

2.22 Player Transfer Policy – Community Rugby League

PURPOSE

To ensure the continued success and sustainability of the Game played under its auspices at the Community Rugby League level, the NSWRL, its constituent members and affiliates wish to ensure that teams fielded by Clubs in Community Rugby League are as strong, well matched, and viable as possible. For the purpose of achieving these objectives, the NSWRL has adopted this Policy to regulate the system of Players, eligible to play Community Rugby League, moving between Clubs within Community Rugby League. This policy has been developed by the NSWRL in conjunction with its members and affiliates, including the NSW CRLA.

The intentions of the NSWRL in adopting this Policy are to:

1. Maintain a level of stability in the membership of Clubs and teams.
2. Prevent Clubs from obtaining an unfair proportion of the best and most talented Players.
3. Provide Clubs with incentives to develop Players, their teams and the Game.

This Policy governs Transfers separately to the provisions of the National Registration Policy and the National Clearances Policy. Where any inconsistency exists between either the National Registration Policy or the National Clearances Policy on the first part, and this Policy on the second part, the latter shall prevail, and the former shall to the extent of the inconsistency not apply.

With this purpose in mind, all Transfer Requests will be considered in the context of the best interests of the game. Any Transfer Request, whether in breach of this policy or not, may be denied if it is deemed not to be in the best interests of the game.

Administrative Requirements

For the purposes of this Policy, Players will be considered to be transferring into another team within their 'natural' age group, or the age group above if the Club requesting the Transfer does not have a team in the player's 'natural' age group.

This Policy does not apply to, or regulate the movement of:

1. Players transferring into a team participating in a competition aged U18 or above;
2. Players in relation to Community Rugby League where that Player has not previously Registered to play Community Rugby League for a Club in Competitions at any time;
3. Players who have previously registered to play Community Rugby League for a Club, who wish to register to play the Game for a team or organisation which does not either participate in Competitions, or the Game as affiliated to the NSWRL.
4. The movement of Players to or from a Club where they will or have only played League Tag / Blues Tag.

Local Leagues will be able to apply the policy to Development Competitions and/or Under 18 competitions at their discretion.

This Policy is intended to improve the balance and integrity of Competitions, particularly those in higher divisions. As such, the Policy will be strictly enforced in these Competitions (e.g. Gold/Division 1

Competitions). Where it is determined to be in the best interests of the Game, a degree of flexibility may be applied in lower division Competitions in consultation with the Clubs involved.

Where a Player applies to move between Clubs after the Season has commenced, the provisions of the NSWRL Community Rugby League Policies & Procedures Manual will apply in the first instance. Any application for consideration of exceptional circumstances (other than Player relocation across a large distance) will not be considered if the Player has played more than 3 matches for their existing Club in the current Season.

Division 1/Gold transfer Case Reviews and Appeals for participants attempting to Transfer to a Grand Final team will only be considered after team nominations are received by the local League.

Clubs who receive a Transfer Request into any of their Division 1/Gold Grand Final teams are encouraged to automatically deny these Transfers.

Development Player Transfers and quotas are not subject to this Policy but may be subject to specific local league rules. Any transfer appeals relating to development players are thus not under the jurisdiction of this Policy.

“My Team may fold” - Participants are strongly encouraged to Register to the Club they played for in the previous Season. Participants who do this will be given preference in terms of being granted a Transfer Permission over and above Transfer limits, should their existing team at their existing Club fold prior to the Season starting.

TRANSFER POLICY DEFINITIONS

The following terms have the corresponding meanings when used in this Policy:

Affiliate has the same meaning as given to that term in the Constitution.

Blues Tag means tag version of the game

Clearance means the process by which a Player is cleared to move between Clubs or other rugby league teams pursuant to the National Clearances Policy.

Club means an organisation which enters teams to participate in Competitions.

Community Rugby League means age-limited Competitions for players aged 18 years and under.

Competitions means rugby league tournaments, competitions, matches and fixtures conducted by and between Districts with the approval of, and under the auspices of, the NSWRL.

