

## Appendix 3



### SACFL LEAGUE TRANSFER REGULATION

#### 11 Transfers of Players

11.1 Subject to these Regulations and any AFL Interstate Player Transfer Regulations, a player desiring to register as a player of an Affiliated League Club who:

- a) has been registered as a player in any other football league or association anywhere in Australia; and/or
- b) has played with or was registered with any Affiliated League Club prior to, or at the same time as he was registered football with an SANFL League Club regardless of when this may have been;

Services required is acceptable as a valid reason for refusal of a transfer between clubs only when a player must be granted an approval to transfer ("Clearance") from the Affiliated League Club with which such player was previously registered, before being eligible for registration to play football for another Affiliated League Club.

11.2 A Transfer must be obtained by way of an application for Transfer by the player which must be made on a SANFL Community Football Player Registration and Transfer Form approved by the Committee from time to time as well as being approved via the online system. For the avoidance of doubt, both the application for Transfer in the approved form and the approval via the online system must be made before the transfer can be affective.

11.3 A Player Registration and Transfer Form must be signed by the player in his own handwriting, and if such player be under eighteen (18) years the clearance application shall be endorsed by the player's parent or guardian and delivered to the Secretary of the Club which he desires to play ('the Transferee Club'). Upon receipt of the Transfer Form the Secretary of the Transferee Club must immediately note the date of its receipt, enter it onto the online system and complete the form where applicable.

- a) The Appointed League/Club Official of the 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 SANFL Community Football by no later than 5pm on the next business day following such request.
- b) The Secretary of the forwarding League shall keep such application for a period of 24 calendar months. Transfer 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 wishes to be registered with and it's Affiliated League.

#### 11.4 Timing of Transfers

A Transfer can only be obtained during the periods of:

- a) 12:01AM (AEDT) on 1 November and 11:59pm (AEDT) on 30 November during the calendar year preceding the relevant season; or
- b) 12:01am (AEDT) on 1 February and 11:59pm (AEST) on 30 June during the calendar year of the relevant season.

*(Please note that the transfer periods are not applicable to the Northern Territory Football League Competitions conducted by AFL NT).*

- ii) If a Transfer in respect of an application for a Transfer by a player from a Club of an Affiliated League ("the transferring League") to a Club of another Affiliated League to which the player desires to transfer ("the Receiving League") within six (6) business days inclusive of dispatch, by the Transferring League, the Receiving League may advise the

Transferring League in writing of its intention to register the player concerned. All written communication of this nature must be recorded.

- iii) An Affiliated League which grants a Transfer under this Regulation must immediately inform the Club of the Affiliated League in which the player was last registered that it has granted such Transfer.
- iv) Services required is acceptable as a valid reason for refusal of a transfer between clubs only when a player has played a match for their club during the current season.
- v) A Player wishing to withdraw their Transfer Request must do so in writing to the Source Controlling Body within six (6) calendar days from notification of the Transfer Request under Regulation 11.2.
- vi) For Avoidance of doubt, if a transfer request pursuant to the requirements outlined in 11.2 is approved by the Source Club before the Player Lodges a transfer withdrawal under section 11.4 (v) the Player is not eligible for a transfer withdrawal. Instead, the Player must reapply completing the approved Transfer Form as well as applying for a transfer in the online system.

### 11.5 SANFL Community Football Player Contract

- a) The Community Football Committee will from time to time approve a standard form contract for the provision of playing services by a Player to an Affiliated League Club ("SANFL Community Football Player Contract"). The SANFL Community Football Player Declaration is included in Appendix 5.
- b) An Affiliated League Club will not enter into a contract or agreement with a Player for the provision of playing services by the Player to the Club unless such contract or agreement is in the form of the SANFL Community Football Player Declaration.
- c) Any contract or agreement between a Player and an Affiliated League Club for the provision of playing services will not be binding on the parties unless and until the Player is registered via the online system as a Player of the Affiliated League Club, provided both parties have made reasonable endeavours and done all things reasonably required to enable the Player to become a registered Player of the Club in accordance with these Regulations.

