 5.1.7 AFL National Player Transfer System; and such other football or community issues that require policies and procedures that arise from time to time and notified by AFL Victoria.

### **5.2 Risk Management – Insurance Requirements**

Such minimum insurance requirements will alter in line with community and football requirements and AFL Victoria will notify Affiliates of the requirements at least annually.

### **5.3 AFL VICTORIA / VFL Policies**

AFL Victoria has provided, and will continue to provide, the current AFL Victoria / VFL procedures and policies

in writing and / or via the official AFL Victoria website. These procedures and policies are to be used by Affiliates as the minimum requirement when developing the Affiliate's relevant policy. The AFL Victoria / VFL Policy will be the Affiliate Policy should the Affiliate choose not to further update the AFL Victoria / VFL Policy.

#### **5.4 Appeals**

On request AFL Victoria may from time to time convene an Appeals Board and shall appoint persons to the Appeals Board. On any occasion when the Appeals Board is required to be convened AFL Victoria shall appoint a Chairman and a further person or persons to hear and determine the matter.

The hearing shall be conducted with as little formality and technicality and with as much expedition as a proper consideration of the matter permits. Subject thereto and any provision of the AFL Victoria Regulations in relations thereto, the procedure at any hearing shall be within the discretion of the person appointed as Chairman. The decision of the Appeals Board shall be final and binding.

#### **5.5 Coach Accreditation Appeals**

An applicant for coaching accreditation can appeal to AFL Victoria against a decision of the Coaching Development Manager refusing entry into an accreditation course or refusing accreditation once the applicant has completed such course.

## **6. FINANCIAL REPORTING PROCEDURE**

#### **6.1 Annual Report**

Within 7 days of the Annual General Meeting of the Affiliate, the Affiliates Annual Report (including audited and detailed Financial Statements) are to be provided to AFL Victoria.

#### **6.2 Financial Year**

Unless otherwise approved, the financial year of AFL Victoria and all Affiliates shall be November 1st to October 31st.

## **7. SPONSORSHIP**

#### **7.1 Sponsors**

Where AFL Victoria has entered into a sponsorship arrangement on behalf of its Affiliates, the Affiliate shall support those sponsors in accordance with the contractual arrangements.

#### **7.2 Protected sponsors**

From time to time AFL Victoria will nominate sponsors deemed to be 'protected sponsors' notwithstanding they may not be involved with Affiliates.

The Affiliate acknowledges and agrees that:

- (a) the AFL Victoria Protected Sponsors provide in part the financial resources to AFL Victoria to enable it to financially support the development of Australian Football; and
- (b) in order to maximise the financial benefits for AFL Victoria from such sponsorship, it will only enter into its own sponsorship arrangements with a person or business whose goods, services or operations compete with the goods or services supplied by or the operations of the AFL Victoria Protected Sponsors if it has first advised AFL Victoria of its intention to enter into such arrangement. AFL Victoria will provide advice to the Affiliate regarding implications of entering into such arrangement.

Protected sponsors will only be nominated after AFL Victoria makes every endeavour to ensure that such protected sponsors will not conflict with Affiliate arrangements.

#### **7.3 Notice**

AFL Victoria will give reasonable notice to Affiliates of protected and other sponsors

## **8. COMMUNICATION BETWEEN AFL VICTORIA AND AFFILIATES**

#### **8.1 Affiliate input**

Prior to formulating any AFL Victoria policy input will be sought from Affiliates.

#### **8.2 Policy distribution**

AFL Victoria will provide copies of all relevant policies affecting the Affiliate and will seek to promote these policies as widely as possible (e.g. newsletter, internet).

### **8.3 Affiliate obligation**

It is the obligation of the Affiliate to distribute AFL Victoria policies & newsletters to its Affiliates.

### **8.4 Affiliate contact details**

Each Affiliate must provide to AFL Victoria appropriate identity & contact details of its President and Manager and changes must be notified to AFL Victoria within 10 days of such changes taking place from time to time.

