# RUGBY LEAGUE
# ACCREDITED PLAYER AGENT SCHEME
# RULES

RUGBY LEAGUE ACCREDITED PLAYER AGENT SCHEME

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**RUGBY LEAGUE ACCREDITED PLAYER AGENT SCHEME**

***Part 1 – Preliminary***

**1. Objects**

(1) The objects of these Rules are to:

a. Provide a mandatory scheme to accredit appropriately qualified persons as Rugby League Player Agents.

b. Improve and maintain the quality, competence and professionalism of Player Agents.

c. Protect the welfare and interests of players who participate, or may participate in the NRL competition or other rugby league competitions by accrediting Player Agents under this scheme.

d. Provide the just and timely dispatch of complaints made against Accredited Agents.

(2) Nothing in these Rules is intended to have the effect of preventing a Player, a member of his family or his guardian, from managing or representing his or the Player's own affairs. Nothing in these Rules or the administration thereof shall operate in any respect to interfere with, either directly or indirectly, the fiduciary duties owed to a Player by his Accredited Player Agent.

**2. Independence of the Accreditation Committee**

In the discharge of any of the functions and responsibilities with which the Accreditation Committee ('the Committee') is charged and the exercise of any of the powers and authorities which are conferred on the Accreditation Committee, the Accreditation Committee is Independent and shall at all times act impartially and fairly without fear or favour, affection or ill-will.

## 3. Amendments

(1) The provisions of these Rules may be amended by the Committee provided that no such amendment shall be made unless that amendment has been approved by a majority of the Committee's members and, further, provided that any such amendment shall be notified to each Accredited Agent and the organisations referred to in clause 6 (1) at least 28 days prior to the implementation of the change in accordance with sub-Rule (2).

(2) For the purposes of sub-Rule (1), a notice amending the provisions of these Rules shall:

a. Be in writing;

b. Refer to this Rule;

c. Specify the date upon which the Committee resolved to make the amendment;

d. Set out the precise terms of the amendment; and

e. Be signed by the Chairman of the Accreditation Committee.

## 4. Definitions

In these Rules and the Appendix and Forms to these Rules, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them, that is to say:

**'Accreditation Committee'**– means the committee constituted as such by Rule 5;

**'Accredited Agent'**– means a person who is currently accredited pursuant to these Rules as an agent of Players;

**'Agent'** – includes an agent, manager or representative of a Player;

**'Annual Fee'** – means the fee payable by each Accredited Agent to the Committee for each year of his or her accreditation pursuant to Rule 23, being $1500 (plus GST) each year payable on or before 1 November each year. Some other sum as may, from time to time, be prescribed by the Accreditation Committee, save that in the case of Accredited Agents, the fee payable to the Committee for each year of his or her accreditation pursuant to Rule 23 shall be one half of the sum that is so payable by Accredited Agents. Non payment of the Annual Fee each year on or before 1 November results in automatic cancellation of accreditation. Agents will be required to re-apply and pay both Annual Fee and a non-refundable Application Fee of $500 (plus GST);

**'Applicant'** – means a person who has applied for accreditation as an Accredited Agent pursuant to Part 3 of these Rules but whose application in that regard has not been determined by the Accreditation Committee;

**'Application'** – means an application for accreditation as an Accredited Agent in accordance with the terms of Form 1 to these Rules;

**‘Application Fee’** – means the fee payable by an Applicant to the Committee pursuant to Rule 14, being $550.00 (inclusive of GST) or such other sum as may, from time to time, be prescribed by the Accreditation Committee;

**‘Arbitration’** - means the determination of a dispute under the Commercial Arbitration Act 2010.

**‘Arbitrator’** – means a person appointed from the Institute of Arbitrators and Mediators Australia.

**‘ASSRLC’** – means Australian Secondary Schools Rugby League Council Incorporated;

**‘Business Day’** – means any day other than a Saturday, Sunday or public holiday in the State of New South Wales, and where a time limit is set in these Rules when performance is due on a day that is not a Business Day, the time for performance is the next Business Day;

**‘Chairman’** – means the person appointed to chair the Accreditation Committee pursuant to Rule 5;

**‘Chief Executive Officer’** – means the chief executive officer of the NRL;

**‘Club’** – means a Club permitted by the NRL to field a Team in the NRL Competition;

**‘Code of Ethics’** – means the Code of Ethics for Accredited Agents set forth in the Appendix to these Rules;

**‘Currently’** – means, with reference to the accreditation of an Accredited Agent, accreditation that has not expired or been suspended or cancelled pursuant to these Rules;

‘**Game**’ - means the game of rugby league football;

**‘Independent Business Person’ –** means an independent business person who is not a member of the PAA

**‘Individual’** – means a person and does not include a corporation;

**‘Legally qualified person’** – means a barrister or solicitor of the Supreme Court of any State or Territory of Australia;

**‘NRL’** - means National Rugby League Limited (ACN 082 088 962);

**NRL Appeals Committee –** means the body constituted as such by the NRL Appeals Committee Procedural Rules

‘**NRL Competition**’ - means the National Rugby League competition organised, arranged and administered by the NRL;

**‘NRL Playing Contract’** - means a contract between an NRL Club on the one hand and a Player on the other hand in accordance with the terms of Form 1 to the *NRL Playing Contract and Remuneration Rules* or in such other terms as the Chief Executive Officer may approve;

