



## **2024 Hockey Victoria Competition**

### **Rules Document**

**ADOPTED JANUARY 2007**

**LAST UPDATED FEB 2024**

<b><u>Hockey Victoria Guiding Principles</u></b>	
<b>The objective of Hockey Victoria's Rules and Regulations are to:</b>	
<b>→</b>	encourage and facilitate participation in the sport for all members, both players and officials;
<b>→</b>	ensure fair, competitive and enjoyable competitions;
<b>→</b>	protect the integrity of the sport, its members and the wider sporting community;
<b>→</b>	provide flexibility to clubs in regards to selections and availability;
<b>→</b>	support representative members and teams (of Victoria or Australia);
<b>→</b>	minimise the administrative burden on club administrators and HV staff

**HV Document Order:**

- 1) HV Rule/Regulation/Schedule Index
- 2) HV Rules
- 3) [HV Regulations](#)
- 4) HV Schedules - Section 1 & Section 2



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## **1. General**

Other than where specifically mentioned in these Competition Rules (“Rules”) the definitions contained in the Constitution (“the Constitution”) of Hockey Victoria Incorporated (“HV”) shall apply to the Rules and to the Competition Regulations (the Regulations”) that form part of the Rules.

If the wording contained in the Rules or Regulations is in conflict with any provision of the Constitution, the provisions of the Constitution shall prevail.

HV shall be responsible for maintaining proper records of all matters relating to the conduct of the competitions, development programs and representative teams to which the Rules and Regulations apply.

These Rules are to be read in conjunction with the Regulations and any Schedules attached to the Regulations as may be amended by HV from time to time.



## 2. Definitions

**“Accredited Umpire”** means an umpire who holds current accreditation recognised by HV.

**“Affiliate”** means a hockey club or association which is a member of HV.

**“Affiliated Association”** means a hockey association that is a member of HV. **“Annual Registration”** means the annual registration and entry of a player’s details on ERS with an Affiliate to play in the HV Competition in the Current Year. **“Approved Contact”** means the person or persons nominated by an Affiliate as its approved contact for all information, notification and advice between HV and the Affiliate.

**“Australian Citizen”** means a person who is recognised by the Government Department responsible for overseeing Australian Citizenship as an Australian Citizen.

**“Australian Higher Education Provider”** means Universities and higher education institutions listed in subdivision 16-B of Higher Education Support Act 2003 (HESA) and providers as determined by the Minister under section 16-35 of the HESA.

**“Australian Permanent Resident”** means a person who has been approved by the relevant Australian Authority or Department responsible for issuing visas to reside in Australia indefinitely but does not include an eligible New Zealand Citizen who holds a Subclass 444 Visa or a New Zealand Citizen who holds a Subclass 444 Visa.

**“Award Course”** means a program of study formally approved/accredited by the Higher Education Provider or any other relevant accreditation authority and which leads to an academic award granted by the Higher Education Provider (HEP) or which qualifies a student to enter a course at a level higher than a bachelor's degree

**“Board”** means the HV Board of Directors as elected or appointed in accordance with the HV Constitution.

**“CEO”** means the Chief Executive Officer of HV as appointed by the Board.

**“Clearance”** see “Registration Transfer”.

**“Closing Date”** means the date set by HV as the closing date for applications for team entries to a competition conducted by HV.

**“Club”** see Affiliate.

**“Club Associate(s)”** means one or more of the following, whether individually or collectively:

- (a) Club Office Bearers;
- (b) Club Officials (coach, team manager, anyone who is officially associated with the Club).
- (c) Players of a Club;
- (d) Members of a Club;
- (e) Supporters of a Club including spectators at a Match who unless otherwise identified with a Club shall be deemed to be supporters of the Home Club;



(f) Any person(s) involved with and/or who contributes to the game of Hockey in any capacity.

(g) Club(s).

**“Competition Section”** means those competition sections nominated by HV from time to time and contained in clause 5.2.2 of these Rules.

**“Competition Sub-section”** means those competition sub-sections named by HV from time to time and contained in clause 5.2.2 of these Rules.

**“Competition Specification”** means the specification for each grade of each division (if any) of a competition conducted by HV and set out in the Schedule to the Regulations.

**“Current Year”** means a year which commences on January 1 in each year and ends on December 31 the each calendar year.

**“Developing Competition”** means a competition as listed in HV Schedule Section 1, Clause 3.1.

**“Development Program”** means a program designed for development as offered from time to time by HV.

**“Disciplinary Panel”** means a list of persons approved by the CEO from time to time who may be invited to constitute a Disciplinary Panel.

**“Electronic Result System” or “ERS”** means the on line system HV has established for the electronic transmission of match results, team information and the recording of player registrations, permits and transfers.

**“Eligible Player”** means a player who meets the eligibility criteria of the competition in terms of Rule 3.2.1.

**“Eligible to Play”** means a player who:

- (a) is an Eligible player in terms of Rule 3.2.1, and
- (b) is a Registered Player in accordance with Rule 3.2.2, and
- (c) is eligible to play in the competition they are seeking to play.

**“Elite Team Substitutes”** means a substitute in terms of Reg. 8.3.2 hereof.

**“Female”** means those persons who are Female within the ordinary meaning of the word and whom identify as Female but shall not include those who identify as Male.

**“Finals Match”** means a match that forms part of the play-off round of matches to decide the major premiership in any grade.

**“Finals Matches”** means the play-off round of matches to decide the major premiership in any grade.

**“Financial Default”** means an event notified to an Affiliate by HV that arises from the failure by the Affiliate to pay an amount owing to HV by the final due date determined by HV and for which an arrangement satisfactory to HV has not been agreed.

**“FIH”** means the International Hockey Federation and is also known as Federation Internationale De Hockey (the world governing body for hockey).

**“First Named Team”** is the name of the team first named on a fixture of a particular match and was previously referred to as the “home” team.



**“HA”** means Hockey Australia Limited (the Australian governing body for hockey).

**“HV”** means Hockey Victoria Incorporated or its successors or assigns (the Victorian state governing body for hockey).

**“Indoor Competition”** means a Junior or Senior competition offered by HV being played according to FIH and local rules of Indoor Hockey.

**“Investigations Officer”** means a list of persons approved by the CEO who may be invited to investigate matters pursuant to Rule 7, 9 and 10.

**“Junior Competition”** means a Male or Female under 10, 12, 14 and 16 competition.

**“League Entry Criteria”** means the information outlined in the League Entry Criteria Implementation Guide

**“Major Premier”** means the team declared as the winner of the round of Finals Matches in any division (if any) of any grade.

**“Male”** means those persons who are Male within the ordinary meaning of the word and whom identify as Male but shall not include those who identify as Female.

**“Masters Competition”** means a Male or Female over age competition.

**“Minor Premier”** means the highest ranked team in a division of a grade or in a grade at the completion of the Regular Rounds of the HV competition.

**“Natural Justice”**, in relation to an allegation made against a party, refers to the principles that the parties involved in the matter are clearly informed of the allegation(s) and the incident it relates to; have a reasonable opportunity to opportunity to be heard; and heard by an impartial and unbiased decision maker/s,

**“No Objection Certificate”** means the official FIH certificate of approval required by an Athlete who wishes to participate in an Event organised or sanctioned by another National Association.

**“Overseas Player”** means a player as defined in Rule 3.2.1.3.

**“Participant”** see Club Associates.

**“Permanent Australian Resident”** means a person who has been approved by the Australian Department of Immigration and Border Protection to reside in Australia indefinitely.

**“Player Eligibility Criteria”** means the criteria specified by HV to govern the eligibility by age and/or gender or other criteria of players in particular competitions conducted by HV.

**“Playing Permit”** means a permit issued by HV to enable a player to participate in a team fielded by the Affiliate to which that player is registered and for which that player would otherwise be ineligible to participate.

**“Premier League Status”** means the term used to describe teams that are approved to participate in Premier League after taking into consideration performance against the League Entry Criteria.





**“Premier League Working Committee (PLWC)”** means the body established by HV to represent PL and VL1 clubs and assist with the implementation of the League Entry Criteria.

**“League Entry Criteria Implementation Guide”** means the document (and all information contained within) as approved by the HV Board containing robust set of minimum standards to be met by hockey clubs wishing to play in HV’s highest ranked senior competitions.

**“Representative Team”** A team offered by HV to compete in a HV or HA representative event as identified by HV from time to time.

**“Registered Player”** means a player who have been registered on ERS with an Affiliate for whom they are to play.

**“Registration Transfer”** means a transfer of a player registration from one Affiliate to another Affiliate also known as a clearance.

**“Regular Rounds”** means the rounds of matches excluding the Finals Matches that comprise the Regular Season in the lead up to the Finals Matches.

**“Regular Season”** means the main season competition generally conducted by HV during the months of April to September in each year, including Regular Rounds and Finals Matches.

**“Rostered Umpire”** means:

- (a) an Accredited Umpire who has been scheduled to officiate at a match that forms part of a competition conducted by HV, or
- (b) where HV has determined that the competing teams are required to nominate an umpire for a match that forms part of a competition conducted by HV, the umpire(s) so nominated.

**“Rule”** means a Rule contained in these Rules as may be altered from time to time at the sole discretion of the Board.

**“Rules”** means these competition Rules.

**“Rules of Hockey”** means the Rules of Hockey as amended and promulgated from time to time by FIH.

**“Senior Competition”** means a Male or Female open age competition.

**“Summer Competition”** means a Junior or Senior Competition offered during the summer season.

**“Suspension”** means a ban on taking part in a Match in any capacity, participating in any capacity as a Club Associate, or attending in the technical/bench area, unless otherwise specified at the ruling of the suspension

**“Team Management”** means the coaches and other members of the non- playing support staff of a team that is permitted to accompany the team to the area generally known as the team benches.

**“Technical Official”** means an official appointed either by HV or a responsible person at a regional hockey facility to whom the umpires choose to delegate control of the time keeping of a match.

