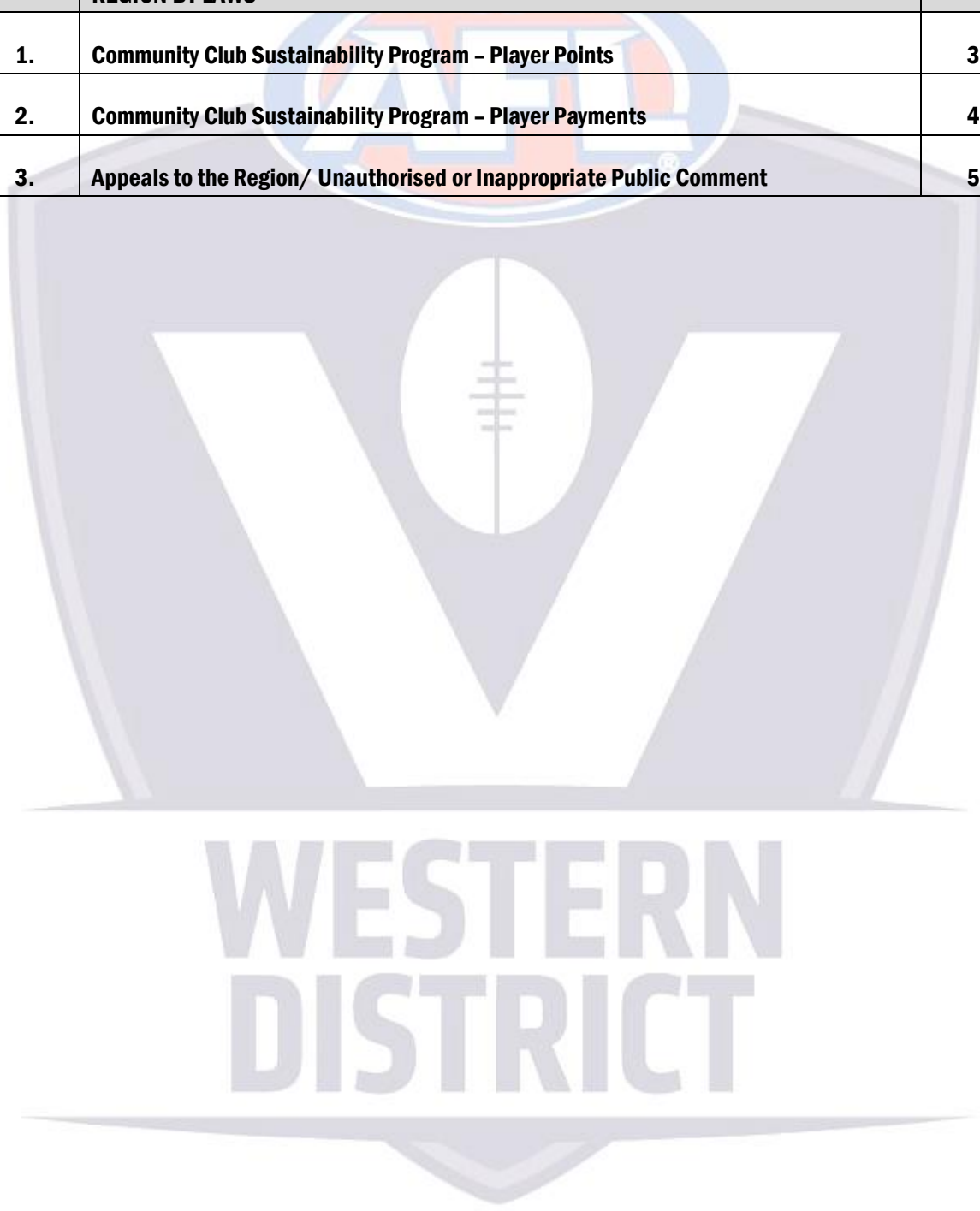




Adopted 31/8/2023

AFL Western District - BY-LAWS - 2023

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DEFINITION

Regional Council

Is a group of volunteers, who shall serve in an honorary role, and speak on behalf of the Region through the Region Manager.

