



# **NATIONAL RUGBY LEAGUE**

## Accredited Agent Scheme Rules

*Schedule Eleven to the NRL Rules*



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***Part 1 – Preliminary***

**Preamble**

1. (1) Player agents are important stakeholders in the Game. Player agents play an important role in upholding the values and standards of the Game. They also protect and promote the welfare and interests of their Players and provide them with professional representation, advice, guidance, support and assistance. Because of their professional relationship, a Player agent will have a substantial influence on the Rugby League career, and life, of a Player. It is important that this influence is positive.
- (2) Being a Player agent carries with it a significant responsibility and requires appropriate knowledge, competency and professionalism, as well as ethical standards. Player agents are entrusted by Players to act on their behalf. They have a fiduciary duty to act in the best interests of their clients. It is therefore the responsibility of Player agents to operate with high personal and professional standards, to ensure that the best possible service is provided to the Players they represent.
- (3) These Rules have been introduced to establish the expectations and standards required of a Player agent in order to be accredited, and maintain Accreditation, as an Accredited Agent. They also regulate the conduct and professionalism of Accredited Agents and provide a framework for Accredited Agents to be heard and to contribute to the ongoing operation of the Scheme. The Rules set up processes for ongoing information sharing, education and communication to continually improve the services provided by Accredited Agents to Players.

**Purpose**

2. (1) The purpose of the Scheme is to:
  - (a) Ensure that Accredited Agents provide professional and competent services to the Players they represent;
  - (b) Protect Players where the service or conduct of an Accredited Agent does not meet the required standards of professionalism, integrity and competence as set out in the Scheme;
  - (c) Support a Player agent industry within Rugby League that is respected and valued; and
  - (d) Promote a strong culture of professionalism, integrity and accountability amongst Accredited Agents.

### Objects

3. (1) The objects of these Rules are to:
  - (a) Provide a mandatory Scheme to accredit appropriately qualified Individuals as Accredited Agents;
  - (b) Formulate minimum standards of service from Accredited Agents;
  - (c) Provide mechanisms and processes to monitor the ongoing Accreditation of Accredited Agents;
  - (d) Provide for improved collaboration and communication between Accredited Agents, the NRL and the RLPA;
  - (e) Provide for the ongoing support, education and professional development of Accredited Agents;
  - (f) Confer on Accredited Agents particular benefits so as to promote their accredited status and otherwise to assist them to discharge their obligations to Players;
  - (g) Provide for the just and timely resolution of disputes and complaints relating to Accredited Agents;
  - (h) Set, monitor and enforce standards of conduct for Accredited Agents; and
  - (i) Provide processes to continually improve the Scheme and raise the standards of Accredited Agents.

### Commencement

4. (1) Save where otherwise expressly provided, each of the provisions of these Rules shall commence on 1 December 2018 and shall remain in force from that time.

### Jurisdiction and Scope

5. (1) These Rules apply to all Applicants and Accredited Agents.
  - (2) Only an Individual may apply for, and be granted, Accreditation under these Rules.
  - (3) Save where otherwise expressly provided in these Rules, only an agent who is an Accredited Agent under these Rules may represent a Player in relation to the negotiation of their NRL Player Contract.
  - (4) Once accredited, an Accredited Agent is bound by the Rules at all times, not just

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when he or she is acting on behalf of a Player or performing services as an Accredited Agent.

- (5) Any person who is granted Accreditation as an Accredited Agent and who subsequently ceases to be accredited (whether voluntarily, by operation of Rule 2 of the NRL Rules or otherwise), shall continue to be bound by and comply with their obligations under the NRL Rules to provide their full co-operation with the investigation of any matter relevant to the period during which they were an Accredited Agent.
- (6) The provisions of these Rules and the Accredited Agents' Code of Conduct shall have effect despite any stipulation to the contrary and no contract or agreement made or entered into by any Accredited Agent, Player or Club on or after 1 December 2018 may operate to annul, vary or exclude any of the provisions of these Rules or the Accredited Agents' Code of Conduct.