**“Usually Plays”** means the team in which a player has played the majority of his/her matches for the season in a competition section up to any specific point in that Regular Season. If the player has played an equal number of games



between two teams at that point, then the majority of games would be considered as being in the higher ranked of those two teams.

**“Walkover”** means the forfeit of match by one team to another by reason of failure to provide sufficient players to commence or complete that match.



### **3. Eligibility**

#### **3.1 Teams**

- 3.1.1 Any Affiliate shall be eligible to apply for entry of a team or teams in a specific competition conducted by HV as outlined in the Schedule to the Regulations, provided the players who will at all times make up that team meet the eligibility criteria of the particular competition for which the team is entered.
- 3.1.2 HV reserves the right to refuse any application from an Affiliate that has debts outstanding for more than thirty (30) days from the date of the invoice notifying the debt to the Affiliate.
- 3.1.3 Receipt by HV of an application for team entry does not constitute acceptance of that entry. Acceptance of any application made under this Rule shall be subject to the sole discretion of HV as to what constitutes an orderly and appropriate competition composition and structure.
- 3.1.4 No application may be rejected in whole or in part without giving sufficient reason.
- 3.1.5 Any application for the entry of a team in terms of this Rule shall be subject to applicable conditions that may apply from time to time and shall be:
  - (a) made on or before the closing date for that competition and, on the form prescribed by HV and,
  - (b) accompanied by all such information as is required by HV from time to time.
- 3.1.6 Any Affiliate deemed in Financial Default by HV shall be required to:
  - (a) show just cause why HV should not render the Affiliate's teams ineligible for the award of competition match points until all outstanding monies are paid.
  - (b) enter a financial arrangement satisfactory to HV to meet the Affiliate's outstanding financial obligations.

#### **3.2 Players**

To be eligible to play in a competition conducted or sanctioned by HV a player must be:

- (a) an Eligible Player (in terms of Rule 3.2.1), and
- (b) registered each year to play in the HV Competition with an Affiliate (in terms of Rule 3.2.2), and
- (c) eligible to play in the competition in which they are seeking to play (in terms of HV Rules, Regulations & Schedule documents).



The Affiliate is solely responsible for ensuring that all their players:

- (d) are Eligible Players (in terms of Rule 3.2.1), and
- (e) have been registered for the Current Year in accordance with the HV Rules, Regulations and Schedules.

### **3.2.1 Player Eligibility**

#### **3.2.1.1 An Eligible Player (in terms of Rule 3.2(a)) is a person who:**

- (a) is fully financial with:
    - (i) HV;
    - (ii) any other Members of HA;
    - (iii) any other affiliate of a Member of HA; and
    - (iv) HA; and
  - (b) is an Australian Citizen, Australian permanent resident, a player who is not classified as an Overseas Player or is an eligible Overseas Player in accordance with Rule 3.2.1.3; and
  - (c) is not an unlawful non-citizen in Australia; and
  - (d) has submitted a No Objection certificate, where applicable in accordance with Rule 3.2.1.4
- And
- (e) is not currently registered and/or does not become registered during the current Regular Season to play and/or plays in any other competition within or outside the Commonwealth of Australia, unless;
    - (i) the express consent of HV (which shall be given at its absolute discretion) is obtained; or
    - (ii) an exception is allowed in relation to a player notified to HV by the Hockey Australia High Performance Unit that has that player's Daily Training Environment located in Perth and such it is agreed by HV for that player to participate in the local Perth Competition managed by Hockey WA. Following the player's Annual Registration with an HV Affiliate for the Current Year, the player will only be eligible to play in the highest ranked team of the Affiliate.

A list of all players who satisfy the above exception will be displayed on the HV website prior to the commencement of the Regular Rounds.



### **3.2.1.2 Change of circumstances**

- (a) If a player's circumstances change during the current Regular Season so as to affect their eligibility under 3.2.1.1 (b) or (c), the onus is on the player to notify HV within 5 working days of any such change.
- (b) Failure to notify HV of a change under (a) above will render the player ineligible to play in any HV Competition from the date the player's circumstances change.
- (c) A change of circumstances that would cause a player to then meet the definition of an Overseas Player will mean an affiliate will need to apply for an overseas permit for that player under Rule 3.2.1.5 or a waiver under 3.2.1.6 and be granted such a permit or waiver before that player is eligible to play.

### **3.2.1.3 What constitutes an Overseas Player**

- (a) A player is considered an Overseas Player, if the player is not an Australian citizen or Australian Permanent Resident and does not meet one of the exemptions listed in 3.2.1.1 and is intending or being considered to play in an Affiliate's highest ranked team (Premier League and Vic League Competitions only) in the Senior Competition Section;
- (b) A player is not classified as an Overseas Player despite (a) above if the player:
  - i. Holds a student visa issued by the Australian government department which issues visas which at the time of registration with HV expires at least two years from the date of registration or the combined period of the student's current visa and any contiguous visas is at least 2 years;
  - ii. Holds a Temporary Protection (Subclass 785) Visa or Safe Haven Enterprise (Subclass 790) Visa
  - iii. Holds a Temporary Work Skilled (Subclass 457) Visa or Temporary Skilled Shortage (Subclass 482) Visa
  - iv. Holds a Subclass Special Category (Subclass 444) Visa or New Zealand Family Relationship (Subclass 461) Visa and has ordinarily resided in Victoria, or elsewhere in Australia for at least 6 months immediately before the date of registration
- (c) For the purposes of 3.2.1.3(b)(iv), ordinarily resided is taken to mean the following:
  - (i) working or studying in Victoria or Australia; and
  - (ii) living in Victoria or Australia



- (d) For the purposes of this Rule, the provision of a copy of any of the following documents or any other document officially recognised and/or provided by the Australian Government Department responsible for issuing visas, will be accepted by HV as evidence of the player being recognised as an Australian Permanent Resident or an Australian Citizen or exempt from being defined as an Overseas Player:
- A. Australian Permanent Resident:
    - (i) a Certificate of Evidence of Residence Status; or
    - (ii) Copy of visa grant notice and Visa Entitlement Verification Online (VEVO) check confirming the visa is still valid ; and
    - (iii) A Copy of a player's overseas passport, travel document or immicard to be submitted with either (i) or (ii)
  - B. Australian Citizen:
    - (i) a valid Australian passport;
    - (ii) a birth certificate issued by or on behalf of an Australian State or Territory (for those born before 20/08/1986)
    - (iii) a Certificate of Evidence of Australian Citizenship.
    - (iv) an Australian Naturalisation Certificate; or
    - (v) a Certificate of Australian Citizenship by Descent.
  - C. Subclass 457 or 482 Visa Holder
    - (i) Copy of evidence of grant of Subclass 457 or 482 Visa as provided by the Australian Government; and
    - (ii) VEVO check confirming the visa is still valid or a letter from the Australian Government Department responsible for issuing visas; and
    - (iii) Copy of a player's overseas passport, travel document or immicard to be submitted



D. Student Visa holder:

- (i) Copy of current Student Visa (any visa subclass commencing with '5') as provided by the Australian Government Department responsible for issuing visas, and
- (ii) VEVO check confirming the visa is still valid or a letter from the Australian Government Department responsible for issuing visas; and
- (iii) Copy a player's overseas passport, travel document or immicard

which evidences:

- (a) the period of the visa is at least 3 years; or
- (b) the combined period of the student's current visa and any contiguous visas is at least 3 years.

E. Subclass 785 or Subclass 790 Visa

- (i) Copy of evidence of grant of the Subclass 785 or 790 Visa as provided by the Australian Government; and
- (ii) VEVO check confirming the visa is still valid or a letter from the Australian Government Department responsible for issuing visas; and
- (iii) Copy of a player's overseas passport, travel document or immicard to be submitted

F. Subclass Special Category (Subclass 444) Visa or New Zealand Family Relationship (Subclass 461) Visa and has ordinarily resided in Victoria, or elsewhere in Australia for at least 6 months immediately before the date of registration

- (i) Copy of evidence of grant of the Subclass 444 or 461 Visa as provided by the Australian Government; and
- (ii) VEVO check confirming the visa is still valid or a letter from the Australian Government Department responsible for issuing visas or Centrelink confirming the player is an eligible New Zealand Citizen and holder of a 444 Visa; and
- (iii) Copy of a player's overseas passport, travel document or immicard to be submitted

(e) Notwithstanding sub-rule 3.2.1.3 (b), a player will remain classified as, or may become, an Overseas Player (and as such become an ineligible player unless an overseas player permit or waiver is granted) where:



- (i) There is a change of visa or residency status during the regular season
- (ii) The player has been unable to provide sufficient evidence to the satisfaction of HV to prove they are not an Overseas Player.
- (iii) The player has been unable to provide sufficient evidence to the satisfaction of HV to prove the player meets 3.2.1.3 (b)(iv)

#### **3.2.1.4 No Objection Certificates**

Any player, intending to play in the Senior Competition Section in the Premier League or Premier League Reserve, Vic League or Vic League Reserve division/s who:

- (i) Has played previously in a hockey competition in an overseas country in the past 3 years; and
- (ii) Is not recognised by the Australian Government Department responsible for overseeing Australian Citizenship as an Australian Citizen.

shall provide the relevant documentation as noted below as evidence of approval to play hockey in Australia.

‘A No Objection Certificate’ of approval to play hockey in Australia will be accepted by HV as evidence of the player being recognised as eligible to play hockey in the HV competition.

Submission of the No Objection Certificate should be made to HV via the No Objection Certificate Lodgement Form provided by HV on the HV website and should include evidence:

- (ii) of the player’s visa status
- (iii) that the player has been granted an Overseas Player Permit; if required

#### **3.2.1.5 Overseas Player Permits**

- (a) Each Affiliate is eligible for four (4) Overseas Players permits approved in total per current season in the Premier or Vic League team in each Competition Sub-Section, however may only have three (3) approved Overseas Player Permits in effect in each Competition Sub-Section at any time during the current Winter season.

These players must be approved by HV prior to the player playing in the Affiliate’s highest ranked team in the current Regular Season of the HV competition.





Refer to Rule 5.2.2 hereof for the listing on Sub-Sections.

