

NATIONAL PLAYER TRANSFER REGULATIONS



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1 Application & Interpretation

The National Player Transfer Regulations (**Regulations**) set out the national framework of rules and regulations in relation to the transfer of players within Australian football.

The purpose of the Regulations is to ensure player movement within Australian football is fair, transparent and consistent. The Regulations should be adopted by each Football Body to achieve this purpose and ensure best practice in relation to the transfer and registration of Australian football players.

1.1 Application

- a) The Regulations should be adopted, implemented and enforced by each Football Body.
- b) For the purpose of these Regulations an Australian Football Body means
 - (i) a State Football Body; or
 - (ii) a football body responsible for the administration of a Tier 1 League; or
 - (iii) a football body responsible for the administrations of a Tier 2 League; or
 - (iv) an Unaffiliated football body (i.e a football body that conducts or administers an Australian football competition which is not affiliated to the AFL or a State Football Body).
- c) The Football Body should make such amendments to its constitution, rules, regulations or by-laws as may be necessary for the Regulations to be enforceable.
- d) The Regulations do not apply to the AFL or the AFL or AFLW competitions or the AFL 9s competition.

1.2 Interpretation

Disputes in relation to the application or interpretation of the Regulations between:

- a) State Football Bodies should be submitted to the AFL in writing for determination (subject to Regulation 1.2(e) below). The decision of the AFL will be final and binding on the applicable Football Bodies.
- b) Tier 2 Leagues within the same State should be submitted in writing to the relevant State Football Body for determination in accordance with the rules and regulations of the State Football Body. The decision of the State Football Body will be final and binding.
- c) Tier 2 Leagues from different States should be submitted in writing to each relevant State Football Body for determination in accordance with the rules and regulations of the State Football Body. Where the State Football Bodies cannot reach agreement, the dispute will be forwarded to the AFL for decision, which decision will be final and binding.
- d) Where any provision of a Football Body's rules, regulations or by-laws are inconsistent with any provision contained in the Regulations, the provision in the Regulations will prevail to the extent of the inconsistency.

- e) For the avoidance of doubt, where a State Football Body (or Club affiliated with a State Football Body) has a dispute in relation to the payment or non-payment of Transfer Fees (including a dispute in respect of a decision of the Permit Committee in relation to Transfer Fees), that State Football Body will be responsible for determining resolution of the dispute (acknowledging that the AFL will not be responsible for resolution of any disputes in respect of Transfer Fees).

2 DEFINITIONS

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

AFL General Manager means the person appointed to the position by the AFL as General Manager of Game and Market Development for 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 or 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 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 including public holidays save for a Saturday or Sunday.

Club means an Australian football club fielding a team within a competition conducted by a Football Body.

Contracted Player means a player who is obliged, pursuant to a contract, to render player's 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 to which a player is Transferring.

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

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

Interchange Agreement means an agreement between two Leagues to allow players to play under a permit between those Leagues.

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

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

Local Interchange Permit means, subject to completion of an Interchange Agreement, a permit (Type 2) allowing a player to play for a Club (other than the one to which the player is registered) subject to home Club approval via Footyweb.

Match-Day Permit means a permit (Type 1) allowing a player to play a single match for a Club (other than the one to which the player is registered) but which does not require home Club approval via Footyweb.

NTFL 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, and for the

avoidance of doubt includes Local Interchange Permit, a Match-Day Permit and a Temporary Transfer.

Permit Committee means a committee appointed pursuant to Regulation 3.22.

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.

Regulations means the National Player Transfer Regulations as amended by the AFL from time to time.

State means each State in the Commonwealth of Australia including the Australian Capital Territory and the Northern Territory. For the avoidance of doubt, NSW and the Australian Capital Territory will be treated as a single State being NSW/ACT.

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

State of Origin means the State or States in which a player was registered to play football at any time up until the age of 18 years.

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.

Tier 1 League means the tier 1 Leagues which conduct and administer the Senior Grade, Reserve Grade and Under 18 Australian football competitions as follows:

- (h) South Australian National Football League;
- (i) Victorian Football League;
- (j) TAC Cup;
- (k) West Australian Football League;
- (l) North East Australian Football League; and
- (m) Tasmanian State League;

Tier 2 League means all other Leagues which conduct and administer Australian football competitions (other than the AFL, Tier 1 Leagues or AFL 9s competitions).

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

Unaffiliated means a body (i.e. Football Body, League or Club) that conducts or participates in an Australian football competition which is not affiliated to the AFL or a State Football Body.

Uncontracted Player means a player other than a Contracted Player who is 18 years old and:

- (a) who is registered and has played with a Club of a Tier 1 League in the past 24 months;
- (b) who is not registered with a Club of a Tier 1 League but has played for a Club of a Tier 1 League within the preceding 12 months; or
- (c) who has not registered or played with a Club of a Tier 1 League but has played for a State Football Body in the AFL National Under 18 Championships within the preceding 12 months.