The fundamental purpose of the Region Council is to consider and support the direction of football in the Region with a focus on three key areas.

1. AFL Victoria Affiliation Agreement adherence and compliance
2. Compliance with AFL Victoria Rules and Regulations
3. Regional Football Strategies and Direction specifically:
 - a. Participation Deliverables
 - b. Club Transfers and New Clubs/Teams
 - c. Age Group determinations
 - d. Region Appeals
 - e. Community Club Sustainability Program (Player Points System and Allowable Player Payments)

In meeting its purpose, it is incumbent on the Region Council to make evidenced based decisions which are considered and have mitigated the associated and consequential risks whilst progressing the game of AFL in the Region.

REGION BY LAWS

1. Player Points System Regional Conditions

Hampden FNL, South West DFNL, Mininera DFL, & Warrnambool DFNL must comply with the provisions of the AFL Victoria Player Points System Policy (**the Policy**)

1.1 Region Player Points Panel

The Region may appoint persons to a Player Points Panel. The panel will be a minimum of three (3) members and will comprise:

- the Region Manager;
- Chair of the Region Council;
- a League Manager;

1.2 Jurisdiction of Region Player Points Panel – Player Assessment

- 1.2.1** Clubs may make application in writing to the Region Manager for reassessment of a player's points allocation within 7 days of the player's points being confirmed by the Region pursuant to the AFL Victoria Player Points System framework.
- 1.2.2** The application must address the matters set out in Clause 7.3 of the Policy. Any supporting evidence should be submitted with the application.
- 1.2.3** The Player Points Panel will consider the application within 14 days of receipt by the Region Manager
- 1.2.4** Decisions of the Player Points Panel will be by majority vote.

- 1.2.5 The Player Points Panel is not obliged to give reasons for its decision.
- 1.2.6 The Region will provide written notification to the Club within 7 days of the Player Points Panel making its decision.

1.3 Jurisdiction of Region Player Points Panel – Club Assessment

- 1.3.1 The Region shall give notice of the allocation of total club points for each affiliated League for the following season by August 31st annually.
- 1.3.2 Clubs may make application in writing to the Region Manager for reassessment of their total club points allocation within 28 days of the Club being notified pursuant to the AFL Victoria Player Points System.
- 1.3.3 The application must set out the Club’s reasons for seeking reassessment and must particularly address the matters set out in Clause 8.2 of the Policy and be accompanied by all supporting evidence which the Club wants considered.
- 1.3.4 The Region Player Points Panel will consider the application within 28 days of receipt by the Region Manager.
- 1.3.5 Decisions of the Region Player Points Panel will be by majority vote.
- 1.3.6 The Player Points Panel is not obliged to give reasons for its decision.
- 1.3.7 The Region will provide a written notification to the club within 7 days of the Player Points Panel making it decision.

1.4 Appeals against the Region Player Points Panel

Clubs may appeal a decision of the Player Points Panel to the Region Council provided that:

- 1.4.1 The appeal is made in writing to the Region Manager not later than 5.00pm on the second business day (business day in the state of Victoria) after the Region has notified the Club of the decision.
- 1.4.2 A sum of \$250 is received by the Region, which is non-refundable.
- 1.4.3 The Appeal shall be considered on written submissions only.
- 1.4.4 The Region Council shall consider the Appeal within 28 days upon receipt of the Appeal.
- 1.4.5 Decisions of the Region Council will be by simple majority vote of the Region Council members in attendance.
- 1.4.6 The Region will provide written notification to the member club within 7 days of the Region Council making its decision.
- 1.4.7 The Region Council is not obliged to give reasons for its decision.
- 1.4.8 The decision of the Region Council is final.

2. REGION Allowable Player Payments Rule

The Region have adopted the AFL Victoria Allowable Player Payment Rule. Region affiliated leagues and clubs must comply with the provisions of the Rule.

