



JAMAICA NETBALL ASSOCIATION

BYLAWS GOVERNING TRANSFER OF PLAYERS

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JAMAICA NETBALL ASSOCIATION

BY-LAWS OF COUNCIL NO 001/2008

BY-LAWS GOVERNING THE TRANSFER OF PLAYERS BETWEEN CLUBS

PREAMBLE

Under the Constitution of the Jamaica Netball Association (JNA), the Council is empowered to establish By-Laws and Rules governing the sport and therefore makes the following By-Laws relating to the transfer of players between clubs registered with the JNA.

These By-Laws will be referred to as the Transfer By-laws.

These Transfer By-Laws therefore seek to regulate the process of transfer of “members” between member clubs within the JNA’s Leagues.

The JNA is the only body authorized to grant such transfers.

DEFINITIONS

The following words used throughout the body of the **By -Laws** shall be construed as defined in the following list.

- | | | |
|--------------------|---|---|
| Administrative Fee | - | The fee to be paid to the JNA upon the submission of a request for Transfer |
| Current Club | - | The Club to which a player is currently a registered member and is therefore holding the registration of the player according to the last membership declaration submitted per the requirements of the affiliation process. |
| Defunct | - | Any Club that ceases to exist in a recognizable form (disarray in its Administration; non-operational) during the playing of a JNA administered league |
| Forms | - | <ul style="list-style-type: none">i) Player Request Release Form – to be completed by the player requesting the transfer. Also known as the Release Form.ii) Notice of Intended Transfer Form – to be completed by a player and submitted to the Current Club.iii) Acceptance Form – To be completed by the Club accepting the transferred player. |

Loaned Player	-	Any member of a national squad that the JNA has directed be transferred from one club to another in the national interest.
Minors	-	Persons under the age of eighteen (18) years of age.
New Club	-	The Club to which the player is desirous of being transferred.
Obligations	-	Any monies or gear that the current club is entitled to receive from the Player desirous of being transferred per the arrangements made throughout the term of membership.
Registered Club	-	A Club that is registered as a member of the JNA.
Registered Player	-	A player whose name and signature appears on the membership declaration form.
Season	-	November 1 of one year to May 31 of the following year.
Transfer	-	The movement of a player/member from one club to another in accordance with these bylaws
Transfer Fee	-	The fee to be paid by the Current Club to the new club on the completion of the transfer.

1. CLUB MEMBERSHIP

- 1.1 A player shall hold membership in only one club at any given time and shall only represent that club within a season excepting as provided for in by-law 1.2.
- 1.2 A player may transfer membership from one club to another during the season **only** on the expressed direction of Council, provided that:
- 1.2.1 Such a player is a member of a National Squad; and,
- 1.2.2 The Selection Committee of the JNA feels that the competition afforded to the national squad member, in that club, is inadequate for national representation at a designated level.
- 1.2.3 Where a transfer takes place as in 1.2.2 the transfer fee shall apply.
- 1.3 Where Council gives such direction under By-law 1.2 above the player shall have the right to decide on the club of choice, if not the Council may take that decision.
- 1.4 A player may change club membership between clubs at the end of one season but before the start of the next season provided the player requests the change in accordance with these transfer by-laws.

1.5 Where a player has been transferred under Bylaw 1.2.2 above, this transfer, in certain circumstances, may be considered as a 'loan of player'. If the current club is later promoted to a more advanced League and where such a transfer took place, and a fee was paid, upon the retransfer of the 'loaned player' back to the previous club, no further transfer fee will be required. However, where the 'retransfer' is to a New Club, then the fees as per the current JNA Fee Schedule will apply.

2. **CONDITIONS OF TRANSFER**

- 2.1 A registered player may not register for another club in a subsequent season until she has discharged her obligations to the club holding her registration (hereinafter called "Current Club"). The player requesting the transfer should seek a release from the Current Club by completing the **Player Request Release Form** hereinafter called ("**Release Form**") in triplicate.
- 2.2 Any request for release must be given to the management of the Current Club on or before **September 30** of any year to prevent players being registered twice.
- 2.3 Clubs wishing to register a player who was registered for a different club in the preceding season must ensure that all formalities have been complied with before the start of the season or the registration of the player may be refused or delayed.

3. **REQUEST FOR TRANSFER**

- 3.1 A player wishing to cease being a member of a particular club shall make the request in writing to the management of the Current Club and shall complete the **Player Request Release Form**, copy of which shall be submitted to the JNA Secretariat.
- 3.2 A player wishing to cease being a member of a particular club and who intends to play for another club shall complete the **Notice of Intended Transfer Form**. This form is to be completed in triplicate with copies submitted to the Current Club, the JNA Secretariat and the player keeping a copy.
- 3.3 A player shall not register for the new club until the JNA has confirmed the transfer, in writing, such confirmation being given to all parties concerned.

4. **RESPONSIBILITIES OF CURRENT CLUB**

- 4.1 The current club, upon receipt of the **Release Form** must within a period of no more than ten (10) working days, do the following:
- 4.1.1 Return the completed **Release Form** to the player; or

4.1.2 Inform, in writing, both the player and the JNA Secretariat of any outstanding obligations to the current club; and provide details of these to both the player and the Secretariat;

4.2 Where a club withholds the release and is unable to substantiate its claim, the Council shall have authority to rule on the matter and determine a fee, if any, to be paid by the player to that club in lieu of such obligation.