## **9. REGULATION & POLICY AMENDMENTS AND ADDITIONS**

### **9.1 Regulation and Policy review**

AFL Victoria will from time to time review its policies and regulations and will provide Affiliates with appropriate consultation and an opportunity to provide input into any updates of AFL Victoria rules, regulations and policies.

### **9.2 Affiliate Submissions**

Affiliates may make submissions to AFL Victoria in respect to current and / or potential future rules, regulations and policies.

Written submissions for AFL Victoria consideration are to be forwarded to the AFL Victoria GM by no later than 1st August in each year. AFL Victoria decisions regarding the submission are to be made by no later than 1st October in the same year following Affiliate input and review.





## **APPENDIX 2**

### **AFFILIATE TO AFFILIATE - Movement of Clubs**

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# **1. ADMISSION OF NEW CLUBS / TRANSFER OF EXISTING CLUBS**

## **1.1 General**

- (a) For the purposes of these regulations, a decision of the Board means a decision of the AFL Victoria Appeals Board as constituted under the rules, or a decision of the AFL Victoria Appeals Board.
- (b) Subject to Regulation 2 below, the decision of AFL Victoria shall be final and binding on all Affiliates.
- (c) AFL Victoria shall make such determinations and decisions in respect to Affiliates or Affiliated Bodies failing to comply with these regulations as it deems fit.

## **1.2 New Clubs**

- (a) Affiliates intending to accept a new club must notify AFL Victoria of its intention to accept the new club in writing by December 1st.
- (b) In exceptional circumstances, the AFL Victoria General Manager may waive the new club deadline of December 1st at his discretion.
- (c) Notwithstanding Regulation 1.2(a) above, Affiliates intending to admit a newly formed club shall notify AFL Victoria in writing of its intention to admit such newly formed club no later than ten (10) business days after the league agrees to admit such club. The newly formed club may not participate in any league match until after AFL Victoria approval has been granted.
- (d) AFL Victoria will make a decision in relation to the requested approval of the newly formed club as soon as practical after requesting advice from the Affiliate.
- (e) If AFL Victoria directs the Affiliate not to admit or accept the newly formed club, then the Affiliate and / or the newly formed club can appeal against such direction to the AFL Victoria Appeals Board under Regulation 2, below.

## **1.3 Transfer of Existing or Amalgamated Clubs**

- (a) Affiliates intending to accept the transfer of existing or amalgamated clubs from one Affiliate to another Affiliate shall notify AFL Victoria and the former Affiliated Body of its intention to accept such transfer in writing by October 15th.
- (b) An Affiliate seeking to appeal against a decision of the new Affiliated Body to seek to accept such transfer is to provide written notification to AFL Victoria and the new Affiliated Body within ten (10) business days of receiving advice from AFL Victoria of such intended transfer.
- (c) AFL Victoria will make a decision in relation to the transfer of such existing or amalgamated club as soon as practical after requesting submissions from each party.
- (d) Where a club or clubs seek to transfer from one Affiliate to another Affiliate, such transfer must be approved by AFL Victoria. In making such determination or decision AFL Victoria will take into account, without limitation, the geographic nature of Leagues, League viability, community development and future growth of the Leagues concerned.
- (e) Clubs and Affiliates affected or potentially affected by such determination or decision by AFL Victoria shall have the right to a hearing before the AFL Victoria Appeals Board whose decision on the proposed application shall be final.
- (f) The procedure applicable to such hearing will be determined by the AFL Victoria Appeals Board and notified to those parties wishing to be heard.