**‘NRL Playing Contract and Remuneration Rules’** – means Schedule Six to the *NRL Rules*;

‘**NRL Rules**’ - means the rules adopted from time to time by the NRL governing the NRL Competition;

**‘NRL Website’** – means the website maintained by the NRL on the World Wide Web at the following internet address: www.nrl.com.au;

‘**Player**’ - means a player of the Game;

**‘Playing Agreement’** – means any contract, agreement or arrangement (other than an NRL Playing Contract) pursuant to which a Player agrees to play the Game in a competition other than the NRL Competition;

**‘Player Property’** - means the name, photograph, likeness, reputation and identity of a Player, it being acknowledged that player agents may use player property for the direct promotion of their agency (such as use of a player image on their website or letterhead) where the Player has provided appropriate authorisation to the agent ;

‘**Player Agents Accreditation Competency Framework’** – means the professional competencies scheme set up by the Institute of Organisation Coaching in association with the Rugby League Accredited Player Agent Scheme.

**‘Player Agents Skills Workshop’** – means workshops carried out by the Institute of Organisation Coaching in association with the Rugby League Accredited Player Agent Scheme.

**‘PAA’** – means the organisation of Rugby League Player Agents known as the Player Agents Association;

**‘President’** – means the person appointed by the provisions of the NRL Appeals Committee Procedural Rules to the office of President of the NRL Appeals Committee;

**‘Register’** - means the Register of Rugby League Accredited Player Agents kept and maintained by the Secretary pursuant to Rule 12;

**‘Related Competitions’ -** means Games conducted by, or with the authority or approval of, the NRL other than the NRL Competition;

**'Rugby League Player and Agent Contact'** - means a written agreement in accordance with Form 3 or Form 4 to these Rules or a written agreement which is consistent with these Rules and which, upon application by an Accredited Agent to the Accreditation Committee, is approved by the Accreditation Committee for use by the Accredited Agent as a Rugby League Player and Agent Contract.

**‘Rugby League Professionals Association’** – means the association of past and present Players, recognised as such by the Chief Executive Officer;

**‘Secretary’** – means the person appointed as secretary of the Accreditation Committee pursuant to Rule 10;

**‘secures’** – means, in the context of NRL Playing Contracts, Playing Agreements and Non-Playing Agreements, obtains a fully executed and binding NRL Playing Contract or Playing Agreement or Non-Playing Agreement to which a Player is a party;

**‘Team’** - means a team of Players competing in the NRL Competition for an NRL Club;

**‘Year’** – means a calendar year.

## *Part 2 – Constitution*

### 5. Accreditation Committee

(1) The Accreditation Committee shall be constituted by seven members in accordance with sub-Rule (2).

(2) Subject to the other provisions of this Part, the members of the Accreditation Committee shall be:

(i) One person nominated by the NRL Chief Executive Officer;

(ii) One person nominated by the Rugby League Professionals Association;

(iii) One person nominated by the ASSRLC;

(iv) One person nominated by the PAA;

(v) One legally qualified person elected by the persons nominated pursuant to (i), (ii) and (iii)

(vi) A second person nominated by the Rugby League Professionals Association;

(vii) One Accredited Agent elected by the persons nominated pursuant to (i), (ii),(iii) and (v).

### 6. Appointments

(1) As soon as practicable after the commencement of this scheme, the Secretary shall call upon:

(i) The NRL Chief Executive Officer;

(ii) The Rugby League Professionals Association;

(iii) The ASSRLC; and

(iv) The PAA

to each make their nominations for appointment to the Accreditation Committee within five business days.

(2) The appointing organisation has the right to retract a nomination and nominate a new person in their stead at any time.

(3) As soon as practicable after each of the initial appointments referred to in sub-rule (1) have been made, the persons nominated by the organisations referred to in clauses (i), (ii) and (iii) of sub-rule (1) shall elect a legally qualified person to serve as a member of the Accreditation Committee.

(4) As soon as practicable after the election of the legally qualified member in accordance with sub-rule (3), the persons nominated by the organisations referred to in clauses (i), (ii) and (iii) of sub-rule (1) and the legally qualified member elected pursuant to sub-rule (3) shall elect an Accredited Agent to serve as a member of the Accreditation Committee.

(5) If for any reason a person appointed pursuant to sub-rule (1) is temporarily unable to serve as a member of the Accreditation Committee, a majority of the Committee shall appoint a person to serve in his or her stead.

(6) On or before 30 June 2010, and at three yearly intervals thereafter, the Secretary shall call upon the organisations referred to clauses (i), (ii), (iii) and (iv) of sub-rule (1) to each make their nominations for appointment to the Accreditation Committee for the following three (3) year period.

(7) Upon acceptance by the respective nominees of the nominations made pursuant to sub-rule (6), the persons nominated by the organisations referred to in clauses (i), (ii) and (iii) of sub-rule (1) shall elect a legally qualified person to act as the Chairman of the Accreditation Committee for the following three (3) year period.

(8) As soon as practicable after the election of the Chairman in accordance with sub-rule (3), the persons nominated by the organisations referred to in clauses (i), (ii) and (iii) of sub-rule (1) and the Chairman shall elect an Accredited Agent to serve as a member of the Accreditation Committee.

**7. Chairman**

The legally qualified person elected and appointed pursuant to sub-Rules 6(3) and (6) above to serve as a member of the Accreditation Committee shall also act as Chairman of the Accreditation Committee.