- (b) Application to HV must be lodged using the Overseas Player Permit Application Form provided by HV and available on the HV website.

As a minimum the application shall include:

- A. the player's full name;
- B. date of birth;
- C. nationality;
- D. overseas residential address;
- E. address while residing in Victoria;
- F. date of arrival in Victoria;
- G. proof that such player has the necessary Australian Government approval to reside in Australia for the term of the Current Year of the HV competition or such shorter period as may be the case; and
- H. any other information as requested on the form.

- (c) All Overseas Player applications should be submitted to HV at any time during the current Winter season no later than five clear business days prior to the next scheduled Round by which the player intends to play.
- (d) Upon HV granting approval for the Overseas Player to play in the HV competition, the Overseas Player must comply with all HV Rules and Regulations.
- (e) Once a player is approved by HV as an Overseas Player, the player will be eligible to play a total of one (1) match in any one (1) round, regardless of any allowances provided for in these Rules and Regulations.
- (f) In order to apply for a fourth Overseas Player in the current season in each Competition Sub-Section, the Affiliate should advise to HV in writing at least five clear business days prior to the next scheduled Round, the approved Overseas Player whose Permit they wish to revoke.

The fourth Overseas Player application must be lodged according to Rule 3.2.1.5(b & f).

- (g) Once the revocation of an Overseas Player Permit is approved by HV, it cannot be reinstated in the current year. Once an Overseas Player Permit is revoked, the player is no longer subject to player eligibility restrictions.
- (h) A list of all HV approved Overseas Players will be maintained on the HV website.
- (i) An overseas player permit application must be received and sufficient evidence given that the player has or will have arrived in Victoria prior to that point in a season in which the player can statistically no longer qualify for finals in terms of Regulation 8.5.1 (a) (i).



### **3.2.1.6 Player Eligibility Waiver**

An Affiliate may apply to HV for a waiver of all or part of Rules 3.2.1.1 (a), (b), (c), (d) and (e) subject to the following:

- (a) An application for a waiver must be approved by HV prior to the player participating in the HV competition.
- (b) HV may consider a waiver of all or part of Rules 3.2.1.1 (a), (b), (c), (d) and (e) if the Affiliate is able to establish to HV's satisfaction that there exist circumstances that outweigh the principle that HV's competitions are provided for the benefit of Victorian residents and the members of HV Affiliates.
- (c) The decision to approve or deny any waiver application shall be at the sole discretion of HV.
- (d) The lodgment of any application for a waiver should take place 5 business days prior to the players first intended match.

### **3.2.2 Player Registration**

All players must register each year with an Affiliate (as per Rule 3.2(b)).

The Annual Registration period will be from January 1 to December 31 in the year of the competition.

The player's Annual Registration will be considered valid when the player's registration is accepted and confirmed by the ERS system, or the player is listed as a registered member with the Affiliate on the ERS system.

**3.2.2.1** The player or the Affiliate of the player may make application to register a player in the following manner:

- (a) New Player to the Affiliate:
  - (i) Prior to registering a new player the Affiliate should determine whether the player requires a Registration Transfer in terms of Rule 3.2.3 hereof.
  - (ii) Should the player require a Registration Transfer the Affiliate is responsible for ensuring that a Registration Transfer is approved and processed prior to the player playing any matches with their new Affiliate. The transfer can be processed by completing and lodging a Registration Transfer Form on-line through ERS in accordance with Rule 3.2.3 hereof, (or as otherwise advised by HV from time to time). The player will not be eligible to play for the



Affiliate making the application for a Registration Transfer until the transfer has been fully approved and fully processed.

- (iii) Where a Registration Transfer is not required the new player or the Affiliate on behalf of the new player should register by entering the new player's details on the ERS before they are eligible to play in HV competition, and in accordance with the provisions of Rule 3.2.2.3 and as determined in the HV Schedule, Section 2, Clause 9 Player Registration Process.

(b) Existing Player of the Affiliate:

- (i) The player, or the Affiliate on behalf of the player, should ensure that the player's record is updated where necessary and that the player is registered as required under this Rule on ERS in accordance with the provisions of Regulation 7.3, and as determined in HV Schedule, Section 2, Clause 9 Player Registration Process.
- (ii) The player will not be eligible to play for the Affiliate making the application for registration until the conditions of this Rule are met.

3.2.2.2 To be eligible to play in the Junior, Senior or Masters competitions a player must be registered with the Affiliate with which they play or intend to play in accordance with the timelines set out in Regulation 7.3(c).

3.2.2.3 Applications to register an Eligible Player must contain sufficient information to enable HV to identify that person. What constitutes sufficient information in terms of the Rules is wholly at the discretion of HV and shall be in accordance with the information contained from time to time in the HV Schedule, Section 2, Clause 9 Player Registration Process.

3.2.2.4 Burden of proof that a player is an Eligible Player is the responsibility of the Affiliate applying for registration and HV reserves the right to call for supporting evidence satisfactory to HV of any information required under Rule 3.2.2.3 hereof.

3.2.2.5 HV may at its sole discretion refuse an application to register a player but shall be required to give reasons for that refusal. Grounds for refusal include but are not limited to:

- (a) Persons not fully financial with any other Member of HA or an affiliate of a Member of HA.
- (b) Persons under suspension from an Affiliate or an affiliate of HA or any other hockey association affiliated with FIH.
- (c) Persons for whom insufficient information has been supplied to enable HV to reasonably identify that person.
- (d) Persons who have not provided to HV evidence satisfactory to HV regarding residential qualifications.



- 3.2.2.6 Registered Players can only participate in a competition in accordance with the player eligibility criteria of that competition.
- 3.2.2.7 Registered Players may only compete for one Affiliate per Competition Section.
- 3.2.2.8 If requested in writing by a Registered Player, an Affiliate shall apply to HV to change that player's Affiliate by following the procedure used for Registration Transfers.
- 3.2.2.9 HV shall maintain an up-to-date register of players in which shall be entered the names of all players together with the name of the Affiliate that has registered each one and any other details as may be required by HV including but not limited to details necessary to identify an individual player. This register shall be prima-facie evidence that the named players are Registered Players with the Affiliates recorded.

### **3.2.3 Player Transfers**

Any player wishing to play in the HV competition and who is currently registered to play hockey in Australia should be aware of the following requirements regarding their eligibility to register and play in HV's competition.

#### **3.2.3.1 General Principles**

Any player who is currently registered:

- (a) on ERS (HockeyNet/OneSport) to play and/or does play in any other competition in the Commonwealth of Australia conducted by an affiliate of a Member of HA other than HV, who wishes to play in HV's competition, will require a Registration Transfer to play in HV's competition/s. The Registration Transfer should be processed by the player's new Affiliate through ERS.
- (b) with an affiliate in the Commonwealth of Australia other than HV, who wishes to play in HV's competition (and is not registered on ERS (HockeyNet/OneSport) should apply to their current affiliate / association for "deregistration" prior to registering with their new HV Affiliate to play in HV's competition.
- (c) on ERS (HockeyNet/OneSport) with an HV competition Affiliate will require a Registration Transfer to play with a different HV Competition Affiliate in the same HV Competition Section. The Registration Transfer should be processed by the player's new Affiliate through ERS.
- (d) in Victoria with an Hockey Victoria Affiliate (other than an HV Competition Affiliate) does **not** require a Registration Transfer to play with an HV Affiliate in HV's competition. Further, that player



may remain a member / player of that Victorian association / club and may also register and play with an HV Affiliate in HV's competition.

- (e) in Victoria with an HV Competition Affiliate does not require a Registration Transfer to play with an different Affiliate in a different HV Competition Section in the Current Year

To be eligible to play in a competition conducted by HV with any Affiliate other than the one to which a player was last registered, the player requires a Registration Transfer issued by HV in terms of sub-clause 3.2.3 hereof.

A player may apply for deregistration from an Affiliate and an Affiliate may choose to deregister a player. Any player so deregistered shall not require a Registration Transfer to an Affiliate.

An application for deregistration by a player shall be treated in all relevant respects as though it were an application for a Registration Transfer in terms of this Rule 3.2.3.

### **3.2.3.2 Application**

A Registered Player may apply to HV for a Registration Transfer. The application must be submitted to HV by the player's new Affiliate and be:

- (a) lodged through the on-line transfer process on ERS and;
- (b) received not less than two full (2) business days before the first match for which the Registered Player intends to play for another Affiliate and;
- (c) If the application is requested via the ERS system the evidence will be in the form of being approved by all parties as required by the system and;
- (d) lodged before June 30 in the Current Year of the competition if the Registered Player has a playing record in a HV competition in the Current Year OR
- (e) lodged before June 30 in the Current Year of the competition if the Registered Player has a playing record in the Current Year and intends on playing in the firsts side for League team OR
- (f) lodged before September 30 in the Current Year of the competition if the Registered Player does not have a playing record in the Current Year

An application that fails to comply with 3.2.3.2 (a) or (b) or (c) will not be investigated or determined by HV until at least 7 days after the date an Affiliate has lodged a request for the authorisation of a Registration Transfer.

A Registration Transfer application shall not be considered from a Registered Player of a Primary Affiliate that is in Financial Default or has been or likely to be disaffiliated by reason of Financial Default unless HV



is satisfied that the Registered Player has no outstanding debts to their Affiliate.

