

JUNIOR REGIONAL TRANSFER POLICY

PURPOSE

To ensure the continued success and sustainability of the Game played under the Baseball Australia Little League program, NSW Baseball League (NSWBL) wishes to ensure that teams fielded by Clubs in Junior Competitions are as strong, well-matched, and viable as possible.

To achieve these objectives, Baseball NSW (BNSW) has adopted this Regional Policy to regulate the system of Players, eligible to play in Junior competitions, moving between Clubs and within Associations.

The intention of BNSW in adopting this Policy is to:

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

This **Junior Regional Policy** governs Transfers, separately from the provisions of the existing BNSW Player Transfer Policy. In this instance, where any inconsistency exists between either the BNSW Player Transfer Policy and this Policy, the latter shall prevail, and the former shall to the extent of the inconsistency not apply.

For this policy, players will be considered to be transferring into another team within their 'natural' age group. Any subsequent application to 'play up' in an alternate age group will be considered in line with this policy.

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

1. Players in relation to Senior Baseball;
2. Sydney Metropolitan Junior Association competition or transfer requests

DEFINITIONS

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

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

Association means the governing body for each regional competition.

BNSW means Baseball NSW.

Clearance means the process by which a Player is cleared to play non-representative baseball in any other Association, other than their primary regional Association.

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

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Competitions mean baseball tournaments, competitions, matches and fixtures conducted by and between Associations with the approval of, and under the auspices of, BNSW.

Constitution means the constitution of BNSW as amended from time to time.

Development Player means a player who has been selected in a District Development Squad at any time within the last 12 months.

Existing Club means the most recent Club that a Player was within the last 24 months Registered to play the Game for in Junior Competition.

Friendship Player Rule means the Baseball NSW Friendship Player Policy.

Game means the sport of baseball.

Junior Competition means age-limited Competitions for players aged 16 years and under. Member has the same meaning as given to that term in the Constitution.

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

NSWBL means New South Wales Baseball League Incorporated, ABN 56 56 8633 609.

Player means a person who is Registered to play Baseball.

Regional Associations means each of the regional governing bodies of the BNSW, they being the:

- a) Central Coast Baseball Association
- b) Coffs Harbour Baseball Association
- c) Far North Coast Baseball Association
- d) Hastings Baseball Association
- e) Illawarra Baseball Association
- f) Newcastle Baseball Association
- g) Northern Rivers Baseball Association
- h) Tamworth Baseball Incorporated
- i) Wagga Wagga Baseball Association
- j) Baseball Canberra

Regional Policy means this Player Transfer Policy.

Registered means the process of a person registering to play baseball according to the State Registration Policy and **Register** and **Registration** have corresponding meanings.

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

Representative Player means a Player who has played Representative Baseball at an Association level any time within the last 24 months.

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Representative Baseball means Competitions conducted by the BNSW in the Australian Little League age groups, namely the NSW Little League, Intermediate League, Junior League, and Senior League State championships.

Season means a baseball season commencing in about September and ending in the following August in a combined calendar year, for example, the “2022-2023 Season”.

Senior Competitions mean open-age Competitions or those competitions catering for players over 16 years who are not considered Little League Eligible for the purposes of this Player Transfer Policy.

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

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

PLAYER TRANSFERS

BNSW will not approve player transfers between regional junior and metropolitan junior associations unless there are grounds that warrant such. Should a player transfer be approved, it will be at BNSW’s sole and absolute discretion.

If BNSW exercises its discretion to approve a player transfer, each circumstance is unique and the exercise of discretion by Baseball NSW in one instance does not create the obligation to exercise discretion again in another.

- 1) Any decision by an Existing Club on any request by a Player for a Clearance must be made under the BNSW Player Transfer Policy and any other applicable rules.
- 2) Subject to rules 3 and 4, BNSW may refuse to grant a Transfer Exemption in any of the following circumstances:
 - a. Where the Player has played Representative Baseball at any time within the last 24 months, and where the team which the Player intends Registering to play for, the New Club already contains a number of Representative Players which is noticeably apparent.
 - b. Where the player is required to travel a substantial distance to participate for a New Club when there is viable competition in their local Association.
- 3) Notwithstanding rules 1 and 2, BNSW may grant a Transfer Exemption or a Registration Permission under this Policy in “**Exceptional Circumstances**”. For this Policy, “**Exceptional Circumstances**” means:
 - a. If the Existing Club/Team is disbanded, merges with any other Club/Team, 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

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where the Player lives with that parent or guardian, and whereas 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 parents, guardians or family unit has separated, and where custody arrangements are in place concerning the Player meaning that would be unreasonable for the Player to play for, or train with, the Existing Club.
- 4) Notwithstanding rule 2, in any circumstances where an Existing Club is not; will not be; or does not intend fielding a team in a Competition for a forthcoming Season which a Player is eligible to play in by reference to that Player’s age and ability:
 - a. The Existing Club must grant a Clearance;
 - b. A Clearance must be granted by an Existing Club’s Association; and
 - c. A Registration Clearance must be granted by a New Club’s Association (subject to rule 2);

In the event, that the Player wishes to Register for a New Club for that forthcoming Season.

- 5) The only right of appeal open to a Player, Club or Association (together an “**Appellant**”) in respect of any decision made under this Policy concerning a Player is set out in this rule 5.

Where the Existing Club’s Association and the New Club’s Association are the same

- 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;

(a “**Transfer Decision**”) to the District Administrator of the League, by written notice addressed to the District 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 under rule 5(a) must be made within five (5) days of the Appellant receiving notification of the Transfer Decision which is appealed against.
- 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 Association in making a Transfer Decision;
 - ii. If a Transfer Decision has been made based on incorrect or incomplete information concerning the Player concerned; or
 - iii. If Exceptional Circumstances exist concerning the Player, and those Exceptional Circumstances have not been properly considered in relation to the Transfer Decision the subject of the Appeal.
- d. The District Administrator shall, after having considered the Appellant’s Appeal, either:
 - i. Refuse the Appeal, in which case the original Transfer Decision stands; or

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- ii. Allow the Appeal, in which case the District Administrator shall substitute the Transfer Decision for a new decision and then order the Existing Club to do all things necessary to give effect to the new Transfer Decision.
- e. The decision of the District Administrator concerning any Appeal is final and shall not be capable of review.

Where the Existing Club's Junior Association is different to the New Club's Association

- f. In any case where an Appeal concerns a Transfer Decision involving different Junior Associations;
 - i. The Appeal shall be made to, and determined by, the NSW District Administrator; but
 - ii. In all other respects, rules 5(a) to 5(e) shall apply and govern the determination of the Appeal.

Friendship Player Rule

For this Policy, the Friendship Player Rule is only applicable for dual registered regional players wanting to participate in the Sydney Cup. The Friendship Rule does not apply to regional players wanting to trial for a Metropolitan Association's Little League All-Star team – regardless of whether the player is dual registered and if their 'home' association cannot enter an All-star team in the player's age-eligible Charter.