**8. Powers and Duties of the Accreditation Committee**

(1) The Accreditation Committee is charged with the following functions and responsibilities:

a. To consider applications for accreditation pursuant to Part 3;

b. To assess applications for accreditation pursuant to Part 3;

c. To approve or reject applications for accreditation pursuant to Part 3;

d. To investigate, or cause to be investigated, any written complaint concerning an Accredited Agent;

e. To monitor the performance of all Accredited Agents;

f. To make decisions regarding the continuing accreditation, suspension of accreditation or cancellation of accreditation of any Accredited Agent;

g. To consider what continuing education, seminars or other courses of education ought, in the interests of achieving the objects set forth in Rule 1 recommend be undertaken by Accredited Agents and to make decisions accordingly;

h. To approve amendments to these Rules pursuant to Rule 3; and

i. To make decisions, and give all necessary directions, as to the expenditure of the income received by the Committee on account of Application Fees and Annual Fees pursuant to Rule 30

j. To create approved Forms or other documents for use under the Scheme.

(2) Subject only to the provisions of these Rules, the discharge by the Accreditation Committee of any of the functions and responsibilities with which the

Accreditation Committee is charged or the exercise of any of the powers and authorities that are conferred on the Accreditation Committee shall not be capable of review other than in accordance with Rule 33 and, in any event, shall be final and conclusive.

(3) Where in these Rules, the Accreditation Committee is charged with the task of making a decision, determination, direction or recommendation, a decision, determination, direction or recommendation arrived at by a majority of its members at a meeting of the Accreditation Committee shall be taken to be a decision, determination, direction or recommendation of the Accreditation Committee.

(4) To remove any doubt, it is neither the function nor the responsibility of the Accreditation Committee to prescribe the commission rates that may be charged by Accredited Agents to Players, or to otherwise determine the remuneration that may be earned by Accredited Agents in the discharge of their obligations to Players.

**9. Quorum**

At all committee meetings not less than 5 members present either in person or via telephone shall form a quorum

**10. Secretary**

(1) As soon as practicable after the commencement of these Rules, the Accreditation Committee shall appoint a person to act as Secretary to the Accreditation Committee.

(2) The person appointed to act as Secretary shall not be a member of the Accreditation Committee.

(3) The Secretary is charged to perform all relevant secretarial functions as delegated to him by the committee

**11. Independence of the Secretary**

In the discharge of any of the functions and responsibilities with which the Secretary is charged and in the exercise of any of the powers and authorities which are conferred, the Secretary shall at all times act independently, impartially and fairly without fear or favour, affection or ill-will and maintain confidentiality.

**12. Register of Accredited Agents**

(1) The Secretary must keep and maintain a Register, to be known as the Register of Accredited Agents, listing individuals who are currently accredited as Accredited Agents.

(2) The Register is to show in respect of each Accredited Agent who is currently accredited:

a. His full name;

b. Any business name of the Accredited Agent;

c. The address of the principal place of business for the Accredited Agent;

d. A telephone number for contacting the Accredited Agent;

e. The email address and website, should they have one, for the Accredited Agent;

f. Whether the Accredited Agent holds professional indemnity insurance;

g. The date on which he was accredited;

h. Particulars of any caution given to him;

I. Particulars of any suspension of his accreditation; and

j. Particulars of any cancellation of his accreditation including identifying whether the cancellation arose from the voluntary withdrawal from the scheme by the agent or an action by the Accreditation Committee.

(3) Upon written notice to the Secretary by a person with an interest that, in the opinion of the Secretary, is a genuine interest in the contents of the Register, the Secretary shall make the Register available, in a suitable form and at reasonable times, for inspection by that person.

(4) The Secretary shall publish on the NRL Website, and keep updated on a regular basis, a list of the Accredited Agents who are currently accredited, showing with respect to each such Accredited Agent, the information referred to in sub-Rules (2)(a) (b), (d) and (e).

(5) The Secretary must keep and maintain a Register, to be known as the Register of Player and Agent Contracts, listing Players details who are currently contracted to an Accredited Agent.

(6) The Secretary shall keep confidential details of the Player and Agent Contract list, access to which will only be available to the following:

(i) The Chairman of the Committee; and

(ii) The Player;

**13. Code of Ethics**

(1) A Code of Ethics for Accredited Agents is prescribed as set forth in the Appendix to these Rules.

(2) Every Accredited Agent shall at all times comply with each of the provisions of the Code of Ethics.

***Part 3 - Accreditation***

**14. Individuals may be accredited as Accredited Agents**

Only individuals may be accredited as Accredited Agents.

**15. Application for Accreditation**

(1) An individual may apply to the Secretary to be accredited as an Accredited Agent.

(2) An application for accreditation must be in the approved form, being in accordance with the terms of Form 1 to these Rules, and contain such information relevant to the application as is required by that form.

(3) An application must be:

(a) Signed by the applicant;

(b) Accompanied by two passport sized colour photographs of the applicant;

(c) Accompanied by payment to the Committee of the Application Fee;

(d) Accompanied by three (3) testimonials as to the character of the Agent; and

(e) Accompanied by documentation that establishes that the applicant is the holder of any necessary and current working with children clearance, approval, authorisation or license that is required by and issued under relevant legislation that deals with child-related work and the protection of children;

(f) Accompanied by documentation that establishes that the applicant is the holder of current professional indemnity insurance to a limit of indemnity that is at least the minimum amount that is acceptable to the Accreditation Committee from time to time.

(g) Forwarded to the Secretary.