### **3.2.3.3 Approval**

- (a) A Registered Player may not register or play for any Affiliate other than the Affiliate(s) with which they were last a Registered Player without first having a Registration Transfer fully approved and fully processed.
- (b) Approval of a Registration Transfer by an Affiliate shall not be denied other than on the grounds that the player has an outstanding debt with the Affiliate they were last registered. For an application requested via the ERS system, HV is entitled to assume that the club representative(s) who have access to the Affiliate's player data base has the authority to approve a Registration Transfer on behalf of the Affiliate.
- (c) Notification of the outcome of the application shall be provided through the ERS system. If the application is:
  - (i) approved, the player is now registered with their intended Affiliate, or
  - (ii) denied, the player remains registered with their current Affiliate until such time as the provisions of this Rule have been satisfied.
- (d) If the current Affiliate denies the approval of a Registration Transfer they shall be required to provide HV with written details satisfactory to HV of the grounds for denial within seven (7) days of the date of having received of the Registration Transfer application from the intended Affiliate.
- (e) In the absence of details satisfactory to HV that the Registered Player has an outstanding debt to the current Affiliate, HV shall approve the Registration Transfer and register the player with their intended Affiliate.
- (f) If an Affiliate is able to provide HV with satisfactory grounds for denial of a Registration Transfer HV shall within two (2) business days issue a notice of denial of Registration Transfer to the intended Affiliate that shall include the grounds for the denial. The Registered Player and/or the intended Affiliate shall have seven (7) days from the date of the notice of denial to reach a settlement of the outstanding debt.
- (g) If a settlement is reached HV shall proceed to approve the Registration Transfer on HockeyNet for the player with their intended Affiliate or if no settlement can be reached the Registration Transfer shall lapse.



- (h) HV may refuse a Registration Transfer to any Registered Player who has outstanding debts to HV as long as those debts remain outstanding. HV shall be required to provide details of the outstanding debts within seven (7) days of the receipt of the application for a Registration Transfer.
- (i) Any dispute in respect of outstanding debts to HV shall be determined by reference to an HV appointed auditor whose decision shall be final and binding. In the event that the debt to HV is determined to be valid, the cost of the HV appointed auditor shall be added to the debt owed to HV by the Registered Player.
- (j) Following the submission of a Registration Transfer by an Affiliate, HV may grant a Playing Permit to allow a player to play with their intended Affiliate where HV deems that the player is being unduly disadvantaged by delays in the process beyond the times specified in this Rule.

#### **3.2.3.4 Revocation of Registration Transfer**

A Registration Transfer may be revoked by HV up to twelve (12) months after it has been granted if the Affiliate from which the Registration Transfer was approved ("Previous Affiliate") subsequently disbands or is disaffiliated with outstanding debts to HV.

No player whose Registration Transfer has been so revoked may play with any other Affiliate until HV is satisfied that the player has no outstanding debts to the Previous Affiliate and has received from HV written notification that the player's Registration Transfer has been reinstated.

### **3.3 Match Participation**

The general principle is that an Eligible Player can only participate in one match per competition round per Competition Section during the Regular Season regardless of when that round of matches is completed.

The only exceptions are where a Playing Permit has been issued or where the Regulations permit an Affiliate to field a player in an additional match.

In all instances where an Eligible Player fulfils the requirements of HV Regulations 8.3 and 8.4 to participate in an additional match in the same round, it should be noted that the Eligible Player should only participate in one (1) additional match per competition round per Competition Section regardless of when that Round of matches is completed.



#### 4. Uniforms

4.1 The playing uniform and alternative playing uniform of the clubs entered in any competition conducted by HV must be approved and registered by HV. Any playing uniform so registered may only be altered with the prior approval of HV. The addition of sponsor logos on a registered uniform is considered an alteration in terms of this Rule.

4.2 The registered uniform of each Affiliate shall be worn by all of its players in all matches in competitions conducted by HV except as follows:

- (a) Goalkeepers and/or field players with goalkeeping privileges must wear a coloured shirt which in the opinion of the umpire is sufficient different in colour from that of both teams to clearly distinguish them from all other players on the field.

Goalkeepers (wearing full protective equipment) must wear this shirt or garment over any upper body protection. Elbow protection does not need to be covered by the shirt or garment.

- (b) Where the registered playing uniforms of two clubs are insufficiently distinctive, as declared by HV from time to time and detailed in a Schedule, the second named team shall wear an alternative distinctive uniform (including socks) unless by prior agreement the first named team agrees to wear an alternative uniform.
- (c) Where a club has requested and received the approval of HV to introduce a gradual change of uniform then players may continue to wear the previous uniform for a period not exceeding two (2) years from the date of approval of the change to the registered uniform and alternative uniform (if any), provided however, that all members of a team must wear a uniform of predominantly the same colour.

4.3 An Affiliate may seek the approval of HV for all or certain of its teams to wear, or display, on their uniform and/or equipment:

- (a) a sponsor's logo, and/or
- (b) graphics or lettering (for sponsor advertisement), on the shirt but not in a manner that would obscure the player's number (if any),

Provided however a prominent position of each club's uniforms must remain available for the placement of any HV sponsorship logo.

4.4 A player on the field of play must not use or be equipped with any device to receive or provide communication.





## **5. Grading**

### **5.1 General Principles**

Prior to the commencement of any competition conducted by HV, HV shall, at its sole discretion, determine the eligibility and placement of teams in the grades of that competition.

The number of teams in each grade shall be an even number except where that is impractical in lower grades or Junior grades of the competition.

Matches will be played at a time and a date and at a venue as determined by HV at its sole discretion and notified to the participating Affiliates at least seven days prior to the scheduled time of the match unless such shorter notice is agreed by the competing Affiliates.

Where practical, and having regard for the length of the season, each team shall play sufficient matches to enable it to play all the other teams in its particular grade at least once and preferably an equal number of times. Subject to fixturing determinations these matches shall be played on a home and away basis.

Promotion and relegation shall apply where HV determines that such promotion and relegation best serves the conduct and quality of the competition.

In general terms the highest ranked team in its grade at the end of the Regular Rounds shall be eligible to be considered for promotion to a higher grade. As a consequence of the promotion of a team from a lower ranked grade HV shall have the power to relegate the lowest ranked team in any grade at the end of the Regular Rounds shall be eligible to be considered for relegation to a lower grade.

Except where specifically determined by HV prior to commencement of the Regular Season of a competition, HV shall offer promotion to a second team that fulfils the conditions for promotion. As a consequence of the promotion of a second team HV shall have the power to relegate the second lowest ranked team at the end of the Regular Rounds from any grade.

The details in regard to promotion and relegation shall be contained in the Regulations.



## **5.2 Competition Structure**

### **5.2.1 Principles**

From time to time HV shall offer a competition structure to its Affiliates that HV determines best suits the needs of its Affiliates and their members.

### **5.2.2 Playing Sections**

HV shall determine the playing sections from time to time but shall generally conduct competitions within the following Competition Sections provided that HV determines there are sufficient players and venues to conduct such competitions:

#### **Field Hockey**

Junior  
Senior  
Masters  
Mid Week

Within each section HV shall endeavour to form competitions in the following sub-sections:

Male  
Female  
Mixed

Eligibility for entry into all competitions will be determined from time to time by HV however, Males shall not be eligible to participate in a Female competition.

From time to time HV may promote a competition on a trial basis that may need some relaxation of the provisions of the Rules and Regulations during its development phase.

From time to time HV shall determine which competitions require such a classification and declare them in the HV Schedule, Section 1, Clause 3.1 as a Developing Competition. For clarification, a Developing Competition is not considered as being part of the four Field Hockey Competition Sections. This allows a player who is registered to play with an Affiliate in any of those Competition Sections the opportunity to register with a different Affiliate in a Developing Competition.



### **5.2.3 Team Composition**

Team composition shall be determined by HV from time to time having regard to the Rules of Hockey where appropriate and to the form of the competition. For more details refer to the Regulations.



## **6. Conduct of Competition**

### **6.1 Rules**

Any competition conducted by HV shall be conducted according to the FIH Rules as may be varied by HV from time to time to meet the specific needs of HV, its Affiliates and members. Where the FIH Rules have been modified, those modifications will be contained in Regulations as issued by HV from time to time.

### **6.2 Codes of Behaviour**

All Participants in HV Competitions Sections will abide by HA Codes of Behaviour as contained in Schedule Section 1, Clause 5 agreed to at the time of registration and displayed on the HV website.

### **6.3 Prohibited Conduct**

In the event that it is alleged that a member has contravened HV Codes of Conduct, an HV umpire, technical official, Affiliate, Registered Player or HV may lodge a complaint in writing with HV. The report must outline the circumstances of the allegation made against the member.

Reports are to be submitted via email to [reports@hockeyvictoria.org.au](mailto:reports@hockeyvictoria.org.au)

### **6.4 Vilification**

No member of HV shall act towards or speak to any other member in a manner, or engage in any other conduct which threatens, disparages, vilifies or insults another person ("the person vilified") on the basis of that person's age, gender, sexual orientation, ability, race, culture or religion.



## **7. Disciplinary Action**

### **7.1 – 7.13 Investigation & Charges**

- 7.1** Any report must be submitted in writing and must be received no later than 1pm on the second business day after the conclusion of the match. The report must be submitted via the HV report template provided on the website and in Schedule Section 2, 13 – Incident Report Form and must be completed in full for any further action to be taken.

If a report is received following the final round of the season or during the finals series of a HV competition, in which the relevant club (either that is the subject of the charge or whose player is the subject of the charge) is participating, the matter shall be referred directly to the Tribunal for determination in accordance with and within the timeline set out in Schedule Section 1, Clause 4.1 (Investigation and Discipline Timelines).

- 7.2** HV may determine to investigate any other matter which in its opinion is relevant to whether or not a charge of Misconduct ought to be laid. Such investigation may be initiated on the basis of the report of an Umpire appointed to the match, a complaint by a Club, a report of any other person, or on the basis of any other evidence which in the opinion of HV is credible.

HV in its unfettered discretion may dismiss or choose not to investigate any matter which it determines is a vexatious claim.

- 7.3** An Umpire must not report a player for misconduct unless the umpire considers that, in all the circumstances, the dispositions available to the umpire under the FIH Rules of Hockey do not adequately address the severity of the misconduct the subject of the charge.

- 7.4** Notwithstanding any other provision within these rules the CEO, or person designated by the CEO, may determine that HV will deal with, or continue to deal with, a matter in accordance with this section in order to further the objects of HV.

- 7.5** Such investigation may be carried out by HV as it sees fit and all parties are required to cooperate fully with HV in the conduct of that investigation. Failure to co-operate with or intentionally impeding the investigating in any matter may amount to Misconduct and attract penalties as set out in Schedule Section 1, Clause 3.3.