Constitution means the constitution of NSW Rugby League, as amended from time to time.

Division 1 refers to the highest grade of competition available in any one age group within the League concerned. This applies regardless of whether there are one or more Divisions/grades.

Existing Club means the most recent Club that a Player was registered to and played a match with during the last 24 months.

External League means any NSWRL League outside of the League within which a Club operates.

Game means the sport of rugby league.

Junior Grade Football means rugby league competitions played from under 5s to 18 years.

League means an organisation which is a Member or Affiliate of the NSWRL which conducts rugby league competitions, premierships, tournaments and matches which are approved by the NSWRL.

Member has the same meaning as given to that term in the Constitution.

National Clearances Policy means the *NRL National Clearances and Permits Policy v2.3* as amended or replaced from time to time.

National Registration Policy means the *NRL National Registration Policy v2.3* as amended or replaced from time to time.

New Club means a Club which a Player wishes to Register to play Junior Grade Football for.

NSWRL Conference Competition means competitions administered by NSWRL or a Regional Body involving teams from two or more affiliate Leagues

Player means a person who is Registered to play rugby league.

Policy means this Player Transfer Policy.

Registered means the process of a person registering to play rugby league pursuant to the National Registration Policy and **Register** and **Registration** have corresponding meanings.

Registration Permission means permission granted by a Player's New Club's League, allowing the Transfer of a Player.

Representative Player means a Player who has played Representative Football at any time within the last 24 months.

Representative Quota means the number of Players within a club/age group who have played Representative Football at any time in the last 24 months, determined by each League by 30 November each year in respect of the next rugby league season. If the District is participating in a NSWRL Conference Competition the quota shall be five (5) Players.

Representative Football the Elite Competitions conducted by the NSWRL or QRL in the 16, 17, 18 years age groups, namely the Andrew Johns Cup, Harold Matthews Cup, Laurie Daley Cup, S.G. Ball Cup, Lisa Fiaola Cup, Tasha Gale Cup within the NSWRL and the equivalent competitions in QRL.

Season means a rugby league season commencing in about March and ending in about September in a calendar year, for example the "2024 Season".

Senior Competitions means open-age Competitions or those competitions catering for players over 18 years which are not considered Community Rugby League for the purposes of this Player Transfer Policy.

Transfer means the transfer of the Registration of a Player, who is eligible to play Community Rugby League, from a Club to another Club.

Transfer Appeal means an appeal lodged in adherence to sections 8 and 9 of this policy.

Transfer Permission means permission granted by an Existing Club's League, allowing the Transfer of a Player.

Transfer Request means the request for transfer of a Player's Registration

Transfer Case Review an application from a participant to have a denied Transfer assessed by Local League Administrator / Review Committee or NSWRL. The assessor(s) will offer an informed opinion based on the Policy and may approve or deny the application from the information presented. Should the Transfer Case Review be denied, the applicant may enter a formal Appeal to the relevant body.

Unreasonable Travel Distance means greater than 45 minutes door to ground travel to participate in home games.