(4) If, upon receiving an application for accreditation, the Secretary is not satisfied that the application complies with sub-rules (1), (2) and (3), the Secretary, on behalf of the Accreditation Committee, may give the applicant written notice of the reasons for the non-compliance and invite the applicant to forward additional material to the Secretary within a specified period of time.

(5) The Accreditation Committee shall not consider an application for accreditation that does not comply with sub-rules (1), (2) and (3).

**16. Accreditation Committee to Consider Application**

(1) The Accreditation Committee shall consider whether the Applicant ought be accredited as an Accredited Agent.

(2) When considering whether an Applicant ought be accredited pursuant to these Rules, the Accreditation Committee shall have regard to:

a. The accreditation criteria specified in Rule 17;

b. The prohibitions against accreditation specified in Rule 18;

(3) For the purpose of considering whether an Applicant ought to be accredited pursuant to these Rules, the Accreditation Committee or their nominee may interview the Applicant.

(4) If the Accreditation Committee, by a majority of its members is satisfied that the Applicant ought be accredited pursuant to these Rules, then the Accreditation Committee may decide to accredit the Applicant with accreditation, subject to such terms and conditions as the Accreditation Committee, by a majority of its members considers necessary to achieve the objects set forth in Rule 1.

(5) An Applicant who seeks Accreditation is required to attend and successfully

complete the Player Agents Skills Workshop and achieve a level of competency pursuant to the Player Agent Accreditation Competency Framework and Player Agents Skills Workshop.

(6) An unsuccessful participant who does not obtain accreditation under the Player Agent Accreditation Competency Framework or Player Agents Skills Workshop may apply to the Secretary to undertake further training which in the opinion of the majority of the Committee may be required to qualify for accreditation.

(7) In any case where the Accreditation Committee, by a majority of its members is not satisfied that the Applicant ought to be accredited pursuant to these Rules, the Application shall be refused.

(8) A decision of the Accreditation Committee whether to accredit an Applicant as an Accredited Agent shall not be capable of review other than in accordance with Rule 33 and, in any event, shall be final and conclusive.

**17. Accreditation Criteria**

(1) The Accreditation Committee may only consider an application for accreditation that complies with Rule 15.

(2) When considering and assessing an application for accreditation that complies with Rule 15, the Accreditation Committee shall have regard to the following:

(a) The applicant's education and formal qualifications;

(b) The applicant's prior experience, if any, as an agent for Players or other persons;

(c) The applicant's reputation;

(d) The capacity of the applicant to carry out the obligations of an Accredited Agent;

(e) The level of service that the applicant provides or undertakes to provide to all Players whom the applicant represents or may represent as agent;

(f) The extent to which the applicant either provides or undertakes to provide advice and assistance with respect to the non-playing career development of the Players whom the applicant represents or may represent as agent;

(g) Whether the applicant is a fit and proper person to act as an agent of Players;

(h) Whether the applicant is a person of integrity;

(i) Whether the applicant has undertaken to pay the Annual Fee to the Accreditation Committee each year of his or her accreditation;

(j) Any other matter that, in the opinion of the Accreditation Committee, should be taken into account in considering whether the applicant ought be accredited pursuant to these Rules.

**18. Prohibitions against Accreditation**

(1) An Applicant must not be accredited as an Accredited Agent if the Applicant has been refused accreditation as an Accredited Agent in the 12 month period immediately before the Application is made.

(2) Unless the Accreditation Committee, by a majority of their members considers otherwise, an Applicant must not be accredited as an Accredited Agent if the Applicant was previously accredited as an Accredited Agent and that accreditation was cancelled pursuant to Part 5 at any time in the five year period immediately before the Application is made.

(3) An Applicant must not be accredited as an Accredited Agent if the Accreditation Committee, by a majority of their members is satisfied that:

a. The Applicant has made a false or misleading statement of a material nature in the Application;

b. The Applicant is not a fit and proper person to act as an agent of Players;

c. The Applicant is not a person of integrity; or

d. The Applicant is an undischarged bankrupt.

(4) If the Applicant has been accredited as an Accredited Agent at some time in the 12 month period immediately before the Application is made, the Applicant shall not be accredited as an Accredited Agent if the Accreditation Committee, by a majority of their members is satisfied that the Applicant did not, while accredited, comply in all respects with these Rules; or the Code of Ethics.

**19. Effecting Accreditation**

(1) Where the Accreditation Committee, by a majority of their members decides to accredit an Applicant as an Accredited Agent, the Secretary shall forthwith accredit the Applicant by entering the Applicant's name and such other particulars as are required by Rule 19 on the Register, provided that the Applicant has first:

a. Paid the Annual Fee to the Committee for the first year of his accreditation; and

(2) As soon as practicable after entering an Applicant's name and other particulars on the Register, the Secretary shall:

a. Provide, or cause to be provided, to the Applicant a Certificate of Accreditation as an Accredited Agent; and

b. From time to time during the duration of the Applicant's accreditation, and in such a manner as the Secretary thinks fit, publish to the NRL Clubs and such other persons or entities as the Secretary thinks fit, the fact that the Applicant is an Accredited Agent.

**20. Duration of Accreditation**

Subject to Part 5, once accredited, an Accredited Agent shall remain accredited for a period of five years.

**21. Notice of Refusal of Application**

(1) If the Accreditation Committee is not satisfied that an Applicant ought be

accredited pursuant to these Rules, then the Application shall be refused and the Secretary shall give to the Applicant written notice of that fact.