- 7.6** HV will endeavour to ensure that investigations are completed in accordance with the timeline outlined in Schedule Section 1, Clause 4.1 (Investigation and Discipline Timelines).

- 7.7** At the completion of an investigation HV may determine whether any charge(s) of Misconduct will be laid (against a Club Associate) and whether it will be dealt with by:



- a) imposing a penalty in accordance with the Misconduct Penalty System; or
- b) the Tribunal; or
- c) mediation; or
- d) a combination of the above; or
- e) no action is to be taken; or
- f) in any other manner which HV deems appropriate;

and such determination shall be at the absolute discretion of HV and not subject to review by any party.

**7.8** The

- (a) CEO or
- (b) a member of HV staff designated by the CEO or
- (c) a person approved by the CEO

may bring a charge of Misconduct on behalf of HV against a Club Associate or a Match Official.

**7.9** In regard to any matters which it considers relevant to the question of penalty and, without limitation, HV may consider:

- (a) The seriousness of the conduct with which the party is charged or found guilty;
- (b) Any loss or damage, including reputational damage sustained or likely to be sustained by any party including but not limited to HV, Facility owners, Affiliate Clubs of HV, and players howsoever arising from the conduct;
- (c) Evidence of the disciplinary history of the party charged;
- (d) The extent to which the party has made efforts to prevent the conduct from occurring;
- (e) Insofar as they are relevant, the objectives of the HV Constitution;

**7.10** In all cases where HV or Tribunal determines a guilty finding an Administrative Fee, as listed in HV Schedule Section 1 Clause 3.3, will be charged to the Affiliate of the guilty party.

**7.11 Reduction in penalty for early guilty plea**

If a report is received in accordance with rule 7.1 above, and the person who is the subject of the report lodges a guilty plea in relation to charge in writing to HV within 24 hours of notification of charge

- i. is not required to conduct an investigation;



- ii. subject to sub-paragraph (iii) below, may determine a penalty in accordance with the Misconduct Penalty System (set out in clause 4.2 of Schedule Section 1); and
- iii. may determine to reduce the penalty which would have been imposed (had it not been for the early guilty plea) by such amount as it considers reasonable in the circumstances.

## **7.12 Investigation Process and Outcome**

**7.12.1** Based on the nature and seriousness of the charge, HV may, in its absolute discretion determine whether to:

- i. conduct an investigation internally; or
- ii. appoint an independent external person to investigate (and/or gather more information on) the charge.

The following investigation procedure will apply to an internal or external investigation.

The HV CEO (or their delegate) will appoint either an internal or an external independent investigator (**Investigation Officer**). The Investigation Officer should not have a conflict of interest and should have appropriate training or experience to investigate the allegation. The HV CEO (or their delegate) may choose to conduct the investigation themselves or appoint another person.

- a) Investigations may be carried out as the Investigation Officer sees fit on behalf of HV and all parties are required to cooperate fully and in a timely manner in the conduct of that investigation (failing which they will be subject to the penalty set out in clause 3.3 of Schedule Section 1 (Fines and Penalties));
- b) HV will endeavour to ensure that investigations are completed in accordance with the timelines outlined in Schedule Section 1, Clause 4.1;
- c) Investigation Officers will make recommendations to HV upon the completion of an investigation regarding the appropriate course of action as relates to Rule 7.7;
- d) The recommended penalty should be in line with the guidelines set out in HV Schedule Section 1, 4.2, however is at the absolute discretion of the Tribunal or HV.

### **Notification**

**7.13** HV will publish all guilty Charges and the associated penalty on its website and email the Club or Club Associate's email address last identified to HV by it or them as soon as practicable and such publication shall constitute notification of HV's decision for the purposes of the



provisions of this By-Law relating to appeals from a decision of the Tribunal.

HV will maintain these Charges and penalties on its website for the duration of the Penalty.

- 7.14** Where HV is required under this By-Law to notify any Club or Club Associate of any matter then such requirement shall be deemed to have been satisfied by HV publishing such matter on its website or sending any such notification by email to the Club or Club Associate's email address last identified to HV by it or them.

Clubs and Club Associates are responsible for ensuring that Club Contact details, Club Administrator details, player and coach details, are correctly notified online via the online registration system.

### **7.15 Mediation**

- 7.15.1** In relation to any alleged Misconduct or other matter, HV may require a Club Associate to attend a meeting with HV and/or an independent person who shall act as a mediator for the purpose of attempting to reach agreement as to how such allegations are to be dealt with.
- 7.15.2** Such meeting shall be conducted on a without prejudice basis and the mediator shall have no power to impose any decision on any of the parties.
- 7.15.3** A failure by a Club Associate to attend such a meeting when requested without reasonable excuse shall amount to Misconduct.
- 7.15.4** Unless agreement is reached at such a meeting and recorded in writing and signed by the parties, HV may in its complete discretion, decide to refer any allegations of Misconduct or other matter to the Tribunal.
- 7.15.5** HV must not refer a charge to the Tribunal unless it has made reasonable attempts to allow the subject of the charge to be heard prior to the charge being laid.

### **7.16 Suspensions**

- 7.16.1** The nature of a suspension will be specified in the outcome by HV, or a delegate of HV, including which competition(s) and grade(s) the suspension is applicable to, and the duration of the suspension.
- 7.16.2** In the case of all Suspensions until the Suspension is served a Club Associate must not participate as a player, official, team staff member, spectator or in any other capacity, in any other fixture at any level in HV competitions, unless otherwise stated in the outcome of the suspension.





- 7.16.3** A Suspension that is not served in full in that season (including Finals Series if necessary) shall be carried over to the following competition season in which the Club Associate participates.
- 7.16.4** If a Match is postponed prior to its commencement, such Match will not be classified as a match served under a Suspension.
- 7.16.5** A Match which is abandoned after commencement, or forfeited, shall count as a Match served under a Suspension unless either:
- (a) Any Club or team to which the suspended Club Associate belongs was responsible for the facts that led to the abandonment or forfeit; or
  - (b) An incident leading to the abandonment or forfeit of a fixture is referred to the Tribunal.

### **7.17 HV Tribunal - Appointment & Composition of the Tribunal**

- 7.17.1**
- (a) HV CEO, or a delegate/s of the CEO, shall approve a Panel of Tribunal Members consisting of such person or persons as HV shall from time to time deem fit (Tribunal Members).
  - (b) HV CEO, or a delegate/s of the CEO will appoint Tribunal Members to conduct a Tribunal at its absolute discretion in accordance with this By-Law.
  - (c) Subject to this By-Law the Tribunal shall, ordinarily, consist of 3 Tribunal Members but will sit with a minimum of 2 members.
    - (i) HV CEO, or a delegate/s of the CEO shall appoint a Tribunal Member who is eligible to engage in legal practice in the State of Victoria pursuant to the Legal Profession Uniform Law (Victoria) Act as Chairperson for each Tribunal
  - (d) A person shall not be appointed to a Tribunal if they:
    - (i) are a current member, officer or official of one of the clubs involved in this tribunal, or
    - (ii) are a HV Director, or HV Employee, or
    - (iii) are a party to or in any way directly or interested in a matter to be heard by the Tribunal, or
    - (iv) otherwise has any relationship with any party to the matter such that that person is or may reasonably be seen to be not independent.
  - (e) If a Tribunal Member becomes aware that he/she has a relationship with any party to the matter of a nature that they believe they may reasonably be seen to be not independent then they must withdraw from the Tribunal.



- (f) A person appointed as a Tribunal Member may be removed from the Panel of Tribunal Members at the discretion of the CEO or CEO Delegate, however a minimum of two panel members must remain.

### **7.17.2 Jurisdiction of Tribunal**

**7.17.2** The Tribunal shall have jurisdiction in respect of:

- (a) any charge referred to it by HV including but not limited to a charge involving a person who has submitted to the jurisdiction of HV.
- (b) any other matter in respect of which the Tribunal is given jurisdiction by HV.

### **7.18 – 7.20 Tribunal Procedure**

**7.18** If HV determines to refer a charge to the Tribunal it shall:

- (a) Notify all persons who may be affected by the Tribunal's decision of the following matters:
  - (i) the time, date and place at which the hearing will take place.
  - (ii) sufficient details of the allegations against the party charged to enable the party to prepare a response to the allegations.
  - (iii) details of any documents or other evidence (e.g. video evidence) which will be relied upon at the hearing in support of the charge.
  - (iv) that the party may make written representations to the Tribunal and/or appear before the Tribunal to make submissions.
- (b) HV must attend all matters heard by a Tribunal in order to assist the Tribunal and if applicable to present all relevant evidence obtained by HV regarding the charge.
- (c) The Tribunal may conduct the hearing in any manner as it sees fit including but not limited to by way of teleconference or video conference and may, if it considers it appropriate, allow an amendment to the charges or adjourn the hearing provided that:
  - (i) all parties affected are given a reasonable opportunity to be heard.



- (ii) the hearing is conducted with as little formality and technicality and with as much expedition as proper consideration of the matters before it permits.
- (d) The Tribunal is not bound by the rules of evidence or by the practices or procedures applicable to courts of record but may inform itself as to any matter and in such manner it deems appropriate provided that the Tribunal adheres to the rules of Natural Justice.
- (e) The Tribunal at its sole discretion may determine a matter before it in the absence of any parties.

**7.19** Notwithstanding the above, the Tribunal may follow these procedures unless in all of the circumstances of the case the Tribunal determines it is not practical to do so provided always that the principles of Natural Justice are observed:

- (a) At the commencement of a hearing a Tribunal member or the Tribunal chair must read out each charge.
- (b) The person charged, if present, must be asked whether or not they plead guilty or not guilty.
- (c) The parties must be invited to give to the Tribunal a summary of the matters on which they wish to rely.
- (d) A party may not be represented by a person who holds a practising certificate as an Australian lawyer or barrister in the State of Victoria or such other equivalent qualification in another State or Territory in Australia.
  - (i) A party may seek permission to be represented by a person as outlined in 7.19 (d) through written application to the Tribunal by 5pm two days prior to the hearing.
- (e) The Tribunal will require any witnesses who are not parties to the matter to go outside the hearing room until they are called upon to give evidence.
- (f) Where the author of a document relied upon by a party is not present to be questioned about that document, the Tribunal may attach such weight as it deems appropriate to the document.
- (g) The parties may call evidence from such witnesses as are permitted by the Tribunal and all such witnesses can be subject to questioning by the other party or members of the Tribunal. Where a witness is not present at the hearing either in person or via video link or other telecommunication method to be questioned about his or her evidence, the Tribunal may attach such weight to that evidence as it sees fit.