PLAYER TRANSFERS

- 1) Any Player who has previously Registered to play Junior Grade Football for a Club at any time in the previous 24 months must, before the Player plays Junior Grade Football for any other Club:
 - a) Obtain a Clearance from the relevant Existing Club (if required); and
 - b) Obtain a Transfer Permission from the Existing Club's League; and
 - c) Obtain a Registration Permission from the New Club's League.
- 2) For the purposes of rules 1(a) and 1(b), where the Existing Club's League and the New Club's League is the same League, the requirement to obtain a Transfer Permission under rule 1(b) shall be deemed satisfied upon the grant of a Registration Permission.
- 3) Any decision by an Existing Club on any request by a Player for a Clearance must be made in accordance with the National Clearance Policy and any other applicable rules.
- 4) Subject to rule 6, a League or the NSWRL may refuse to grant a Transfer Permission in any of the following circumstances:
 - a) If two (2) or more Transfer Permissions have already been granted in respect of Players, who played in the same age group for the same Club in the last Season of Community Rugby League, to move to the same New Club for the next Season.
 - b) If four (4) or more Transfer Permissions have already been granted in respect of Players, who played for any Club within the League concerned in the last Season of Community Rugby League, to move to the same age group in the same New Club for the next Season.
 - c) In Rugby League age groups 13+ where the Player is classified as a Representative Player, has been registered in a Division 1 team or a team in a higher age group within any NSWRL Competition (including Competitions with only one Division) at any time within the previous 18 months, **and** where the Club which the Player intends Registering to play for qualified for the *Division 1* Grand Final in that Player's current or correct age group in the previous Season.
 - d) Where the Player has played Representative Football at any time within the last 24 months, and where the team which the Player intends Registering to play for with the New Club already contains the number of **Representative** / Development Players which is equal to or greater than the League/Competition **Representative Quota / Development Quota** (see Definitions, P2 & 3 and or local League Quotas).
- 5) Subject to rule 6, a League or NSWRL may refuse to grant Registration Permission in any of the following circumstances:
 - a) If two (2) or more Registration Permissions have already been granted in respect of Players, who played within the same age group for the same club in the last Season of Community Rugby League, to move to the same New Club for the next Season.
 - b) If four (4) or more Registration Permissions have already been granted in respect of Players in the same age group, who played for any External Leagues in the last Season of Community Rugby League, to move to the same New Club for the next Season.
 - c) In football age groups, where the Player has been registered in a Division 1 team or a team in a higher age group within any NSWRL Competition (this includes competitions with only one Division) at any time within the previous 18 months, and where the Club which the Player intends Registering to play for qualified for the *Division 1* Grand Final in that Players current or correct age group in the previous Season.

- d) Where the Player has played Representative Football at any time within the last 24 months, and where the team which the Player intends Registering to play for with the New Club already contains the number of **Representative / Development Players** which is equal to or greater than the League/Competition **Representative / Development Quota** (see Transfer Policy Definitions and or Local League Quotas).
- 6) The League or NSWRL **may** grant a Transfer Permission or a Registration Permission which would otherwise breach this Policy in what it determines to be **“Exceptional Circumstances”**. In all examples, applications for consideration of Exceptional Circumstances will be assessed in the context of the best interests of the Game. These considerations are intended for use in providing some flexibility in the limiting of Player movement in lower divisions rather than compromising the application of the Policy in Division 1 competitions, particularly in regard to Grand Final teams. **For the purpose of this Policy, “Exceptional Circumstances” that may be considered are:**
- a) If the Existing **Club** is disbanded, merges with any other Club, or ceases to exist.
 - b) If the Player is a child of, or otherwise under the guardianship of, a person who has relocated their usual place of residence:
 - i) in connection with that person’s employment; or
 - ii) for compassionate reasons; and
 where the Player lives with that parent or guardian, and as a consequence of that relocation, the Player would have to travel an unreasonable distance to play “home” matches in Competitions for the Existing Club.
 - c) If the Player is in a situation where his/her parents, guardians or family unit has separated, and where court ordered custody arrangements are in place in relation to the Player meaning that would be unreasonable for the Player to play for, or train with, the Existing Club. Please note this does not mean living with a relative to facilitate the avoidance of the Policy.
 - d) If the relevant application for Transfer Permission or Registration Permission is accompanied by medical, psychological or other professional evidence which satisfactorily demonstrates that it would be likely to be of serious detriment to the mental health and wellbeing of the Player, if the Transfer Permission or Registration Permission (as the circumstances dictate) was refused.
- 7) **Club Right to Deny a Clearance:** Under the terms of the Policy a Club may deny a Transfer if:
 The Club has already approved 4 INTERNAL Transfers within the same age group; or
 The Club has already approved 4 EXTERNAL Transfers within the same age group.

Enforcement of this rule is solely at the discretion of the Club.