### Application

6. (1) The Rules:
  - (a) Are administered variously by the Accreditation Board, the RLPA, the Chief Executive Officer, the Chief Operating Officer and the Operations Manager in the ways specified herein;
  - (b) Are intended to regulate the conduct of Accredited Agents in order to achieve the objects specified in Rule 3;
  - (c) May be enforced by the imposition of a penalty pursuant to Rule 29 if a contravention of, or conduct for which an Accredited Agent is liable for sanction under, any of these Rules or the Former Rules is found by the Chief Operating Officer, the Chief Executive Officer or the NRL Appeals Committee to have occurred; and
  - (d) Are not intended to displace any duty, liability or obligation that an Accredited Agent may have under the common law or statute law of the Commonwealth of Australia, New Zealand, a State or a Territory of Australia or a Province of New Zealand in relation to any matter covered by them.
- (2) Nothing in these Rules is intended to have the effect of preventing a Player or a Close Relation from managing or representing him or her in respect of the Player's own affairs including the negotiation of an NRL Player Contract. The entities and persons charged with administering these Rules and the NRL Salary Cap Auditor shall be entitled to seek confirmation from the Player of the identity of the Close Relation who is seeking to represent that Player in the negotiation of a NRL Player Contract.

### Independence and Confidentiality

7. (1) The Accreditation Board, Accredited Agents Advisory Committee, the RLPA, the NRL Appeals Committee, the Chief Executive Officer, the Chief Operating Officer and/or the Operations Manager shall at all times:
- (a) Act independently, impartially and fairly without fear or favour, affection or ill-will in the exercise of any of the powers and responsibilities which are conferred on any of them under these Rules; and
  - (b) Treat any confidential information or documents relating to each Accredited Agent as confidential and only disclose any such information or documents:
    - i. where disclosure is expressly permitted under these Rules, or where it is otherwise necessary for the exercise of any of the powers and responsibilities which are conferred on the Accreditation Board, Accredited Agents Advisory Committee, the RLPA, the NRL Appeals Committee, the Chief Executive Officer and/or the Chief Operating Officer under the NRL Rules; or
    - ii. with the consent of the Accredited Agent to whom the information relates;
  - (c) Use any information or documents relating to each Accredited Agent only for the purpose of exercising any of the powers and responsibilities which are conferred on the Accreditation Board, Accredited Agents Advisory Committee, the RLPA, the NRL Appeals Committee, the Chief Executive Officer and/or the Chief Operating Officer under the NRL Rules.

### Limited Review and No Suit

8. (1) The discharge by the Accreditation Board, the RLPA, the NRL Appeals Committee, the Chief Executive Officer, the Chief Operating Officer and the Operations Manager of any of the powers and responsibilities which are conferred on any of them under these Rules shall not be capable of review other than in accordance with Rule 30 and, subject to Rule 30, shall be final and binding.
- (2) The Accreditation Board, the RLPA, the NRL Appeals Committee, the Chief Executive Officer, the Chief Operating Officer and the Operations Manager shall be immune from suit and no agent may institute or maintain any proceedings or bring any claim in respect of any act or omission on their part or determinations or directions made by the Accreditation Board, Accredited Agents Advisory Committee, the RLPA, the NRL Appeals Committee, the Chief Executive Officer, the Chief Operating Officer and/or the Operations Manager under these Rules.

### Amendments

9. (1) The provisions of these Rules may be amended by the Board of the NRL from time to time in accordance with the procedures set out in Rule 2 of the NRL Rules and

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in accordance with the process set out in Rules 9.2 to 9.5 below.

- (2) Prior to any amendment under Rule 9.1:
  - (a) The NRL will provide a copy of any proposed amendment to the Rules to the Accreditation Board;
  - (b) The Accreditation Board will have twenty (20) Business Days to consult with the NRL in respect of the proposed amendment to the Rules, unless the Accreditation Board agrees to shorten or waive this consultation period; and/or
  - (c) During the consultation period, the Accreditation Board may submit any proposed changes or comments in relation to a proposed amendment to these Rules to the NRL for its consideration.
- (3) For the avoidance of doubt, the Accreditation Board may, at any time, make a recommendation to the NRL to make or consider a proposed amendment to these Rules. The NRL is not obliged to adopt any recommendation of the Accreditation Board but will consider any such recommendation in good faith and provide the Accreditation Board with a response in writing to the recommendation. If the NRL does propose amending the Rules, the process in Rule 9.2 shall apply.
- (4) The NRL shall not amend these Rules:
  - (a) To impose a limit on the amount an Accredited Agent can charge a Player pursuant to a Player and Agent Agreement; or
  - (b) To limit the number of Players that an Accredited Agent can represent at any time,unless the Accreditation Board unanimously supports any such an amendment being made to the Rules.
- (5) Any amendment to these Rules shall be notified to each Accredited Agent, the RLPA, the ASSRLC and the PAA prior to the implementation of the change, in addition to the notification required under Rule 2 of the NRL Rules.