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 completed and lodged by the Transferring player. Where the player is under the age of eighteen (18) years, the Transfer application must be endorsed by the player's parent or legal guardian.
- 3.1.3 Destination Club must keep a record of the original application signed by the player. If requested by the Football Body of the Former Club, the Destination Club must produce a copy of such original application 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 (or if the Former Club approves the Transfer within six (6) Business Days pursuant to Regulation 3.1.5), 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. The Football Body to which the Destination Club is affiliated will promptly notify the player and the Destination Club by email upon approval of the Transfer.
- 3.1.5 The Former Club can approve the Transfer any time within six (6) Business Days from lodgement of the application 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 a player complete the Transfer form incorrectly, the relevant Football Body may deal with the player or Club as it deems fit in accordance with the Football Body's Rules and Regulations.
- 3.1.7 For the avoidance of doubt, a Transfer is subject to the suspension provisions under Regulation 3.4.

3.2 REFUSALS

- 3.2.1 A Former Club may refuse a Transfer within six (6) Business Days from lodgement of the application via AFL Footyweb.
- 3.2.2 A refusal can only occur where a Club can substantiate that the player:
 - (a) is a Contracted Player; or
 - (b) is indebted to the Club; or
 - (c) is in possession of Club property (e.g. jumper) that needs to be returned; or

- (d) wishes to withdraw their Transfer application. Clubs can only submit this as a reason for refusal where the player has completed and lodged the Player Withdrawal of Transfer Form via AFL Footyweb in accordance with Regulation 3.3 below; or
- (e) any combination of the circumstances in 3.2.2 (a) – (d).

3.2.3 A Club refusing to Transfer a player must provide evidence in order to substantiate the claim upon request to its affiliate Football Body within three (3) Business Days of the request. Failure to provide such evidence may result in the Football Body re-opening and approving the Transfer.

3.3 TRANSFER WITHDRAWALS

3.3.1 A player or Club wishing to withdraw its Transfer application must do so in writing to the relevant affiliate Football Body (i.e. the Football Body to which player was originally registered) in accordance with this Regulation 3.3

3.3.2 A Transfer withdrawal must be submitted within six (6) Business Days from the date on which the Transfer application was lodged. For the avoidance of doubt, if a Transfer is approved by the Former Club before player lodges a transfer withdrawal, player is not eligible for a transfer withdrawal.

3.4 SUSPENDED PLAYERS

3.4.1 A player under suspension by a Football Body can Transfer to another Club/Football Body (**First Transfer**) but must not play a match with that Destination Club until the player has completed player's suspension and player cannot subsequently transfer (i.e. a second consecutive transfer) to a further Club/Football Body until 28 days after the First Transfer.

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 OF TRANSFER REFUSALS

3.5.1 Where the player disputes the reason for a Transfer refusal, the player or the Destination Club should resolve the dispute with the Former Club. Where a dispute between the parties cannot be resolved, the player or the Destination Club may 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 Football Body will be heard by the Football Body's Independent Appeals Tribunal (in accordance with the appeals procedure for the respective Football Body).

3.5.3 An appeal involving Clubs from two different Football Bodies within the same State will be heard in accordance with the rules and regulations of the State Football Body to which the Football Bodies are domiciled.

3.5.4 If a Football Body does not have an appeals process in place, the following rules will apply in relation to an appeal of a Transfer refusal:

- (a) A player who has been refused a Transfer may appeal (**Appellant**) to the relevant State Football Body's Independent Panel (**Panel**) by notice in writing lodged with the State Football Body.
- (b) The appeal must be lodged within ten (10) Business Days of the notice of refusal being received by the Destination Club.
- (c) The notice of appeal must include all relevant details which the Appellant requires the Panel to take into account including a copy of the Player Transfer Refusal Form.

- (d) The State Football Body shall inform each affected Football Body of the appeal as soon as practical after lodgement by the Appellant of its notice of appeal.
- (e) The Appellant must pay a bond of \$550 (including GST) to the State Football Body and such bond may be forfeited should the appeal be considered vexatious or frivolous by the Panel. A \$250 administrative fee will be retained by the State Football Body from the Appellant's appeal bond.
- (f) The defendant Club (**Defendant**) must also lodge a bond of \$550 (including GST) and such bond may be forfeited should the defence be considered vexatious or frivolous by the Panel. A \$250 administrative fee will be retained by the State Football Body from the Defendant's appeal bond.
- (g) The Defendant must lodge its defence against the appeal in writing and include all relevant details which the Defendant requires the Panel to take into account together with a copy of the Player Transfer Refusal Form.
- (h) Should the Defendant fail to lodge with the State Football Body:
 - (i) a defence in writing pursuant to Regulation 3.5.3(g) within four (4) days of being notified of the appeal by the State Football Body; and
 - (ii) the bond of \$550 (including GST) within six (6) days of being notified of the appeal details by the State Football Body;

it shall be deemed to have granted the Transfer.

- (i) The parties shall each be entitled to representation at an appeal hearing.
- (j) An appeal in accordance with regulation 3.5.3 shall be heard as soon as practicable within a period as determined by the Panel.
- (k) The deadlines for the lodgement of the defence and bond payment by a Defendant pursuant to regulation 3.5.3(i) apply unless otherwise advised in writing by the State Football Body.
- (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 shall directly or indirectly receive or pay any monetary amount or any other consideration in respect of or in connection with the Transfer of a player subject to these Regulations.