## 2. APPEALS OF CLUBS

- (a) For the purposes of this Regulation, the AFL Victoria Appeals Board shall be validly constituted by three (3) Members.
- (b) The AFL Victoria Chairman has the authority to appoint the 3 Members of the AFL Victoria Appeals Board and one member must be legally trained.
- (c) A member of the AFL Victoria Appeals Board must not be an Executive Officer of the Affiliated Bodies concerned in the appeal or other Affiliates as determined by the Chairman of AFL Victoria.
- (d) The Chairman of AFL Victoria may delegate his responsibilities to AFL Victoria General Manager as he/she deems fit.
- (e) An appeal must be lodged in writing ("the notice of appeal") with AFL Victoria within ten (10) days of the Affiliated Body receiving written notification from AFL Victoria of the decision.
- (f) A copy of the Transfer Application shall accompany the notice of appeal (if applicable).
- (g) An appeal shall be heard by the AFL Victoria Appeals Board within 15 days of receipt of the notice of appeal by AFL Victoria, or such other period as the Appeals Board determine.
- (h) Prior to the hearing of the appeal, each party shall, within the time specified by the AFL Victoria Appeals Board, lodge with AFL Victoria written submissions which may contain:
  - a. Any facts, reasons and arguments concerning the Transfer Application and the appeal; and
  - b. Any other matters that they desire to be taken into account by the AFL Victoria Appeals Board in determining the appeal.
- (i) AFL Victoria shall as soon as practicable, but prior to the hearing of the appeal, distribute the written submissions to the other parties concerned in the appeal.
- (j) At the hearing of an appeal, each party may be represented by an advocate provided that such advocate is not by a person who is legally qualified, unless approved by the Chairman of the Appeals Board.
- (k) The hearing before the AFL Victoria Appeals Board shall be:-
  - a. Inquisitorial in nature; and
  - b. Conducted with as little formality and technicality and with as much expedition as a proper consideration of the matters before it permits.
- (l) The AFL Victoria Appeals Board:
  - a. shall provide each party an opportunity to be heard;
  - b. shall hear and determine the matter before it in an unbiased manner;
  - c. is not bound by the rules of evidence or by practices and procedures applicable to courts of record, but may inform itself as to any matter in any such manner as it thinks fit;
  - d. may regulate the proceedings before it in such manner as it thinks fit;
  - e. may confirm, reverse or modify the decision of the AFL Victoria and make such decisions in such manner as it thinks fit; and
  - f. shall not be obliged to give reasons for its decision.
- (m) Upon request from the club and / or Affiliates involved and subject to seven days notice to be provided to AFL Victoria, AFL Victoria will ensure that its Chairman of such appeal shall be legally qualified.
- (n) An existing or amalgamated club may only lodge one appeal in each year to AFL Victoria.

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# POLICIES



[www.aflcommunityclub.com.au](http://www.aflcommunityclub.com.au)

- Next Generation Match policy
- AFL Kids First policy
- Heat policy
- Lightning policy
- Working With Children
- Risk Management policy



[www.aflvic.com.au](http://www.aflvic.com.au)

- Member Protection policy
- National Risk Protection program
- Gender regulation
- De-Registration policy
- Infectious Diseases policy
- Anti-Doping policy
- Risk Management policy
- Racial & Religious Tolerance policy



**WORKSAFE VICTORIAN  
COUNTRY FOOTBALL LEAGUE**



[www.vcfl.com.au](http://www.vcfl.com.au)

- Privacy policy
- Cybersafety policy

# AFL (NSW-ACT) / VCFL AGREEMENT

Whereas it is in the mutual interest of the VCFL and AFL (NSW/ACT) to co-operate in the interests of the Australian National Game of Football and to assist each other by all reasonable means in their power, the VCFL and the AFL (NSW/ACT) agree to observe the under-mentioned conditions covering the transfer of Clubs between their two organisations:

- (a) A Club shall not be permitted to transfer from the VCFL to the AFL (NSW/ACT), or vice versa without consent of its Controlling Body and an affiliated body shall not be permitted to transfer from the VCFL to the AFL (NSW/ACT), or vice-versa without consent of the VCFL or AFL (NSW/ACT), as the case maybe, unless the affiliated body is affected by the AFF Article 44. When applications to transfer are refused, appeals against such decisions shall be dealt with by the Appeals and Disputes Board.