### Definitions

10. (1) In these Rules, unless the context otherwise indicates or requires, the following terms shall have the meanings respectively assigned to them:

**‘Accreditation Board’** means the board constituted as such by Rule 12;

**‘Accredited Agent’** means an agent who is accredited pursuant to these Rules;

**‘Accredited Agents Advisory Committee’** means the committee constituted as such by Rule 15;

**‘Accredited Agents’ Code of Conduct’** means the Code of Conduct for Accredited Agents as set out in Appendix 1;

**‘Accreditation’** means accreditation granted to an agent pursuant to these Rules;

**‘Accreditation Certification Form’** means the form prescribed by the Accreditation Board and required to be certified by Accredited Agents on an annual basis pursuant to Rule 24;

**‘agent’** means an Individual who acts, or purports to act, on behalf of a Player and includes an agent, manager or representative of a Player;

**‘Agent Employer Entity’** means a legal entity that employs an Accredited Agent for the purposes of that Accredited Agent providing agency services to Players;

**‘Anniversary Date’** means the date in each Year (being the last day of October or any other date as determined from time to time by the RLPA), immediately following which the Accreditation of each Accredited Agent will expire, subject to renewal of Accreditation pursuant to Rule 24;

**‘Annual Fee’** means the fee as prescribed from time to time by the Accreditation Board payable by each Accredited Agent to the Accreditation Board for each year of his or her Accreditation;

**‘Appendix’** means an appendix attached to these Rules;

**‘Applicant’** means a person who has applied for Accreditation as an Accredited Agent pursuant to these Rules but whose Application in that regard has not been determined by the Accreditation Board;

**‘Application’** means an application for Accreditation as an Accredited Agent in pursuant to Rule 18;

**‘Application Fee’** means the fee payable by an Applicant to the Accreditation Board for the purpose of applying to become an Accredited Agent pursuant to Rule 18, as prescribed by the Accreditation Board from time to time;

**‘Application Form’** means the form prescribed by the Accreditation Board that an Applicant is required to complete to make an Application pursuant to Rule 18.2 of the Rules;



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**‘Associate’** means a scout or any other person engaged or contracted by an Accredited Agent, an Agent Employer Entity or an entity or organisation in which the Accredited Agent has a financial interest who is approaching or initiating contact with a Player by any means including by meeting or other form of communication;

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

**‘Bet’** includes wager and any services offered by a Gambling Operator;

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

**‘CBA’** means the collective bargaining agreement as agreed between the NRL and RLPA as amended from time to time;

**‘Chair’** means the person appointed to chair the Accreditation Board pursuant to Rule 12(2);

**‘Chief Executive Officer’** means the person appointed by the NRL, from time to time, to hold office as its Chief Executive Officer;

**‘Chief Operating Officer’** means the person appointed by the NRL, from time to time, to hold office as its Chief Operating Officer;

**‘Close Relation’** means a Player’s spouse, mother, father, legal guardian, sibling, aunt, uncle or other member of his or her immediate family;

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

**‘Coach’** means a coach of the Game;

**‘Development List’** means the list of up to six (6) Players employed by a Club each Year in accordance with the CBA;

**‘Development List Contract’** means a standard form contract between a Club and a Player nominated on the Club’s Development List, as may be prescribed under the CBA and NRL Rules from time to time;

**‘Exam’** means the entrance examination for all new Applicants as prescribed by the RLPA in accordance with Rule 19;

**‘Existing Agent Application Form’** means the form attached as Form 1 to these Rules for agents accredited under the Former Rules to apply for Accreditation pursuant to Rule 23(2);

**‘Form’** – means a form attached to these Rules;

**‘Former Rules’** means the rules of the Former Scheme;

**‘Former Scheme’** means the Rugby League Accredited Player Agents Scheme (RLAPAS) instituted in 2005 pursuant to which agents working in the Game previously were accredited;

**‘Game’** means the game of Rugby League;

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**‘Gambling Operator’** means a provider of any one or more of the following gambling services (irrespective of whether the service is conducted online or from premises situated in Australia or otherwise):

- (a) A service for the placing, making, receiving or acceptance of Bets;
- (b) A service to introduce individuals who wish to make or place Bets to individuals who are willing to receive or accept those Bets; or
- (c) A service for the conduct of a game, where:
  - i. The game is played for money or anything else of value; and
  - ii. The game is a game of chance or of mixed chance and skill; and
  - iii. A customer of the service gives or agrees to give consideration to play or enter the game; or
- (d) A gambling service (within the ordinary meaning of that expression) that is not covered by any of the above paragraphs;