- (h) Evidence may be given in person or by way of a telephone or video link.
- (i) If video evidence is to be relied on then the Tribunal must view all of the relevant sections of that video evidence.
- (j) Submissions made by the relevant parties to a hearing shall be considered by the Tribunal at its discretion.
- (k) The Tribunal may either on its own motion or on an application by a party adjourn the hearing of any matter on such terms as it sees fit.

**7.20** At the completion of the evidence:

- (a) The parties shall leave the hearing room if requested by the Tribunal.
- (b) The Tribunal will consider all the evidence and submissions made during the hearing and make a determination on the balance of probabilities with respect to whether or not the charge or charges or matter have been proven.
- (c) The Tribunal may determine that the party charged is guilty of the offence charged but at a lesser grading or is guilty of a different offence provided that if the Tribunal considers a different offence may have been committed it must give the party charged an opportunity to put any evidence in relation to that different offence that it wishes to.
- (d) Where the Tribunal is constituted by 3 persons then it will be sufficient for a majority of those persons to agree on the decision.
- (e) Where the Tribunal is constituted by 2 persons the Chairperson shall have a deciding vote.

**7.21 Penalties and Sanctions**

**7.21.1** If the Tribunal finds that the charge or charges have been proved then prior to imposing any penalty or sanction it must invite the parties to make submissions to the Tribunal at that point of the hearing on the question of what penalty or sanction, if any, ought to be imposed.

**7.21.2** In addition HV or its representatives may make submissions to the Tribunal at that point of the hearing on the question of what penalty or sanction, if any, ought to be imposed.

**7.21.3** Where a Club is found guilty of any charge which arises either wholly or partly out of the conduct of a Club Associate (s) the Tribunal may,



when considering the question of penalty, take into account any steps taken by the Club to:

- (a) Identify such Club Associate(s) and/or
- (b) Minimise the risk of a repetition of such behaviour by the relevant Club Associate(s)

**7.21.4** The Tribunal may have regard to any matters which it considers relevant to the question of penalty and, without limitation, may consider:

- (a) The Penalty Guide System or Misconduct Penalty System; or
- (b) The seriousness of the conduct with which the party is charged or found guilty of by the Tribunal;
- (c) Any loss or damage, including reputational damage sustained or likely to be sustained by any party including but not limited to HV howsoever arising from the conduct;
- (d) Evidence of the discipline history of the party charged;
- (e) The extent to which the party has made efforts to prevent the conduct from occurring;
- (f) Insofar as they are relevant, the objectives of the HV Constitution;

**7.21.5** After submissions have been made the parties shall leave the hearing room and the Tribunal shall consider its verdict on the question of penalty. Unless the Tribunal is unable to reach a decision within a reasonable time it shall announce such decision to the parties on the day of the hearing. Where that is not possible HV shall advise the parties of the Tribunal's decision as soon as practicable following the Tribunal hearing. Without imposing any binding obligation on the Tribunal it is expected that in most cases the Tribunal will announce its decision on the day of the hearing.

**7.21.6** Where, at the hearing or before or after it, a party conducts itself in a manner which the Tribunal considers is in contempt of or shows contempt for the Tribunal the Tribunal may impose a fine on such party in addition to any other penalty or sanction handed down by the Tribunal.

**7.21.7** The Tribunal is not obliged to give reasons for any decision made by it. If the Tribunal provides reasons then the Tribunal may authorise HV to publish those reasons on the HV website.

**7.21.8** HV will notify the relevant parties of the Tribunal's decision via email as soon as practicable and such communication shall constitute



notification of the Tribunal's decision for the purposes of the provisions of this By-Law relating to appeals from a decision of the Tribunal.

**7.21.9** The Tribunal may impose, in its own absolute discretion, any one or more of the following penalties or outcomes on such terms as it see fit:

- (a) Expulsion;
- (b) Disqualification;
- (c) Suspension (including but not limited to suspension of a registration or accreditation);
- (d) A Fine;
- (e) A reprimand or caution;
- (f) A suspended penalty;
- (g) Deduction of points;
- (h) Compulsory attendance at a course or courses of education or rehabilitation including without limitation an anger management course approved by HV, providing that HV has received professional advice regarding the efficacy of the proposed attendance, on such terms as the Tribunal sees fit; and
- (i) Any such other sanction or penalty as the Tribunal sees fit except any form of bond.

**7.21.10** In all cases where HV or the Tribunal determines a guilty finding, an Administrative Fee, as listed in HV Schedule Section 1 Clause 3.3, will be charged to the Affiliate of the guilty party.

## **7.22 Appeal of Charge and Penalty**

**7.22.1** Subject to this By-Law a party subject to a determination of an Investigation may appeal such to the HV Appeals Board.

**7.22.2** A party subject to an investigation who does not cooperate (as described in Rule 7.5) with the Investigation as reported to HV by the Investigation Officer shall have no right of appeal unless such non-cooperation is due to an exceptional circumstance. The onus to establish such exceptional circumstances shall be on the non-cooperative party and HV, at its sole discretion, shall determine whether a party has not cooperated with the Investigation and, in such cases, whether exceptional circumstances are present.

Note: Work, alleged non-receipt of Notice of Investigation, and sport related commitments shall not ordinarily be deemed an exceptional circumstance.

**7.22.3** The Application for Appeal must be lodged with HV by the Club or Club Associate by email to [appeals@hockeyvictoria.org.au](mailto:appeals@hockeyvictoria.org.au) prior to 12:00pm on the second business day following the date & time recorded on the email from HV of the original relevant decision that is the subject of the Application for Appeal.



- 7.22.4** HV shall establish an Appeals Board to hear appeals under this By- Law or appeals allowed under any other HV Regulation, By-Law or Policy. The Appeals Board shall be constituted by such persons as HV sees fit.
- 7.22.5** The provisions of clause 7.16 shall apply to the appointment, composition and procedures of the Appeals Board with such modifications as are necessary as though a reference to Tribunal therein was a reference to Appeals Board.
- 7.22.6** Match suspensions resulting from an accumulation of Penalty Points awarded in HV fixtured Premier League and Vic League 1 matches (refer Schedule Section 2 Clause 6.2) are not eligible for Appeal.
- 7.22.7** A fee of \$500.00 must be paid to HV each time an Application for Appeal is made. The fee can be paid via any one of the following methods:
- (a) cheque;
  - (b) money order;
  - (c) cash; or
  - (d) electronic funds transfer.

The Application Fee must be paid, or satisfactory evidence provided to HV that the fee has been paid, prior to 12:00pm on the second business day following the date & time recorded on the email from HV of the original relevant decision that is the subject of the Application for Appeal.

- 7.22.8** The fee, paid in accordance with Rule 9.5, may be refunded in part or in full at HV's determination. The Appeal Panel may submit their recommendations in regard to the refund of the Application Fee for HV's consideration in its determination. A full refund will be made in all cases where the Appeal Panel upholds the Appeal.
- 7.22.9** On receipt of application for Appeal, a stay of execution will be imposed on the appellant pending determination of the appeal.

## **7.23 Appeal Hearing Process**

- 7.23.1**
- (a) HV shall approve a Panel of Appeal Members consisting of such person or persons as HV shall from time to time deem fit (Discipline Panel Members).
  - (b) HV will appoint Tribunal Members to conduct an Appeal hearing at its absolute discretion in accordance with this By-Law.
  - (c) Subject to this By-Law the Appeal hearing shall consist of 3 Discipline Panel Members.



- (i) HV shall appoint a Discipline Panel Member who is eligible to engage in legal practice in the State of Victoria pursuant to the Legal Profession Act 2004 (Vic) as Chairperson for each Appeal hearing.
- (d) A person shall not be appointed to an Appeal hearing if they:
  - (i) are a current member, officer or official of one of the clubs involved in this tribunal, or
  - (ii) are a HV Director, or HV Employee, or
  - (iii) are a party to or in any way directly or interested in a matter to be heard by the Tribunal, or
  - (iv) otherwise has any relationship with any party to the matter such that that person is or may reasonably be seen to be not independent.
- (e) If a Discipline Panel Member becomes aware that he/she has a relationship with any party to the matter of a nature that they believe they may reasonably be seen to be not independent then they must withdraw from the Appeal hearing.
- (f) A person appointed as a Discipline Panel Member may be removed from the Panel of Disciplinary Members at the discretion of the CEO or CEO Delegate, however a minimum of two panel members must remain.

### **7.23.2 Jurisdiction of Appeal Hearing**

The Appeal Panel shall have jurisdiction in respect of:

- (a) any charge referred to it by HV including but not limited to a charge involving a person who has submitted to the jurisdiction of HV.
- (b) any other matter in respect of which the Tribunal is given jurisdiction by HV.

### **7.24 – 7.25 Appeal Hearing Procedure**

**7.24.1** An appellant shall attend and appear before the Appeals Board at the date, time and place fixed for hearing of the appeal. Where an appellant fails to attend before the Appeals Board, the Appeals Board may hear and determine the appeal in the appellant's absence.

**7.24.2** The Appeals Board shall:

- (a) Provide any person whose interests would be directly and adversely affected by its decision a reasonable opportunity to be heard;
- (b) Determine the matter before it in an unbiased manner; and





(c) Make a decision that a reasonable body could honestly arrive at.