(2) To remove any doubt, nothing in these Rules requires the Accreditation Committee to provide reasons for a decision.

**22. Repeat Accreditation**

(1) An application for repeat accreditation shall be made in writing by the Accredited Agent and lodged with the Secretary no later than 20 Business Days prior to the date on which his accreditation as an Accredited Agent would, but for any renewal, expire.

(2) A further Application Fee payable to the NRL must accompany an application for repeat accreditation.

(3) The Accreditation Committee shall not consider an application for repeat accreditation unless the Accredited Agent has paid the Application Fee to the Committee and had previously paid the Annual Fees which were payable for each year of his accreditation as an Accredited Agent.

(4) When considering whether an application for repeat accreditation ought be approved, the Accreditation Committee shall have regard to the matters set forth in Rules 15 and 16 the prohibitions contained in Rule 17.

(5) If the Accreditation Committee, by majority of its members is satisfied that the accreditation of an Accredited Agent ought to be renewed, then the Accreditation Committee may decide that the accreditation of the Accredited Agent.

(6) In any case where the Accreditation Committee decides that the accreditation of an Accredited Agent ought be renewed, the Accreditation Committee may, by a majority of their members and on such reasonable conditions as they think fit, grant the application for renewal, in which event and subject to Part 5, the accreditation of the Accredited Agent shall be renewed for a further period of five years from and including the date on which his accreditation, but for that renewal, would have expired.

**23. Automatic Removal**

(1) The Secretary shall remove from the Register the name and particulars of an Accredited Agent if:

a. The Accredited Agent requests the Secretary, in writing, to do so;

b. The Accredited Agent fails to pay to the Committee the Annual Fee when it falls due; or

c. The Accredited Agent dies; or

d. The Accredited Agent continues to hold an official position with any Rugby League team, or with any Club identified at Rule 24(2)

(2) To remove doubt, in any case where the accreditation of an Accredited Agent is cancelled, the Secretary shall forthwith remove the name and particulars of that Accredited Agent from the Register.

## *Part 4 – General Provisions Applying to Accredited Agents*

### 24. Restrictions on Accredited Agents

(1) Subject to Rule 24(3) an Accredited Agent shall not be permitted, at any time during the period of accreditation, to hold any official position with any Rugby League team, or with any Club which enters such a team in a competition.

(2) For the purposes of Rule 24(1) 'official position' shall include, but not be limited to, the following:

(i) Coach of the team;
(ii) Manager of the team;
(iii) Trainer of the team;
(iv) Secretary of the Team or Club which enters the team in a competition.
(v) Director of a Club which enters the team in a competition;
(vi) Player of the team

(3) This Rule shall not prevent an Accredited Agent from holding an official position in relation to any team which may be from time to time entered in:

(i) a competition by a School of which the Accredited Agent is currently a member of staff;
(ii) a competition at a District Junior Level.

(4) Should an Accredited Agent hold an official position with any Rugby League Club during the period of accreditation, the Committee shall require that Agent to relinquish that official position within a period of 28 days or such other period as the Committee may in its absolute discretion determine. In the event that the Accredited Agent fails to relinquish the official position, Accreditation will be automatically removed pursuant to Rule 23.

### 25. Obligations of Accredited Agents

Every Accredited Agent shall:

(1) Pay the Annual Fee for each year of his accreditation;

(2) Comply in all respects with these Rules;

(3) Comply in all respects with the provisions of the Code of Ethics;

(4) Ensure that he or she enters into a Rugby League Player and Agent Contract with every player for whom he acts as Agent prior to representing that Player as Agent. For the purposes of these Rules, in circumstances where a Player and a company enter into a Rugby League Player and Agent Contract in accordance with Form 4 to these Rules, the Accredited Agent who is identified in that contract as being the Nominated Agent is deemed to have entered into the contract with the Player.

(5) Before entering into a Rugby League Player and Agent Contract with any Player, ensure that the Player is provided with a complete copy of the proposed Rugby League Player and Agent Contract prior to the Player being requested to

consider any of the terms, conditions or obligations contained in the contract and prior to the Player being requested to sign the contract. In circumstances where a Player and a company enter into a Rugby League Player and Agent Contract in accordance with Form 4 to these Rules, the Accredited Agent who is identified in that contract as being the Nominated Agent must comply with this sub-rule.

(6) Provide the Accreditation Committee with a list of Players with whom the Agent has entered into a contract which includes:

(i) Player's name;

(ii) Player's Date of Birth;

(iii) Club signed with (if any);

(iv) Term of the Player and Agent Contract; and

(v) Date Signed;

(7) Comply in all respects with the provisions of any Rugby League Player and Agent Contract into which the Accredited Agent has entered with a Player.

(8) Provide the Accreditation Committee with written notice of the termination of any Rugby League Player and Agent Contract into which the Accredited Agent had entered with a Player, no later than 10 days after the date of the termination, regardless of who terminated the contract.