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

**‘Leagues’** means New Zealand Rugby League, Queensland Rugby League, New South Wales Rugby League, Canberra Rugby League and the States and Territories of Australia that do not currently have a Club based within their territorial limits;

**‘Notice’** means a notice issued by the Chief Executive Officer or Chief Operating Officer pursuant to Rule 29;

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

**‘NRL Appeals Committee’** means the body constituted as such by the NRL Appeals Committee Procedural Rules;

**‘NRL Appeals Committee Procedural Rules’** means Schedule Five to the NRL Rules;

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

**‘NRL Player Contract’** means any and all of an NRL Playing Contract, a Development List Contract and/or a NRL Women’s Playing Contract;

**‘NRL Playing Contract’** means a standard form contract between a Club and a top 30 Player in a Club as may be prescribed under the CBA and NRL Rules from time to time;

**‘NRL Rules’** means the rules (including these Rules), schedules and guidelines contained in the NRL Rules as amended by the NRL from time to time;

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**‘NRL Women’s Premiership’** means the National Rugby League elite women’s competition organised, arranged and administered by the NRL;

**‘NRL Women’s Playing Contract’** means a standard form contract between a Club and Player to play in the NRL Women’s Premiership as may be prescribed under the NRL Rules from time to time;

**‘Operations Manager’** means the person appointed by the NRL and/or RLPA (as agreed between those parties) to manage the operation and administration of the Scheme and these Rules;

**‘Player’** means a player of the Game and includes Young Players where the context requires;

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

**‘Player and Agent Agreement’** means a standard form agreement between a Player and an Accredited Agent (or his or her Agent Employer Entity) in relation to the representation of the Player by the Accredited Agent attached as Forms 2 and 3 under the Rules and as amended by the Accreditation Board from time to time;

**‘Player Agent Information Sheet’** means a fact sheet containing key information relating to the Player and Accredited Agent relationship attached as Form 3 under the Rules and as amended by the Accreditation Board from time to time;

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

**‘Register’** means the Register of Accredited Agents kept and maintained by the RLPA pursuant to Rule 16;

**‘RFL’** means the Rugby Football League, the governing body for Rugby League in the United Kingdom;

**‘RFL Agent’** means an agent accredited by the RFL;

**‘RLPA’** means the Rugby League Players Association Limited;

**‘Rugby League’** means the code of football known as rugby league;

**‘Rules’** means Schedule 11 to the NRL Rules, including any Appendices and Forms;

**‘Salary Cap Auditor’** means the person appointed pursuant to Rule 12(1) of the NRL Playing Contract and Remuneration Rules;

**‘Scheme’** means the player agent accreditation scheme established pursuant to these Rules;

**‘Senior Legal Practitioner’** means an Australian qualified solicitor or barrister with more

than seven years' experience who has an in-depth knowledge of the Game;

**'Team'** means a team of Players competing in the NRL Competition for a Club;

**'Transitional Investigation'** means an investigation into the conduct of an Accredited Agent commenced under Part 5 of the Former Scheme, including where a show cause notice has been issued, which is not finally determined prior to 1 December 2018;

**'Year'** means the 12-month period from 1 November to 31 October.

**'Young Player'** means a Player who is under the age of 17 years at the time of entry into a Young Player and Agent Agreement;

**'Young Player and Agent Agreement'** means a standard form agreement between a Young Player and an Accredited Agent (or his or her Agent Employer Entity) in relation to the representation of the Young Player by the Accredited Agent attached as Forms 4 and 5 under the Rules and as amended by the Accreditation Board from time to time.

### Interpretation

11. (1) In these Rules:

- (a) Headings are for ease of reference only and do not affect the meaning of the Rules;
- (b) The singular includes the plural and vice versa and words importing a gender include other genders;
- (c) The use of the term "includes" or "including" shall be construed without limitation;
- (d) Other grammatical forms of defined words or expressions have corresponding meanings;
- (e) A reference to a Rule or Form is a reference to a Rule or a Form to these Rules as amended from time to time;
- (f) A reference to a document or agreement, including these Rules, includes a reference to that document or agreement as novated, altered, amended or replaced from time to time;
- (g) A reference to 'dollar' or '\$' is a reference to Australian currency;
- (h) A reference to a specific time is a reference to that time in Sydney, Australia;
- (i) Words and expressions importing natural persons include any individual, body corporate, unincorporated body, government, government department, agency and any municipal, local, statutory or other authority

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and any combination or association of individuals, bodies corporate, unincorporated bodies, governments, government departments, agencies and municipal, local, statutory or other authorities (in each case whether or not having a separate legal identity).