**7.24.3** The Chairperson of the Appeals Board may, on application by a party to the appeal or of its own motion order that the appeal be adjourned;

**7.24.4** The Appeals Board may only make an order pursuant to clause 7.24.5 where it is satisfied that there are exceptional and compelling circumstances that make it harsh and unconscionable if an order was not made.

**7.24.5** The Appeals Board must rehear the matter on its merits as a new hearing.

**7.24.6** Subject to the matters set out in this By-Law the Appeals Board may regulate any proceedings brought before it in such manner as it sees fit.

**7.24.7** The hearing before the Appeals Board shall be:

- (a) Inquisitorial in nature;
- (b) A new hearing on the merits; and
- (c) Conducted with as little formality and technicality and with as much expedition as the proper consideration of the matters before it permit.
- (d) If the Appeals Board in a particular matter is constituted by more than one person, the question(s) on appeal before the Appeals Board must be decided according to the opinion of the majority of the members of the Appeals Board hearing the matter. Where the Appeals Board consists of only two persons, the Chairperson shall have a deciding vote if necessary.
- (e) In the case of all offences, conduct or omissions the Appeals Board may impose such penalty or sanction as it sees fit.
- (f) Make such other findings as is required by the nature of the appeal

## **7.25 Appeals Board Decisions**

All decisions of the Appeals Board shall be final and binding on the parties and no party may take any action in any court or tribunal or other forum to challenge such decision or seek to have it varied in any way.



## **7.26 Request for review of suspensions**

**7.26.1** A person who has served at least 12 months of a period of suspension (*the requestor*), imposed by:

- (a) The Victorian Hockey Association;
- (b) The Victorian Women's Hockey Association;
- (c) The Victorian Junior Hockey Association;
- (d) A Disciplinary Panel (which suspension was not the subject of an appeal);  
or
- (e) An appeal board;

may request the CEO to convene an appeal board to consider whether that person should be released from that suspension (*request*).

**7.26.2** A request must be made in writing and:

- (a) Include details of the penalty imposed on that person and details of the incident which gave rise to the penalty;
- (b) Set-out the reasons why the suspension should be lifted; and
- (c) Include statutory declarations which evidence facts which supports those reasons.

### **7.26.3 CEO to refer request to Chairperson**

If a request has been made in compliance with Rules 76.1.1 and 7.26.2, the CEO must, within two (2) business days of receipt of that request, provide to the Chairperson:

- (a) A copy of the request; and
- (b) A copy of any document in the possession of HV which relate to the process which resulted in the suspension the subject of the request.

### **7.26.4 – 7.26.5 Chairperson's decision**

**7.26.4** The Chairperson shall consider only the documents provided by the CEO pursuant to Rule 7.26.3 and advise the CEO whether an appeal board should be convened to consider that request.



**7.26.5** If the Chairperson advises the CEO that an appeal board should not be convened, the CEO must within two (2) business days of the receipt of that advice give notice in writing to the requestor (by ordinary post sent to the address given in the request) that the request has been refused.

#### **7.26.6 Appeal board**

If the Chairperson advises the CEO that an appeal board should be convened, the CEO must within two business days of the receipt of that advice convene an appeal board of three persons, comprising of the Chairperson and two other members drawn from the list of persons approved by HV pursuant to Rule 7.8 to consider and determine the request.

#### **7.26.7 CEO to give notice of hearing**

The CEO must give notice in writing of the date, time and venue fixed for the hearing of the request to the requestor (by registered post sent to the address given in the request). The date and time fixed for the hearing of the request must be at least ten (10) business days after the date on which the notice is posted.

#### **7.26 – 7.26.10 Conduct of hearing**

**7.26.8** In hearing a request, an appeal board is bound by the Rules of Natural Justice but may otherwise regulate its proceedings.

**7.26.9** Subject only to Rule 7.26.10, a requestor may at the hearing of a request seek to adduce evidence not previously submitted with the request but such new evidence must be submitted in the form of statutory declarations to the CEO at least two (2) business days before the time fixed for the hearing.

**7.26.10** An appeal board may waive compliance with Rule 7.26.9 and permit such evidence to be adduced subject to any conditions it considers appropriate.

#### **7.26.11 – 7.26.12 Decision**

**7.26.11** After hearing the request, an appeal board may decide to:

- (a) Lift the suspension;
- (b) Reduce the period of suspension to be served;
- (c) Lift the suspension, or reduce the period of suspension to be served, subject to any conditions it considers appropriate; or
- (d) Refuse the request.



**7.26.12** An appeal board must announce its decision prior to the conclusion of the hearing.



## **8. Insurance**

### **Public Liability, Club Management Liability and Player Accident Insurance**

Affiliates are required to hold Public Liability, Club Management Liability and through HV's approved insurer.

All registered players are required to hold Player Accident Insurance. Players will be required to purchase player accident insurance at the point of ERS annual player registration. All Affiliates shall ensure that all their players and officials are informed of details and conditions of the Affiliate's insurance cover and the process for lodgement of claims.



## 9. Review of Administrative Decisions

### 9.1 Definition

9.1 In this Part, “**administrative decision**” means a decision made by HV:

- (a) to refuse an application for:
  - (i) the entry of a team in a competition section (as outlined in the Schedule to the Regulations) conducted by HV [*Rule 3.1*];
  - (ii) the registration of a player [*Rule 3.2*];
  - (iii) the transfer of a player’s registration [*Rule 3.3*];
  - (iv) a Playing Permit [*Regulation 8.6*]; or
- (b) to revoke the registration of a player [*Rule 3.2*]; or
- (c) to impose a fine, or other penalty (including forfeit of match points), against an Affiliate for a breach of the Regulations [*Reg 3.4 & 7.3/Schedule, Section 1, 3*]; or
- (d) to fine, or otherwise penalise, an Affiliate for unauthorised alteration of a team sheet entered in the ERS or for making an inaccurate entry in the ERS [*Reg 7.2*]; or
- (e) to determine a Match Result Dispute [*Reg 3.4, 7.3, 7.4/Schedule Section 1, Clause*].

### 9.2 – 9.4 Investigation and Disciplinary Process

9.2 An Affiliate which is the subject of an administrative decision may make application for review of that decision only upon the ground that the decision was made as a result of a misinterpretation, or misapplication, of the relevant Rule or Regulation.

9.3 (a) An application for review of an administrative decision in respect to Rule 9.1 (a) (b) (c) or (d) must be made prior to 12:00pm on the second business day after the date & time at which notification of the relevant decision was given, calculated by reference to the date and time recorded on the email by which such notification was given by HV.

(b) An application for review of an administrative decision lodged in respect to Rule 9.1(e) must be lodged in accordance with Match Result Dispute timelines. Refer to HV Schedule Section 1 Clause 2.1.

9.4 An application for review must be made in writing and must:

- (a) be in the form, and include the matters, set-out in *Schedule “A9” to this Part*; (HV Schedule Section 2, Clause 10)
- (b) include a copy of the relevant notice of the decision given by HV; and
- (c) not include reference to any document or other information which was not made available to HV prior to the making of the decision the subject of the application for review.



## **9.5 - 9.6 Application Fee**

**9.5** A fee of \$500.00 must be paid to HV each time an Application for Review is made. The fee can be paid via any one of the following methods:

- (a) cheque;
- (b) money order;
- (c) cash; or
- (d) electronic funds transfer.

The Application Fee must be paid, or satisfactory evidence provided to HV that the fee has been paid, within two business days of the date & time recorded on the email from HV of the original relevant decision that is the subject of the Application for Review.

**9.6** The fee, paid in accordance with Rule 9.5, may be refunded in part or in full at HV's determination. The Appeal Panel may submit their recommendations in regard to the refund of the Application Fee for HV's consideration in its determination. A full refund will be made in all cases where the Appeal Panel finds in favour of the Affiliate.

## **9.7 – 9.8 Review Panel**

**9.7** If an application for review has been made in compliance with Regulations 9.3, 9.4 and 9.5, the CEO or CEO's delegate must, within two (2) business days of receipt of that application:

- (a) commence convening a panel of three persons, drawn from a pool of panel members approved by HV, to consider and determine the application for review; and
- (b) subsequent to the confirmation of panel members provide those members a copy each of:
  - (i) the application for review; and
  - (ii) the documents upon which the decision the subject of the application for review was made.

**9.8** Every panel, convened pursuant to Rule 9.7, must be chaired by a legally-qualified person.

## **9.9 – 9.11 Match Result Disputes**

**9.9** If a panel is convened to review a determination of a Match Result Dispute [*Reg 7.4*], the CEO or CEO's delegate must within two (2) business days of the confirmation of a panel give to the other Affiliate involved in that dispute:

- (a) a copy of the application for review; and
- (b) a further 24 hours within which that Affiliate may lodge its statement of grounds of objection to the application for review.



- 9.10** A statement lodged in response to a notice given under Rule 9.9(b) must:
- (a) be in the form, and include the matters, set-out in *Schedule “B9” to this Part*; (HV Schedule Section 2, Clause 11) and
  - (b) not include reference to any document or other information which was not made available to HV prior to the making of the decision the subject of the application for review.

- 9.11** In the event that a statement is lodged in response to a notice given under Rule 9.9(b), the CEO or CEO’s delegate must provide that document to the panel as soon as practicable after receipt of that document.

### **9.12 Limited Review**

In considering an application for review, a panel must consider only whether the decision the subject of the review was made as a result of a misinterpretation, or misapplication, of the relevant Rule or Regulation.

### **9.13 – 9.14 Conduct of the Review**

- 9.13** Unless it considers that a hearing should be held prior to the making of a decision, a panel must determine an application for review on the papers.
- 9.14** In the event that a panel proceeds to hold a hearing, it is bound by the Rules of Natural Justice but may otherwise regulate its proceedings.

### **9.15 – 9.16 Disposition**

- 9.15** A panel may:
- (a) affirm the decision under review; or
  - (b) vary the decision under review; or
  - (c) set-aside the decision under review and make another decision in substitution for that decision.
- 9.16** In making a decision pursuant to Rules 9.15(b) or 9.15(c) a panel is limited to the dispositions set out in the provisions of the Rules or Regulations relevant to the application for review.