(9) Comply in all respects with the anti-tampering regime set forth in Part 5.2 of the *NRL Playing Contract and Remuneration Rules*;

(10) Not counsel, procure, aid or assist any Player for whom the Accredited Agent acts as agent and who has entered into an NRL Playing Contract to contravene any of the provisions of the NRL Rules. (Including all other Schedules and Guidelines to the NRL Rules) including:

(11) Comply in all respects with such rules, protocols, directions and requests as are made by any rugby league body with authority to administer or arrange junior, school and other competitions or matches, so far as those rules, protocols, directions or requests relate to the attendance or conduct of player agents at such competitions or matches;

(12) At all times be the holder of any necessary and current working with children clearance, approval, authorisation or license that is required by and issued under relevant legislation that deals with child-related work and the protection of children;

(13) At all times be the holder of current professional indemnity insurance to a limit of indemnity that is at least the minimum amount that is acceptable to the Accreditation Committee from time to time;

(14) Agree to attend the Player Agents Skills Workshop, or any other such skills workshop, education seminar etc. which is conducted by the Rugby League Accredited Player Agent Scheme as required by the Accreditation Committee.

## *25A.* Gambling and related matters

(1) An Accredited Agent shall not participate, or be involved in any way, in gambling in relation to a Match, or the progress of a Team in:

(i) the NRL Competition;
(ii) the Competition known as the National Youth Competition;
(iii) the Competition known as the Queensland Cup Competition; or
(iv) any other Competition conducted by, or under the auspices of, any State League

whether, in each case, as to its outcome, its course, or otherwise.

(2) An Accredited Agent shall not provide, either directly or indirectly, information that is not in the public domain in relation to a Match, or the progress of a Team in:

(i) the NRL Competition;
(ii) the Competition known as the National Youth Competition; or
(iii) the Competition known as the Queensland Cup Competition; or
(iv) any other Competition conducted by, or under the auspices of, any State League

which might assist another person to gamble in relation to that Match or that progress.

(3) An Accredited Agent shall not offer, or accept, a bribe in relation to, or be involved in any way in the fixing of, a Match conducted in:

(i) the National Rugby League Competition;
(ii) the Competition known as the National Youth Competition; or
(iii) the Competition known as the Queensland Cup Competition; or
(iv) any other Competition conducted by, or under the auspices of, any State League

(4) For the purposes of sub-Rule (3), an Accredited Agent shall be taken to have been involved in the fixing of a Match if the natural course of that Match has been interfered with in any respect.

(5) For the purposes of sub-Rules (1), (2) and (3), “State League” shall include:

(i) the New South Wales Rugby League;
(ii) the Country Rugby League of New South Wales;
(iii) the Queensland Rugby League;
(iv) the South Australian Rugby League;
(v) the Western Australian Rugby League;
(vi) the Northern Territory Rugby League; and
(vii) the Tasmanian Rugby League.

## 26. Australian Secondary Schools Rugby League

(1) Accredited Agents are not permitted to communicate with Players under the age of 18 years at any ground at any time without the express permission of the Player’s parents and the Principal or a Principal’s representative and obtain a relevant clearance to enable them to work with children.

(2) If permission to communicate with a Player is granted from the parents of the Player and the Principal, any discussions with the Player must be in the presence of the parents and/or guardian of the Player or the Principal and/or the Principal's representative.

(3) At State, National School Rugby League Events and Activities and/or minor representative trial matches (including zone, regional, greater regional and diocese representative fixtures), Accredited Agents who attend must follow the following protocols;

a. Officially register with the host organising body on arrival;

b. Accredited Agents will wear their identification tags visibly at all times;

c. At the conclusion of events Accredited Agents are permitted to contact the Team Manager of a team where they have an interest in a particular player and provide their business card / contact details who will in turn provide them to the player.

d. No other contact with the Player is permitted unless the Accredited Agent has already complied with Rule 26(1) above.

(4) Accredited Agents who attend Rugby League events may have contact with players who are under the age of 18 if the following protocols are observed:

a. The Accredited Agent has written permission to approach the Player from the parents of the Player
b. The Team Manager sights and endorses the written permission;
c. The written permission is lodged with the host organising body at the official registration area (if applicable).

(5) If a Team Manager believes the communications between the Accredited Agent and the Player are not in the best interests of the Player he may at any time terminate the contact and report his concerns to the Secretary of the Committee (or representative) and to the parents of the student.

(6) Comply in all respects with such rules, protocols, directions and requests as are made by any rugby league body with authority to administer or arrange junior, school and other competitions or matches, so far as those rules, protocols, directions or requests relate to the attendance or conduct of player agents at such competitions or matches.

(7) Any Accredited Agent who fails or refuses to follow the above protocols at Rule 26(1)-(6) will risk forfeiting their entitlement to participate any further at that particular event, or other events in the future, if concerns are brought to the attention of the Secretary of the Committee (or representative) by either the Team Manager or the parents of the student and it is deemed that an investigation of the complaint should be carried out.

## 26A Communication with Players who are under the age of 18 years

An Accredited Agent, or any person on his or her behalf, must not, at any time, communicate with a Player who is under the age of 18 years, in person or by:

a) post, or
b) telephone, or
c) text message, or
d) electronic mail, or
e) using social networking websites (including Facebook.com and Twitter.com), or
f) any other means or form of communication,

without having previously obtained the written consent of the Player's parent or guardian.

## 27. Rugby League Player and Agent Contracts Generally

(1) An Accredited Agent must comply with the terms of any Rugby League Player and Agent Contract into which the Accredited Agent has entered with a Player.

(2) Any Player who enters into a Rugby League Player and Agent Contract must be of the minimum contractual age according to the NRL Rules and any Guideline published by the Chief Executive Officer pursuant to Rule 30 of the NRL Rules.

(3) The standard terms of a Rugby League Player and Agent Contract as set out in either Form 3 or Form 4 may only be amended with the approval of the Accreditation Committee.