- (b) (i) Appeals and Disputes Board consisting of five persons, two persons appointed by each of the VCFL and AFL (NSW/ACT), together with an independent Chairman shall deal with any appeal or dispute arising from this agreement other than those appeals referred in (i) above and shall meet within 14 days of notification being received from either party to this agreement that Meeting of the Board is desired.

The appellant party shall be required to satisfy the Appeals and Disputes Board that grounds for an appeal exist and shall also be required to lodge with each appeal a deposit of \$300, such deposit to be forfeited if in the opinion of the Board the appeal is considered frivolous and in such cases the money so forfeited shall be utilised for defraying expenses incurred in connection with meetings of the Board.

Procedures to be used for the conduct of the appeal will be those of the Controlling Body (VCFL or AFL NSW/ACT) where the transfer was initiated.

Notwithstanding the appointment of two members of the Board from each of the VCFL and AFL (NSW/ACT), each such body may nominate a representative to appear before the Board in the matter of any appeal or dispute.

- (ii) Clearance applications by clubs close on 31st October in each year.

- (iii) Applications of appeal to the Appeals and Disputes Board close on the 30th November in each year.

- (c) VCFL and NSWAFSL affiliates may enter into Area Agreements. Area Agreements between VCFL and NSWAFSL affiliates shall operate under the following guidelines:-

An Area Agreement between the

.....

Football League and the

..... Football League.

This agreement is signed pursuant to the clearance regulations contained in the VCFLNSWAFSL transfer agreement whereby an interchange of players between clubs of the above-mentioned leagues may take place without clearance or permit and is subject to any provisions contained within this agreement:

## PROVIDED HOWEVER:

- (i) That this agreement is in force for the ..... season only.
- (ii) That the players involved desire to play with the club in the other league on the day in question.
- (iii) That the clubs involved are agreeable to the players playing on the day in question.
- (iv) A player reported whilst playing in a league on permit in accordance with this agreement shall have the charge heard by the league in which he was playing when reported which, in the event of finding the player guilty, shall determine the penalty.
- (v) That prior to each match played the player shall obtain written permission to do so from his parent club.

The permit shall be entered into the Footyweb system.

- (vi) With the exception of players of junior age competitions, players of any club having a bye will not be allowed to play with another club on that day unless he has previously played with that club in the current season under this agreement.

The club playing the player from the other league shall show his registered club on the match team sheet. Players of third eighteen teams of senior grade competitions are not to be classified as players of junior age competitions.

- (d) This agreement shall be regarded as a continuing agreement, with either party – i.e. VCFL or AFL (NSW/ACT) – having equal rights to terminate by six months notice.

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# **VICTORIAN COUNTRY FOOTBALL LEAGUE (INC.) PLAYER TRANSFER AGREEMENT WITH THE VICTORIAN FOOTBALL LEAGUE FOR MOVEMENT OF PLAYERS BETWEEN THE VCFL AND THE VFL SENIOR AND UNDER 18 COMPETITIONS, AND THE AFL**

## **1. VFL OPERATIONS**

(i) (a) A VCFL player desiring registration with the VFL Competition shall complete and lodge with the VFL a VFL Interchange Form. Upon lodgment of the completed VFL Interchange Form the VFL may grant the applicant a permit to play. If the interchange form is not returned to the VFL within 7 days of receipt by the players VCFL League the VFL may grant the player a permit.

(b) A VCFL player desiring registration with the TAC/VFL Under 18 Competition shall complete and lodge with the VFL a TAC Interchange Form. Upon lodgment of the VFL Interchange Form the VFL may grant the applicant a permit to play. The form shall then be forwarded to the Secretary of the VCFL League concerned and the players club and returned to the VFL within 14 days. The permit to play would be withdrawn in the event that the player was under disqualification for a misdemeanour or financial reasons.

A VCFL player desiring registration with the TAC/VFL Under 18 competition between the 1st July (closing date for VCFL player clearance applications) and 1st August (closing date for VFL Player registrations) shall be granted a permit to play only on the production of a letter from the players VCFL club indicating that the club has no objection to the transfer. A completed VFL interchange form is to accompany such club permission.