2.1 Jurisdiction of Region Council – Allowable Player Payment variation under APP Rule 3(a)

- 2.1.1 The Region shall confirm the Allowable Player Payment cap for each affiliated League for the following season by August 31st annually.
- 2.1.2 By October 31st, a Club may make application in writing to the Region Manager for an increase in the Allowable Player Payment to apply to that Club.
- 2.1.3 The application must set out the Club’s reasons for seeking an increase in the Allowable Player Payment to apply to that Club and particularly should address the factors set out in Clause 3(a)(iv) of the Allowable Player Payment Rules and be accompanied by supporting evidence.

- 2.1.4 The Region Council will consider the application not later than November 30th.
- 2.1.5 Decisions of the Region Council will be by majority vote.
- 2.1.6 The Region will provide a written response to the Club notifying the decision of the Region and will give reasons for the decision.
- 2.1.7 Where an application for an increase in the Allowable Player Payment for the Club is granted, the Region will make this decision public.

2.2 Region Alleged Allowable Player Payment Breach Investigation Request

- 2.2.1 A Region member Club or League may lodge a notice in writing with Region Manager outlining the particulars of an alleged breach in the Allowable Player Payment Rule by a Region Club or Player
- 2.2.2 The affiliated club or league lodging the notice must provide supporting evidence of the alleged breach.
- 2.2.3 A sum of \$2,500 must accompany the notice which shall be fully refundable by the Region Council should the allegation not be deemed frivolous or vexatious. If the allegation is deemed frivolous or vexatious, the Region Council may refund all or part of the sum in their absolute discretion.
- 2.2.4 The Region Manager shall refer the allegation and its evidence to the Region Council within 7 days of receipt.
- 2.2.5 The Region Council shall determine if the allegation is to be referred to an Investigation. The decision of the Region Council will be final and binding.
- 2.2.6 Where an Investigation has occurred and charges are laid against a Club and or player(s) and the charge is found proven at a Hearing of the Disciplinary Committee, the Disciplinary Committee may order that the offending Club or player pay all or part of the costs of the investigation.

3. Appeals to the Region

- 3.1 Clubs may appeal to the Region Council provided that:
 - 1. The appeal is made in writing to the Region Manager not later than 2.00pm on the second business day (business day in the state of Victoria) after the Region has notified the Club of the decision.
 - 2. A sum of \$500 is received by the Region, which is non-refundable.
 - 3. The Appeal shall be considered on written submissions only.
 - 4. The Region Council shall consider the Appeal within 14 days upon receipt of the Appeal.
 - 5. Decisions of the Region Council will be by simple majority vote of the Region Council members in attendance.
 - 6. The Region will provide written notification to the member club within 7 days of the Region Council making its decision.
 - 7. The Region Council is not obliged to give reasons for its decision.
 - 8. The decision of the Region Council is final.

4. Unauthorised or Inappropriate Public Statements

- 4.1 Rule 5.2 of the AFL Victoria Country Rules & Regulations (“the AFL Victoria Rules”) defines “unbecoming conduct” as “conduct which is unbecoming to a player, umpire, such official, or club, or which has or is likely to bring the game of football into disrepute”. Such conduct on behalf of a player or an official of a club, umpire, official of an umpires’ Association, AFL Victoria Country Official, League Official, Club, player advocate, or

League appointed official (“the offender”) includes the making of any public statement reflecting adversely upon the decisions or performance of League appointed tribunals or AFL Western District affiliated umpires, including statements made:

1. On radio
2. On television
3. In print
4. On any form of digital or social media, or
5. By any other publicly available method

(“the statement”)

The Region Council may require that the League with whom the offender is associated, or with respect to whose competition the statement was made, appoint an Investigation Officer to investigate the statement in accordance with Rule 5.1 of the AFL Victoria Rules.

Should a person be found guilty, following an investigation, a fine equal to the cost of the investigation will be levied against that person.

Should a person be found not guilty, following an investigation, the cost of the investigation will be the responsibility of the Region.

**WESTERN
DISTRICT**