### 11.6 Transfer Approval

- a) Notwithstanding the online system, a Club of an Affiliated League must meet all the requirements set out in Regulation 11 before a transfer is approved.
- b) A player or Club of an Affiliated League who does not follow the requirements set out in Regulation 11, may be subject to penalties outlined in Regulation 15 of these Regulations.

## 12 Transfer – Cannot Be Refused

### 12.1 Financial Indebtedness Contractual Obligation

- a) A player of an Affiliated League Club to who has no financial indebtedness (applies to Subscriptions for the players previous season played only) or contractual obligation to that Club must not and cannot be refused a Clearance on any grounds.

The standard SANFL Community Football Leagues Playing Contract, in a form approved by the Committee from time to time; will be the only contract recognised in the instance of any appeal where 'Contractual Obligation' is given as the reason for any refusal of a Clearance.

Clubs refusing a player transfer due to contractual obligation must supply a copy of such contract to their Affiliated League by no later than 5:00pm on the next business day

(Refer Appendix 5)

### 12.2 Player who has not played for 24 months

- a) A Player who has not played a Match for a period of 24 Months or greater may submit a Transfer Request in accordance with Regulation 11.2 at any time and that Player's Source Club may not refuse the Transfer Request under any circumstances.

### 13 Appeals where Transfer is Refused

- a) Where a Player disputes a Transfer refusal, that Player and/or their Destination Club must use best endeavours to resolve the dispute with the Source Club.

#### 13.1 Club to Club within the same League

- a) A player registered with an Affiliated League Club who is refused a Transfer from a Club of the Affiliated League in which he is registered to another Club in the same Affiliated League but has complied with all Transfer Procedures outlined in Regulation 11, may appeal against that refusal to the League Independent Tribunal of that Affiliated League pursuant to Regulation 13.4.
- b) Such appeal must be directed by the player to the League Independent Tribunal through the Secretary of that Affiliated League by the Secretary of the Affiliated League Club to which the player has sought a Clearance.

#### 13.2 League to League

- a) A player registered with an Affiliated League Club who is refused a Clearance to a Club of an Affiliated League from which he desires a Clearance but has complied with all Transfer Procedures outlined in Regulation 11, may appeal to the SANFL Tribunal.
- b) Such appeal must be directed to the SANFL Tribunal by the Secretary of the Affiliated League to which the player is seeking the Transfer by forwarding the appeal in writing and in accordance with Regulation 13.4 to the Affiliated Leagues Manager of or other person nominated by the SANFL for that purpose.
- c) A player of an Affiliated League Club cannot appeal against an application for Transfer which is refused after July 8<sup>th</sup> in any year.

#### 13.3 Transfers between Clubs – Limit

- a) Subject to Regulations 13.3 (b) and 13.3 (c), an Affiliated League Club may refuse a Transfer for a player if three (3) male players or three (3) female players have previously transferred from the Club with which the player is currently registered ('the Current Club') to the same Affiliated League Club ('the Transferring Club') in the current season.
- b) The Current Club and the Transferring Club may, if both Clubs agree, determine that Regulation 13.3 (a) will not apply.
- c) A player who has previously played 20 or more matches for the Transferring Club shall not be included for the purposes of Regulation 13.3.
- d) Community Football retains the right to withdraw or rescind a player's registration or transfer in the instance where it is deemed that 13.3 (a) is being breached via transfer processes between leagues.

#### 13.4 Appeal Procedure - Transfer Refusal

- a) An appeal by a player against a refusal to grant a Transfer must be made in writing, signed by the player and lodged, together with a further Transfer Form completed and signed by the player, with the relevant person provided for in Regulations 13.1, or 13.2 as the case may be.
- b) The player must at the time of lodging his appeal pay to the Secretary of the Affiliated League from which the Transfer was sought, a fee of \$1,000.00 or such other amount as the Committee may prescribe from time to time and the Secretary receiving the fee must acknowledge receipt of it to the player. The Secretary of the Affiliated League concerned will not be obliged to proceed with the appeal until such prescribed fee has been received.
- c) If an appeal made under Regulation 13.4 (a), is successful the relevant Appeal Tribunal may determine that up to 100% of the fee paid under Regulation 13 can be refunded to the player, and may also determine that the Club which refused the Clearance to the player will be liable to pay a fee not exceeding \$1,000.00 to the SANFL Community Football.
- d) If the Club which is liable to pay the fee determined by the Appeal Tribunal under Regulation 13.4 (c) does not do so within seven (7) days of the decision by the Appeal Tribunal, each of the teams of that Club shall lose all premiership points gained in football matches played whilst that fee remains unpaid.