(ii) A VCFL player who is granted a permit to play in the VFL Senior or TAC Under 18 competition shall retain registration with his VCFL Club and shall be eligible to play with his VCFL Club when his services are not required by his VFL Senior or Under 18 Club.

A VCFL player playing in the VFL Senior competition shall require the written approval of the VFL Club to play with his VCFL club and shall be subject to the rules of the VFL competition. A list of Senior VFL players available to play with the VCFL club with which they are registered shall be posted on the VFL website on Friday afternoon on the Friday prior to the weekend round of matches.

Where VCFL registered players, who are also VFL listed, are not released by their VFL club, and as such play without permission, will be considered ineligible players under VCFL rules and dealt with accordingly by the VCFL League, Area Appeals Committee or VCFL Appeals Board under the rules and regulations of the VCFL.

A VCFL player who is granted a permit to play in the VFL Senior competition shall only transfer between VFL clubs after giving written advice to his VCFL club of the impending transfer 48 hours before the transfer is to take effect via the lodgment of an interchange form with the VCFL Operations Manager.

Any VCFL Player, who has played in the TAC/VFL/AFL competition on any weekend round of matches, is not eligible to play with their VCFL club on the same weekend round of matches, excepting where the TAC/VFL senior team player has played less than twenty five minutes of actual playing time and has been granted a medical clearance from the TAC/VFL club he may return to play with his VCFL club on the same weekend.

- (iii) A player may interchange between the TAC/VFL and the VCFL at any time throughout the year subject to the player satisfying his VCFL Leagues requirements for eligibility for finals matches.
- (iv) Disqualifications by Independent Tribunals or decisions of Leagues and Clubs for disciplinary reasons against any player and endorsed by the TAC/VFL or VCFL as the case may be shall be recognised by all parties to this Agreement.

## **AFL OPERATIONS**

(v) A drafted player shall transfer from a VCFL Club to an AFL Club on the Australian Football League Interchange Form 4.

The form is to be returned to the AFL within fourteen (14) days of dispatch from the AFL.

Should the form not be returned within the specified fourteen (14) days the AFL may grant the applicant permission to play.

The AFL shall notify the VCFL Club from which a player has been interchanged and granted a permit to play in the AFL by way of ensuring a cover slip is dispatched to the club concerned in the week following the granting of such permit.

Upon registration with the AFL the player shall retain registration with his original club and may interchange with such club at his AFL Clubs discretion. Such agreement shall also apply to any subsequent transfer to other AFL Clubs. Should his AFL Club be resident in another State, he may interchange with a club in that State provided that he will require a Form 1 Transfer from his original club, should he be delisted by the AFL within 36 months from date of registration with the AFL club.

A Player delisted by an AFL Club shall be required to obtain a transfer, as outlined in the National Player Transfer Regulations, before being eligible to play, or continue to play, with another club, other than a transfer to an AFL Club.

A VCFL player must meet his local League domestic requirements for eligibility for finals matches.

In the event of a player wishing to transfer to any club in any competition other than his AFL or VCFL Clubs, he shall be required to complete all relevant transfer procedures from his AFL and VCFL Club in accordance with AFL and VCFL transfer regulations respectively.

- (vi) Transfer fees for players from VCFL affiliated clubs to transfer to the AFL shall be paid in accordance with the schedule of transfer fees specified in the AFL/VFL Agreement.

For the purpose of AFL/VFL transfer fee allocation, a player on interchange to the VFL or TAC U18 competition will be deemed to have played with the VCFL Club to which he remains registered.

## **GENERAL**

- (vii) A Committee comprising two representatives each of the VFL and the VCFL shall deal with any dispute arising from interchange of players under the provisions of this

Agreement and any interpretation or variation of any Clause arising from this agreement, and its decisions shall be final and binding.

- (viii) This Agreement shall be regarded as a continuing Agreement with each party (VFL or VCFL) having equal rights to terminate by six months notice and may be varied by decision of the Committee as authorised in the terms of Clause (vi) hereof.

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