(4) Upon entering into a Rugby League Player and Agent Contract with a Player, the Accredited Agent must provide the Player with a complete copy of the Contract within 28 days of its execution.

(5) Upon entering into a Rugby League Player and Agent Contract with a Player, the Accredited Agent must provide to the Secretary a copy of the notification page attached to the contract within 28 days of the execution of the contract.

(6) At no time shall an Accredited Agent accept payment of the fees payable by the Player to the Accredited Agent pursuant to a Rugby League Player and Agent Contract from a Club or any entity acting on behalf of a Club without the separate written consent of the Player.

(7) In the event that an Accredited Agent's accreditation is suspended, cancelled, revoked or otherwise ceases, a Player with whom the Accredited Agent has entered into a Rugby League Player and Agent Contract shall have the right to terminate that contract forthwith.

(8) In the event that the Accreditation Committee receives written notification from the Player or the Accredited Agent that a Rugby League Player and Agent Contract has been terminated, the Accreditation Committee shall, within 28 days of

receipt of such notification, update the Register of Player and Agent Contracts in accordance with Rule 12(5) and provide written confirmation to both the Player and the Accredited Agent that the register has been updated.

## 28. Continuing Education

When it deems fit, the Accreditation Committee shall:

(1) Consider what continuing education, seminars or other courses of education ought, in the interests of achieving the objects set forth in Rule 1, be undertaken by Accredited Agents and

(2) Make decisions regarding such matters.

(3) Every Accredited Agent shall attend and complete to the standard reasonably required by the Accreditation Committee such continuing education, seminars or other courses of education as are required by the Accreditation Committee, and which relate to the discharge of their obligations as Accredited Agents, and which are notified by the Secretary to Accredited Agents from time to time.

(4) To remove any doubt, the standard required by the Accreditation Committee which each Accredited Agent shall attain in the performance of continuing education, Player Agent Skills Workshops, seminars or other courses of education may be tested by the Accreditation Committee, or their nominee, through an examination of the base of knowledge of each individual Accredited Agent.

## 29. Records

Every Accredited Agent shall keep full and accurate books of account, records, contracts, agreements, arrangements (including electronic records) relating to any Player whom he represents, which documents shall be kept at the principal place of business of the Accredited Agent for a period of at least five years from the date on which each document, in each instance, was generated.

## 30. Inspection of Records where a Player has made a Complaint

At any time, where a Player has made a written complaint concerning his duly contracted Player Agent under Part 5 and has provided written consent to the Chairman, the Accredited Agent, shall make available for inspection to the Chairman of the Committee and or the Secretary, and provide full access to the Rugby League Player and Agent Contract, NRL Playing Contract and any other document directly related to the complaint, providing that the Chairman has first given to the Accredited Agent ten (10) Business Days' notice in writing of his intention to so inspect. To be clear, the Chairman will not have access to any Agent authored documents, notes or documents representing legal advice held by the Accredited Agent in relation to the Player. The Chairman must maintain the confidentiality of the Agent authored documents, notes or documents representing legal advice and must not disclose their contents to any person including members of the Accreditation Committee.

## *Part 5 – Supervision*

### 31. Accreditation Committee to Investigate Complaints

(1) In any case where the Accreditation Committee receives a complaint concerning the conduct of an Accredited Agent or where the conduct of an Accredited Agent comes to the attention of the Accreditation Committee, then the Accreditation Committee or their nominee shall investigate that conduct.

(2) Nothing in Sub-Rule (1) requires the Accreditation Committee or their nominee to investigate conduct of an Accredited Agent unless that conduct, if established, is of a nature likely to affect the continuing accreditation of the Accredited Agent to whom it relates or the efficacy or administration of these Rules.

(3) Where a complaint is made in respect of an Accredited Agent and the Committee decides to conduct an investigation, the agent will be contacted and given an opportunity to show cause.

### 32. Accreditation Committee to Consider and Determine Complaints

(1) In any case where the Accreditation Committee, whether in the course of an investigation to which Rule 31 applies or otherwise, forms the opinion, by a majority of its members that:

a. An Accredited Agent has made a false or misleading statement of a material nature in his Application;

b. An Accredited Agent is not a fit and proper person to act as an agent of Players;

c. An Accredited Agent is not a person of integrity;

d. An Accredited Agent is an undischarged bankrupt;

e. An Accredited Agent has not followed protocols set out at Rule 26;

f. An Accredited Agent has not complied with the *Code of Ethics*; or

g. An Accredited Agent has not complied with these Rules;

and that they ought as a consequence act to either suspend or cancel the accreditation of the Accredited Agent, then the Accreditation Committee shall, through the Secretary:

(i) Notify the Accredited Agent in writing of that intention;
(ii) Request the Accredited Agent show cause in writing within ten (10) Business Days why his accreditation should not be suspended or cancelled;
(iii) Give the Accredited Agent the opportunity to address the Committee on the completion of the ten business days.
(iv) And upon a finding against the Agent give him/her the opportunity to make a submission as to penalty

(2) After the expiry of the period specified in Sub-Rule (1), the Accreditation Committee shall consider any written response from the Accredited Agent and thereafter determine, by a majority of its members whether to:

a. Take no further action;

b. Issue a caution;

c. Impose restrictions and/or conditions on the accreditation of the Accredited Agent, which the Committee deem appropriate by a majority of its members, for such period as the committee thinks fit.

d. Suspend accreditation for such period as the Accreditation Committee, by a majority of its members think fit;

e. Cancel accreditation; or

f. Issue any other penalty the Committee deems fit.