- (2) In the interpretation of a provision of these Rules, the interpretation that will best achieve the objects set forth in Rule 3 is to be preferred to any other interpretation.
- (3) In the event of any inconsistency between a provision of these Rules and a provision of the NRL Rules (but not including any other Schedules and Guidelines to the NRL Rules), the NRL Rules shall prevail.
- (4) Any defined terms contained in these Rules shall have the meaning given to them by these Rules. Any terms that are not defined in these Rules shall have the meaning given to them by the NRL Rules.

### **Accreditation Board**

12. (1) The Accreditation Board shall constitute up to seven (7) members who shall be:
  - (a) A Senior Legal Practitioner nominated by the Chief Executive Officer and the RLPA who shall act as Chair;
  - (b) Two persons nominated by the Chief Executive Officer;
  - (c) Two persons nominated by the RLPA; and
  - (d) Two persons nominated by Accredited Agents.
- (2) The appointing organisation(s) or persons:
  - (a) Shall appoint members who are knowledgeable about the Game, the agent industry and/or who have legal, business or other appropriate professional qualifications or experience;
  - (b) Shall not appoint members who are current Accredited Agents or who are currently representing or advising Players or Coaches;
  - (c) Shall endeavour to have at least one member who is a past Player with experience in dealing with agents; and
  - (d) Has the right to remove or replace a nomination at any time.
- (3) Where a person appointed to the Accreditation Board represents and/or advises a Player or a Coach (or wishes to represent or advise a Player or a Coach) he/she will become ineligible to act as a member of the Accreditation Board and must immediately notify the Chair of his/her resignation from the Accreditation Board.

### Powers and Duties of the Accreditation Board

13. (1) The Accreditation Board is the body established by the NRL and RLPA to govern the Scheme and ensure it achieves the objects set out in Rule 3. In performing its role, the Accreditation Board is charged with the following functions and responsibilities:
- (a) To monitor and oversee the administration of the Scheme;
  - (b) To meet with and/or consider any recommendations of the Accredited Agents Advisory Committee in relation to the operation of the Scheme;
  - (c) To prescribe the Application Form and Accreditation Certification Form;
  - (d) To approve or reject Applications for Accreditation;
  - (e) To amend the form of Player and Agent Agreements and Young Player and Agent Agreements prescribed under the Rules that must be used by Accredited Agents;
  - (f) To approve a budget for the expenditure of the income received pursuant to Rule 17;
  - (g) To determine the minimum level of professional indemnity insurance required to be held by an Accredited Agent; and
  - (h) To make recommendations for the improvement of the operation of the Scheme including any recommended amendments to these Rules.

### Meetings

14. (1) The Accreditation Board shall meet in person, by telephone or by electronic means (or any combination thereof) a minimum of four (4) times per year.
- (2) At all Accreditation Board meetings not less than four (4) members present in person, by telephone or by electronic means shall form a quorum.
  - (3) Decisions of the Accreditation Board may be made by a majority of its members at a meeting.
  - (4) The Accreditation Board is not required to provide reasons for any of its determinations pursuant to these Rules.
  - (5) Members of the Accreditation Board shall be required to inform the Accreditation Board of any conflict of interest or any circumstance which might reasonably be considered to give rise to a perceived conflict of interest. The Chair shall determine what steps should be taken (if any) in the event that a conflict or perceived conflict arises, which may include requiring the member to abstain from voting on or discussing any matter.

### Accredited Agents Advisory Committee

15. (1) An Accredited Agents Advisory Committee will be convened to advise the RLPA and Accreditation Board on all aspects of the management and implementation of the Rules with a particular focus on the views, interests and obligations of Accredited Agents.
- (2) The Accredited Agents Advisory Committee shall constitute up to five (5) members who shall be:
  - (a) One person nominated by the ASSRLC;
  - (b) Two Accredited Agents elected by the Accredited Agents;
  - (c) One person nominated by the Clubs; and
  - (d) One person nominated by the Chief Executive Officer.
- (3) The RLPA will not have an appointee to the Accredited Agents Advisory Committee but will facilitate the nomination and election of Accredited Agents to the Accredited Agents Advisory Committee, perform the administrative duties in relation to the meetings, will attend the meetings to provide an operational update, and will act as the conduit between the Accredited Agents Advisory Committee and the Accreditation Board.
- (4) Meetings of the Accredited Agents Advisory Committee may take place in person, by telephone, by electronic means or by any combination of these methods.
- (5) The Accredited Agents Advisory Committee shall meet in person, by telephone or by electronic means (or any combination thereof) a minimum of four (4) times per year and, in addition, shall meet with the Accreditation Board on at least two occasions in every twelve (12) month period.