- 8) **Denied Clearance – Transfer Case Review Process** for participants who wish to move to a new League or move to a new Club that participates in a NSWRL Conference Competition

A parent or guardian who believes a Transfer Permission or Registration Permission has been unfairly denied under the scope of the Policy has the option of submitting a request for a Transfer Case Review. This “Case Review” must be approved by an authorised person from the receiving Club before it is submitted. Please refer to Exceptional Circumstances within the Policy (Section 6), which outlines circumstances in which a Transfer can be approved over and above the Transfer Policy.

This can be done by applying to the NSWRL Regional or Zone Manager who shall assess the merits of the Transfer Review and either:

1. Approved the Transfer Permission or Registration Permission

OR

2. Deny the Transfer Permission or Registration Permission

To apply for a Transfer Review under Section 7 of this Policy, please complete the online form at <https://www.cognitofrms.com/NewSouthWalesRugbyLeague/nswcrlplayertransferdenialcasereviewform>

Should the Transfer Permission or Registration Permission be denied under the terms of the Transfer Review, the aggrieved party shall have the right to Appeal this decision (see section 9).

Local Leagues will have internal processes for the Review of internal League transfers.

9) The only right of appeal open to a Player, Club or District League (together an **“Appellant”**) in respect of any decision made under this Policy in relation to a Player is set out in this rule 9.

Where the Existing Club’s League and the New Club’s League is the same League and teams involved participate in a Community Rugby League competition conducted solely by that League

- a) An Appellant may appeal a decision (an **“Appeal”**) to grant or refuse to grant a:
 - i) Clearance;
 - ii) Transfer Permission; or
 - iii) Registration Permission;

(Transfer Decision) to the General Manager/Administrator of the League, by written notice addressed to the General Manager/Administrator setting out the grounds on which the Appeal is made and attaching all relevant documents and information relied on by the Appellant.

- b) Any Appeal made pursuant to rule 9(a) must be made within five (5) days of the Appellant receiving notification of the Transfer Decision which is appealed against. The Appeal must be approved by the receiving club before submission.
- c) The only basis on which an Appellant may Appeal a Transfer Decision is:
 - i) If this Policy has been incorrectly applied by the Existing Club or the League in making a Transfer Decision;
 - ii) If a Transfer Decision has been made on the basis of incorrect or incomplete information in relation to the Player concerned; or
 - iii) If Exceptional Circumstances exist in relation to the Player, and those Exceptional Circumstances have not been properly taken into account in relation to the Transfer Decision the subject of the Appeal.
- d) The League General Manager/Administrator shall, after having reviewed the Appellant’s Appeal, refer the Appeal on to the nominated Head of the Appeals Committee who shall either:
 - i) Refuse the Appeal, in which case the original Transfer Decision stands; or
 - ii) Grant Leave to Appeal, in which case the General Manager/Administrator shall organise for an Appeals Committee to adjudicate on the matter. This Appeals Committee will be made up of nominated representatives of the relevant League.
- e) The decision of the Appeals Committee in relation to any Appeal is final, and shall not be capable of review or be otherwise justiciable.

Where the Existing Club's League is different to the New Club's League or the teams involved participates in NSWRL Conference or Regional Competitions

- f) In any case where an Appeal concerns a Transfer Decision involving or concerning more than one League:
 - i) The application for Leave to Appeal shall be made to, and determined by, an NSWRL authorised Player Transfer Policy Appeals Panel or the Player Transfer Policy Appeals Chairperson(s); with rules 9 (a), (b), (c) and (e) applicable.
 - ii) Transfer Policy Appeal Applications are to be completed on the 'Request for Leave to Appeal NSWRL Player Transfer Policy Decision Form'. This appeal must be authorised by the receiving club before submission.
 - iii) The presiding Transfer Policy Appeal Chairperson's shall, after having considered the Appellant's Appeal, either;
 - (1) Deny the Appeal having considered the evidence provided,
 - (2) Uphold the Appeal without holding a formal hearing, based on the evidence provided, or
 - (3) Grant a formal appeal hearing, requiring the attendance of the Appellant who may bring with them one parent/guardian as a representative.

Reference Documents Appendix 10.1 – Links to NSWRL Policies & Guidelines (NSWRL Transfer Policy (CRLA) Appeal Form (Online))