(3) If the Accreditation Committee determines to either suspend or cancel the accreditation of an Accredited Agent, then:

a. In the case of a cancellation, the accreditation of the Accredited Agent shall forthwith be cancelled and the name and particulars of the Accredited Agent shall be forthwith removed by the Secretary from the Register;

b. In the case of a suspension, the accreditation of the Accredited Agent shall forthwith be suspended and the fact of that suspension shall forthwith be recorded by the Secretary on the Register;

In all cases, the Secretary shall as soon as practicable:

(i) Notify the Accredited Agent of the fact of the suspension or cancellation of his accreditation, as the case may be; and

(ii) Notify all Players whom, to the knowledge of the Secretary, the Accredited Agent represents and all NRL Clubs that the accreditation of the Accredited Agent has been suspended or cancelled, as the case may be.

**33. Dispute Resolution**

(1) Where the Accreditation Committee has suspended, placed restrictions and/or conditions on, or cancelled the accreditation of an Accredited Agent; then the Accredited Agent may issue a notice to the Accreditation Committee within ten (10) business days of their decision advising them of :

a. their dissatisfaction with the Accreditation Committee's decision.

b. their intention to refer the matter to Arbitration in order to seek a binding expert determination.

(2) In such an event, both the Accreditation Committee and the Accredited Agent agree that the matter should be determined in accordance with the Institute of Arbitrators and Mediators Australia rules for the conduct of commercial arbitrations pursuant to the Commercial Arbitration Act 2010.

(3) The Accredited Agent must commence Arbitration Proceedings within twenty eight (28) days of the decision being handed down by the Accreditation Committee.

(4) It is agreed between the Accreditation Committee and the Accredited Agent that the costs of the Arbitrator shall be borne by the losing party.

## *Part 6 – Miscellaneous Provisions*

### 34. Expenditure of Fee Revenue

(1) All income received by the Committee on account of Application Fees or Annual Fees shall be expended in such manner and for such purposes as the Accreditation Committee, by a majority of its numbers decide and direct;

(2) To remove any doubt, nothing in sub-Rule (1) shall be taken to authorize the expenditure of any sum other than in a manner and for a purpose consistent with the objects set forth in Rule 1.

### 35. Notices

(1) Where in these Rules a written notice is required to be given or a document is required to be forwarded, written notice shall be taken to have been given and a document shall be taken to have been forwarded if:

a. It is delivered to the recipient in person; or
b. In the case of pre-paid post being sent and received in Australia on the third day after the date of posting.
c. It is transmitted to the recipient by facsimile machine and confirmation is given by the recipient that the facsimile has been received; or
d. It is transmitted to recipient by email and receipt of a confirmation report that the email was sent successfully.

(2) In any case to which sub-Rule (1)(b) applies, where an attempt is made to transmit a written notice or document by facsimile, but that attempt is unsuccessful through no fault of the sender, the written notice shall be taken to have been given or the document shall be taken to have been forwarded if it is published on the NRL Website for the attention of the recipient.

### 36. Time

(1) Upon application by a person affected by these Rules, the Chairman or the President, as the case may be, may enlarge the time for doing any act or taking any proceeding allowed or limited by these Rules upon such terms as the Chairman or the President deems fit.

(2) An application pursuant to Sub-Rule (1) may be made and time may be enlarged although the application is not made until after the expiration of the time allowed or limited by these Rules.

### 37. Process Not to be Invalidated for Technical Reasons or Want of Form

No process under these Rules shall be invalidated merely by reason of any defect whether of substance or of form in any notice or report.

### 38. Jurisdiction

These Rules apply to all Applicants and Accredited Agents.

**Appendix to the Rugby League Accredited Player Agents Rules**

**CODE OF ETHICS FOR ACCREDITED AGENTS**

1. I will at all times act in accordance with the law and the legitimate best interests of any Player for whom I act as agent. I will deal with them honestly competently, diligently and fairly with a conscientious regard for their personal and professional welfare.

2. I will at all times act in accordance with the rules of the Rugby League Accredited Player Agent Scheme

3. I will at all times use my best endeavours to maximise my Players' earning potential in the most effective manner by, if necessary, appropriate use of duly qualified professional advice including advice with respect to financial management, taxation and legal issues.

4. Any agreement I enter into with a Player shall be in writing and clearly disclose all fees and commissions payable to me by the Player or any other party. Any variation to such fees or commission rates must be agreed to by the Player in writing.

5. I will not enter into any such agreement with a Player if that Player is registered to another agent on the player-agent register held by the operations manager of the agent accreditation scheme. If there is any doubt, I understand it is my responsibility is to verify the Player's status with the accreditation scheme operations manager before making any approach to the Player.

6. I will not allow my own financial or other interests or the interests of other persons to diminish my representation of any particular Player and in this regard I will not accept any secret commissions from any party relating to any transaction involving or affecting any Player whom I represent.

7. I will at all times when acting as agent for a Player, keep him fully informed of the nature of the work I am doing in performance of my obligations as his agent and, wherever possible, I shall keep the Player so informed in writing.

8. I shall at all times maintain a sound working knowledge of the *NRL Rules* and any Schedules and Guidelines to those Rules.

9. I shall at all times proceed with due regard for the need to preserve the confidentiality of any information disclosed to me by any Player for whom I act as agent and not disclose, or allow to be disclosed, confidential information about a Player for whom I act as agent without that Player's written consent.