5. VERIFICATION OF OBLIGATIONS AND OBJECTIONS BY CURRENT CLUB

5.1 The player making the request for release where the outstanding obligations in relation to the transfer, are being:

5.1.1 accepted as correct, shall make suitable arrangements with the Current Club to satisfy such obligations, and advise the JNA Secretariat in writing.

5.1.2 contested, shall, immediately inform the Current Club and the JNA Secretariat, in writing, stating the reasons and request that the matter be referred to the Council.

5.2 Where the decision of Council is being contested, either party may request that the matter be referred to an Arbitration Committee.

6. APPROVAL OF REQUEST FOR RELEASE

6.1 Once the **Release Form** has been duly completed by both player and Current Club, the player shall submit to the JNA Secretariat before September 30:

6.1.1 A completed copy of the **Acceptance Form** from the New Club; and

6.1.2 A non-refundable administrative fee as per the current JNA Fee Schedule.

7. NON ACTIVITY BY CURRENT CLUB

7.1. If the Current Club does not take either of the actions listed under **By-law 4** above within the prescribed timeframe, the player shall inform, in writing, the JNA Secretariat of this non action.

7.2. The JNA Secretariat shall verify with the management of the Current Club that the **Release Form**

7.2.1 was received

7.2.2 was not returned and that no objection will be lodged

7.2.3 was not returned and an objection will be lodged.

7.2.4 was received and no action will be taken

7.3. Where the JNA Secretariat has verified the actions stated in 7.2 above, the decision on the transfer of the player may be made by the Council without the consent of the Current Club.

8. APPROVAL PROCESS

8.1. Once the Council is satisfied that:

8.1.1 All the formalities have been complied with, or

8.1.2 The Current Club has not complied with the formalities under By-law 4 above, within the specified time frame; and

8.1.3 The player has completed and submitted the **Release Form** and all relevant fees have been paid, the Council may grant the transfer.

8.2. Where permission has been granted for the transfer, the Council shall inform the player, the Current Club and the New Club, in writing, of the effective date of the transfer.

9. CLOSED SEASON

9.1. The Leagues of the JNA shall be closed during the period June 1 to October 31 of the same year unless otherwise specified.

9.2. During the closed season a player may play for any other club or team including those outside the ambit of the JNA, without seeking a transfer, provided that the player reverts to the Current Club at the end of the Closed Season.

10. DEFUNCT CLUBS

10.1. Should a club become defunct (non-operational) during a season, players who are registered players of that club shall not be permitted to play for a new club during that season.

10.2. Should a club become defunct during a season, players who are registered members of that club may be permitted to play for a new club in the upcoming season following the submission by the players of the **Notice of Intended Transfer Form** to the JNA Secretariat and written confirmation has been had from the JNA.

11. PROTECTION OF MINORS

- 11.1. Players who are under eighteen (18) years of age shall not be held liable for any financial obligations to any club unless prior parental (parent or guardian) consent was received in writing at the time the player became a member of the club.
- 11.2. Players who are under eighteen (18) years of age will be granted a transfer once all other formalities outlined in these By-Laws have been complied with.

12. **RIGHT TO APPEAL**

- 12.1. A player has the right to appeal the decision of the Council against any of the following:

- 12.1.1 The amount of money claimed as owing to the Current Club;

- 12.1.2 A decision by the Current Club not to sign the Release Form for any reason.

The appeal must be in writing and made within two (2) working days of being notified of the decision not to grant the transfer. Such Appeal must be accompanied by a non-refundable applicable fee as per the current JNA Fee Schedule.

- 12.2. A player has the right to appeal to **The Appeals Committee of the JNA** against a decision by the Council not to grant the transfer.
- 12.2. All appeals shall be made in accordance with the provisions of the Constitution.

13. **DORMANT MEMBERSHIP**

- 13.1. Where a player has not played for a club for two consecutive years or paid any membership dues for those same two years and no claim has been made for outstanding obligations, by that club, (financial or otherwise) the player may transfer to a new club once the **Notice of Intended Transfer Form** is completed and submitted in accordance with the Transfer By-laws.

14. **FINANCIAL STANDING OF MEMBERS OF CLUBS**

- 14.1. At the beginning of each season, clubs shall send a members list to the JNA Secretariat indicating each member's financial standing as at the close of the season.
- 14.2. Where non-financial members have repaid outstanding amounts to their clubs their names shall be removed from the list by the club management with notification to the JNA Secretariat.

14.3. Where no list is sent, clubs may not rely on this rule to prevent transfer of players.

15. TRANSFER FEE AND ADMINISTRATIVE FEE

15.1. There will be a non-refundable administration fee for each transfer application as per the current JNA Fee Schedule.

15.2 The New Club shall pay a Transfer Fee as per the Current JNA Fee Schedule to the Current Club for the player wishing to transfer her membership.

16. CONFLICTING AND SILENT MATTERS

In circumstances where these Bylaws are silent and conflicting on any matter, the rules and regulations of the Bylaws governing Leagues, the Constitution or decisions of Council shall take precedence and authority.

17. ADOPTION AND APPLICATION

17.1. These By-laws come into force on being adopted by Council and shall be operative for the members of the Association immediately and shall be binding on members until rescinded or varied as per these by-laws or the Constitution.

FORMS