3.7 TRANSFER APPLICATION PERIOD

- 3.7.1 A Transfer may be lodged between 1 November to 30 November or 1 February to 30 June in each calendar year (**Transfer Periods**).
- 3.7.2 No Transfer (including Temporary Transfers from the NTFL) shall be lodged after 11.59pm (AEST) on 30 November or 30 June in each year.
- 3.7.3 The above Transfer Period does not apply to the NTFL competition where seasons are primarily conducted from October to March.
- 3.7.4 The player registration period for each season commences on 1 November prior to the beginning of each season.

3.8 PLAYER AGE GROUP

- 3.8.1 The minimum age for a player to be eligible to register with a Football Body in any year will be in accordance with the Australian Football Junior Match Policy as published and amended by the AFL from time to time.
- 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 A Football Body that extends 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 2016, the age shall be extended back to 1 July 2015, thus allowing the player to be 18 ½ on 1 January 2016.

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 cannot be entered between 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 Local Interchange Permit.
- 3.10.2 Permits are to be applied in accordance with the respective State Football Body rules, regulations or by-laws and it is the responsibility of the relevant Football Body to monitor the application and management of Permits.

3.11 PLAYER CONTRACTS

- 3.11.1 Clubs should use the National Standard Playing Contract as provided by the AFL 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;
 - (c) Subject to Regulation 3.11.2(d), all contracts expire on 31 October in the year the contract ceases; and
 - (d) Contracts that are executed between a player and a Club that competes in the Northern Territory Football League expire on 31 March in the year the contract ceases.
- 3.11.3 A player will remain contracted to the Club until the expiration of the contract, unless the Former Club releases the player from the contract.
- 3.11.4 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.

- 3.11.5 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.
- 3.11.6 If there is a dispute in relation to Regulation 3.11 including 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 General Manager (or his nominee) 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 General 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 bona fide transfer of employment;
 - (c) enrolled in a tertiary education course in another State;
 - (d) the support of the National Development Manager, in the interests of developing his/her football career; or
 - (e) any other matter in the Permit Committee's discretion.

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 is liable to a sanction determined by the Permit Committee but not exceeding \$5,000 for each offence where an associated Club breaches this Regulation 3.13.1.

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 under any circumstances.
- 3.15.2 Should the player lodge the registration application within the Transfer Period, 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 outside of the Transfer Periods, only the Destination Football Body that the player intends to register with can process the registration using the AFL Footyweb Transfer process.

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 February or within six (6) Business Days of making such agreement if made between 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 unless otherwise declared by a 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 may 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 played under a Temporary Transfer and has not played or made himself available for selection for more than five (5) home and away matches for a period of twenty-four (24) months, he shall be required to lodge a Transfer application through AFL Footyweb for any subsequent transfer.
- 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 Former Club of 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.

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 TRANSFER OF PLAYERS TO THE AFL

- 3.20.1 Contracted or Uncontracted Players of Tier 1 or 2 Leagues are automatically registered to an AFL club upon being drafted to the Primary List.

- 3.20.2 Upon registration with the AFL, the player may interchange with a Tier 1 League Club at the discretion of player's AFL club provided that such interchange conforms to Transfer Regulations of the Tier 1 League concerned.
- 3.20.3 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.
- 3.20.4 Should a Player be listed as an AFL Primary Listed Player by an AFL club located in a State different to that of player's Tier 1 League Club, he may play with a Tier 1 League Club in that State (i.e the new State). In the event that player is delisted player will be regarded as a player of player's original Tier 1 League.
- 3.20.5 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.
- 3.20.6 A player who is delisted by an AFL club who returns to play for a Club of the Tier 1 League from which player was drafted will be bound by any Transfer Regulations and registration rules of that Tier 1 League if player desires to play football for a Club of that Tier 1 League other than the Club with which player was registered at the time of delisting.
- 3.20.7 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 player shall be regarded as having continuous AFL registration.

3.21 AFL TALENT DEVELOPMENT FEE

- 3.21.1 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.
- 3.21.2 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.
- 3.21.3 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.
- 3.21.4 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.

3.22 PERMIT COMMITTEE

- 3.22.1 A Permit Committee comprising three (3) members shall be appointed by the AFL General Manger or his nominee and shall hold office until replaced by a by the AFL General Manager or his nominee.
- 3.22.2 The AFL General Manager or his nominee may revoke Permit Committee appointments at any time.
- 3.22.3 The Permit Committee shall hold the following powers and responsibilities:
 - (a) mediate State Football Body disputes as they arise and provide final judgement where required;
 - (b) consider and determine interstate Transfer applications lodged by Junior Players under Regulation 3.12;
 - (c) consult with State Football Bodies on any proposed amendment to these Regulations;
 - (d) make such recommendations to the AFL for amendments to these Regulations as may be approved by not less than six (6) State Football Bodies;
 - (e) determine matters raised under Regulation 3.11.6. and 3.13.2; or
 - (f) any other matters pursuant to these Regulations as determined by the AFL General Manager.