### **9.17 – 9.18 Decision**

- 9.17** A panel must give written notice of its decision to the CEO or CEO’s delegate as soon as practicable after that decision is made. This decision is final and cannot be appealed.





**9.18** The CEO or CEO's delegate must give written notice of a panel's decision to:

- (a) the applicant for review; and
- (b) if the application for review concerns a Match Result Dispute, to the other Affiliate involved in that dispute.

**9.19 Amendment of the ERS**

The CEO or CEO's delegate must, within two (2) business days of giving the notice required by Rule 9.18(a), cause any relevant amendment to be made in the ERS to give effect to a decision of a panel.

**9.20 Method of notification by the CEO**

Service of notices by the CEO or CEO's delegate addressed to the nominated Club Secretary email address of an Affiliate shall be sufficient service for the purposes of these Rules.

**9.21 – 9.22 Delegation by CEO**

**9.21** The CEO may delegate to any member of the staff of HV any of the CEO's powers, duties or functions, except this power of delegation.

**9.22** Any delegation made by the CEO under Rule 9.21 must be in writing.



## **10. Appeals**

### **10.1 – 10.4 Appeals and Notice of Appeal**

- 10.1** Subject to this By-Law a party subject to a determination of the Tribunal (save for clause 10.1.1 below) may appeal such to the HV Appeals Board.
- 10.1.1** A party subject to a determination of the Tribunal who does not appear at the hearing of the Tribunal shall have no right of appeal unless such non-appearance is due to an exceptional circumstance such as health, accident, death, or other extraordinary situation accepted by HV. The onus to establish such exceptional circumstances shall be on the party who did not appear at the hearing of the Tribunal. Work, alleged non- receipt of Notice of Tribunal, and sport related commitments shall not ordinarily be deemed an exceptional circumstance.
- 10.2** HV shall establish an Appeals Board to hear appeals under this By- Law or appeals allowed under any other HV Regulation, By-Law or Policy. The Appeals Board shall be constituted by such persons as HV sees fit.
- 10.3** Subject to clauses 10.5–10.8 the provisions of clause 11 shall apply to the appointment, composition and procedures of the Appeals Board.
- 10.4** One (1) match suspensions resulting from an accumulation of Penalty Points awarded in HV fixtured Premier League and Vic League 1 matches (refer Schedule Section 2 Clause 6.2) are not eligible for Appeal.

### **10.5 – 10.7 Time and Notice of Appeal**

- 10.5** An appeal shall be brought:
- (a) No later than 12:00pm on the second business day after the time at which notification of the relevant decision was given calculated by reference to the date and time recorded on the email by which notice was given.
  - (b) By lodging with HV, in writing, a duly completed and signed Notice of Appeal in the form set out on the HV website and payment of the appeal fee set out in the Schedule (Appeal Fee).
- 10.6** The Notice of Appeal shall specify:
- (a) Whether the appeal is against the findings made by the Tribunal; and/or
  - (b) Whether the appeal is against the severity of the penalty or outcome imposed by the Tribunal.



- (c) Such other details as set out in *Schedule "A10" to this Part*; (HV Schedule Section 2, Clause 12)

**10.7** The Notice of Appeal may be lodged with HV by:

- (a) delivering it; or
- (b) email to [appeals@hockeyvictoria.org.au](mailto:appeals@hockeyvictoria.org.au)

## **10.8 Notification**

**10.8** Upon receipt of the Notice of Appeal HV shall:

- (a) Fix a date, time and place for the hearing of the appeal as soon as practicable; and
- (b) Advise all parties interested in the appeal in writing of these particulars and any amendment to these particulars.

## **10.9 Appeal Hearing**

**10.9.1** An appellant shall attend and appear before the Appeals Board at the date, time and place fixed for hearing of the appeal. Where an appellant fails to attend before the Appeals Board, the Appeals Board may hear and determine the appeal in the appellant's absence.

**10.9.2** The Appeals Board shall:

- (a) Provide any person whose interests would be directly and adversely affected by its decision a reasonable opportunity to be heard;
- (b) Determine the matter before it in an unbiased manner; and
- (c) Make a decision that a reasonable body could honestly arrive at.

**10.9.3** The Appeals Board may only make an order pursuant to clause 10.9.4 where it is satisfied that there are exceptional and compelling circumstances that make it harsh and unconscionable if an order was not made.

**10.9.4** The Appeals Board must rehear the matter on its merits as a new hearing.

**10.9.5** Subject to the matters set out in this By-Law the Appeals Board may regulate any proceedings brought before it in such manner as it sees fit.



**10.9.6** The hearing before the Appeals Board shall be:

- (a) Inquisitorial in nature;
- (b) A new hearing on the merits; and
- (c) Conducted with as little formality and technicality and with as much expedition as the proper consideration of the matters before it permit.
- (d) If the Appeals Board in a particular matter is constituted by more than one person, the question(s) on appeal before the Appeals Board must be decided according to the opinion of the majority of the members of the Appeals Board hearing the matter. Where the Appeals Board consists of only two persons, the Chairperson shall have a deciding vote if necessary.
- (e) In the case of all offences, conduct or omissions the Appeals Board may impose such penalty or sanction as it sees fit.
- (f) Make such other findings as is required by the nature of the appeal

**10.10 Appeals Board Decisions**

10.10 All decisions of the Appeals Board shall be final and binding on the parties and no party may take any action in any court or tribunal or other forum to challenge such decision or seek to have it varied in any way.

**10.11.1 – 10.11.2 Request for review of suspensions**

**10.11.1** A person who has served at least 12 months of a period of suspension (*the requestor*), imposed by:

- (a) The Victorian Hockey Association;
- (b) The Victorian Women's Hockey Association;
- (c) The Victorian Junior Hockey Association;
- (d) A Disciplinary Panel (which suspension was not the subject of an appeal); or
- (e) An appeal board;

may request the CEO to convene an appeal board to consider whether that person should be released from that suspension (*request*).



**10.11.2** A request must be made in writing and:

- (a) Include details of the penalty imposed on that person and details of the incident which gave rise to the penalty;
- (b) Set-out the reasons why the suspension should be lifted; and
- (c) Include statutory declarations which evidence facts which supports those reasons.

**10.11.3 CEO to refer request to Chairperson**

If a request has been made in compliance with Rules 10.11.1 and 10.11.2, the CEO must, within two (2) business days of receipt of that request, provide to the Chairperson:

- (a) A copy of the request; and
- (b) A copy of any document in the possession of HV which relate to the process which resulted in the suspension the subject of the request.

**10.11.4 – 10.11.5 Chairperson's decision**

**10.11.4** The Chairperson shall consider only the documents provided by the CEO pursuant to Rule 10.11.3 and advise the CEO whether an appeal board should be convened to consider that request.

**10.11.5** If the Chairperson advises the CEO that an appeal board should not be convened, the CEO must within two (2) business days of the receipt of that advice give notice in writing to the requestor (by ordinary post sent to the address given in the request) that the request has been refused.

**10.11.6 Appeal board**

If the Chairperson advises the CEO that an appeal board should be convened, the CEO must within two business days of the receipt of that advice convene an appeal board of three persons, comprising of the Chairperson and two other members drawn from the list of persons approved by HV pursuant to Rule 7.8 to consider and determine the request.

**10.11.7 CEO to give notice of hearing**

The CEO must give notice in writing of the date, time and venue fixed for the hearing of the request to the requestor (by registered post sent to the address given in the request). The date and time fixed for the



hearing of the request must be at least ten (10) business days after the date on which the notice is posted.

#### **10.11.8 – 10.11.10 Conduct of hearing**

- 10.11.8** In hearing a request, an appeal board is bound by the Rules of Natural Justice but may otherwise regulate its proceedings.
- 10.11.9** Subject only to Rule 10.11.10, a requestor may at the hearing of a request seek to adduce evidence not previously submitted with the request but such new evidence must be submitted in the form of statutory declarations to the CEO at least two (2) business days before the time fixed for the hearing.
- 10.11.10** An appeal board may waive compliance with Rule 10.11.9 and permit such evidence to be adduced subject to any conditions it considers appropriate.

#### **10.11.11 – 10.11.12 Decision**

- 10.11.11** After hearing the request, an appeal board may decide to:
- (a) Lift the suspension;
  - (b) Reduce the period of suspension to be served;
  - (c) Lift the suspension, or reduce the period of suspension to be served, subject to any conditions it considers appropriate; or
  - (d) Refuse the request.
- 10.11.12** An appeal board must announce its decision prior to the conclusion of the hearing.



## **11. General Information relating to Disciplinary Action and Appeals**

### **11.1 Respect of Determinations**

- 11.1.1** Subject only to the specified rights of appeal, a determination of the Tribunal or the Appeals Board (Determination) is final and binding on all parties. The parties undertake to carry out the Determination without delay.
- 11.1.2** A failure to comply with a Determination within the manner or time as prescribed by that Determination is itself a breach of the Rules of Competition and the non-compliant party may be subject to further sanction.
- 11.1.3** Any party who fails to pay another party a sum of money in full as required by a Determination may be:
- (a) Fined;
  - (b) Given a time limit in which to settle the debt; and
  - (c) If the party the subject of the Determination is a Club, that Club will have 3 Championship points deducted from each of its teams in HV competitions if it has not paid by the time limit referred to in Rule 11.1.3(b).

### **11.2 Notification**

Except where specifically referred to, HV will endeavour to provide notification to all relevant parties as quickly as possible in relation to all matters.

### **11.3 Delegation by CEO**

- 11.3.1** The CEO may delegate to any member of the staff of HV any of the CEO's powers, duties or functions, except this power of delegation.
- 11.3.2** Any delegation made by the CEO under Rule 11.3.1 must be made in writing.

### **11.4 HV to keep records**

- 11.4.1** HV must maintain a register of the result of every hearing of a Disciplinary Panel including:
- (a) The name of the person charged;
  - (b) Whether the person pleaded guilty or contested the charge; and
  - (c) The decision of the Disciplinary Panel, including the terms of any penalty imposed.