- e) If an appeal made under Regulation 13.4 (a) is unsuccessful, the relevant Appeal Tribunal may determine in its absolute discretion that any amount up to the whole of the fee paid under Regulation 13.4 (b) may be retained and paid to the SANFL Community Football.
- f) In making any determination under Regulation 13.4 (c) the relevant Appeal Tribunal may take into account any matter relating to the appeal including without limitation, but in particular, as to whether or not the appeal was frivolous or vexatious.
- g) An appeal against the refusal of a Transfer must be lodged in accordance with this Regulation 13 within seven (7) clear days of receipt of notification by the player concerned that the Transfer was refused.
- h) An appeal to the League Independent Tribunal under Regulation 13.2 must be heard within seven (7) clear days of notice of the appeal being lodged with the relevant Affiliated League Secretary.
- i) Except as set out in this Regulation 13 a player who is refused a Transfer may appeal once only in any season against a refusal to grant a Transfer. If a player is refused a Transfer and is unsuccessful with his appeal and subsequently makes application for a Transfer to another Affiliated League Club, he will subject to this Regulation 13 have a right of appeal against a refusal of the subsequent application for Clearance.

#### 14. Transfer Fees

- a) Without limiting any applicable player payment or transfer rules enacted by a Controlling Body in respect of a competition, no Club or Controlling Body may directly or indirectly receive or pay any transfer fee or any other consideration in respect of a transfer.
- b) An allegation of a breach of this Regulation 14 must be referred to the Investigation Committee for investigation and determination.
- c) An Affiliated League Club which commits a breach of this Regulation 14 is liable to a fine not exceeding \$5,000.00 or such other amount as the Committee may determine.

#### 15. Playing Without Transfer or Permit

- a) An Affiliated League Club or Affiliated League which has grounds for believing that a player has played football with a team of an Affiliated League Club without having obtained any necessary transfer or permit required by these Regulations 11 and 17 may report the same to SANFL Community Football. Upon Receipt of such report SANFL Community Football must notify the player, Affiliated League Club and Affiliated League concerned of such report and may impose a penalty to the offending Affiliated League Club or Affiliated League in its absolute discretion as outlined in Regulation 15.b.
- b) SANFL Community Football may impose any one or more of the following penalties on the Affiliated League Club or Affiliated League:
  - i) Censure
  - ii) A fine not exceeding \$2,000.00 which must be paid to the SANFL Community Football.
  - iii) In the case of an Affiliated League Club the reversal of the result of a Match including a Major Round Match and/or the suspension or disqualification of a Team or Teams of an Affiliated League Club and/or the loss of premiership points both retrospective and prospective.
  - iv) Suspension
- c) SANFL Community Football may offer an Affiliated League Club or Affiliated League an early guilty plea to any charge that is made pursuant to Regulation 15. (a).
- d) The Affiliated Club or Affiliated League who is charged with a penalty pursuant to Regulation 15 (b) may dispute the penalty that is imposed by SANFL Community Football, to the SANFL Tribunal.

**15.1 Playing Without Clearance (SANFL League Clubs)**

- a) A player desiring to transfer from an SANFL League Club to an Affiliated League Club must not play for the Affiliated League Club until such time as he has obtained a Clearance from the SANFL Club with which he was last registered and any transfer fee payable under the SANFL Regulations has been paid.
- b) If a player plays for an Affiliated League Club in breach of Regulation 15.1 (a) such breach must be referred to the Investigation Committee for investigation and determination.
- c) In the event of a breach of Regulation 15.1 (a), the Investigation Committee may impose penalties equivalent to those referred to in Regulation 15 (b) on the Player, Affiliated League Club or Affiliated League respectively.