### Administration of Scheme

16. (1) The RLPA will be responsible for the management and administration of the Scheme. In performing this role, the RLPA will:
  - (a) Employ such person(s) as it deems necessary to perform the day-to-day management and administration tasks required to operate and deliver the Scheme;
  - (b) Keep and maintain a Register in accordance with Rule 16 (2) below;
  - (c) Receive, assess and process Applications in accordance with the Rules;
  - (d) Provide administrative support to the Accreditation Board;
  - (e) Organise meetings of the Accredited Agents Advisory Committee and

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- elevate matters to the Accreditation Board for consideration as directed by the Accredited Agents Advisory Committee;
- (f) Monitor Accredited Agents to ensure compliance with the Rules;
  - (g) Provide regular channels of communication with Accredited Agents in respect of issues affecting them or the Players they represent;
  - (h) Develop and implement ongoing education and competency requirements for Accredited Agents including the Exam;
  - (i) Educate Players on the role of agents and provide resources to assist Players in their education and decision-making;
  - (j) Organise and hold an annual conference for Accredited Agents;
  - (k) Draft and implement the Accredited Agent logo and use guidelines; and
  - (l) Assist the Operations Manager to facilitate the resolution of disputes between Players and Accredited Agents in accordance with these Rules.
- (2) The Register is to show in respect of each Accredited Agent who is currently accredited:
- (a) His or her full name;
  - (b) Any business name of the Accredited Agent or if applicable, the identity of their Agent Employer Entity;
  - (c) The address or PO Box number of the principal place of business for the Accredited Agent;
  - (d) Contact details for the Accredited Agent;
  - (e) The date on which he or she was accredited;
  - (f) Particulars of any caution, suspension or other disciplinary action relating to his or her Accreditation;
  - (g) Particulars of any cancellation of his or her accreditation;
  - (h) A list of the Players who are currently contracted to that Accredited Agent or their Agent Employer Entity who are on a NRL Playing Contract or Development List Contract;
  - (i) A list of any Associates and Coaches employed by a Club who are currently contracted to that Accredited Agent or their Agent Employer Entity;
  - (j) A copy of such parts of the Player and Agent Agreement or Young Player



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and Agent Agreements as required to be submitted to the RLPA in accordance with these Rules, including Rule 26(1)(f); and

- (k) The level of professional indemnity insurance held by the Accredited Agent.
- (3) The RLPA shall publish on its and on the NRL's website a list of Accredited Agents with the information set out in Rule 16(2) (a) to (e) and (i). The RLPA will keep confidential the information set out in Rule 16(2) (h) and (j), access to which will only be made available to the Accreditation Board and the Player it relates to.

### Fee Revenue

- 17. (1) Income received by the RLPA on account of Application Fees or Annual Fees shall be expended by the RLPA in administering the Scheme consistent with the objects set forth in Rule 3 and in accordance with the budget approved by the Accreditation Board.
- (2) Application Fees and Annual Fees are non-refundable unless otherwise determined by the Accreditation Board in its sole discretion.

### Application for Accreditation

- 18. (1) An Individual may apply to the RLPA to be accredited as an Accredited Agent. Only Individuals may be accredited as Accredited Agents.
- (2) An Application must comply in full with the terms and conditions of the Application Form and contain (or be accompanied by) the information and documents specified in the Application Form.
- (3) A completed Application Form signed by the Applicant and accompanied by payment of the Application Fee will be submitted to the RLPA for consideration in accordance with Rules 20 and 21.
- (4) Subject to Rule 18(1), an Accredited Agent may be employed or engaged by an Agent Employer Entity that may have a contract with a Player or a Young Player provided that contract is a Player and Agent Agreement or Young Player and Agent Agreement as the case may be. The Accredited Agent must ensure that any Associates, the Agent Employer Entity, and its other employees and/or contractors comply with these Rules including the Accredited Agents' Code of Conduct.
- (5) If an Applicant becomes an Accredited Agent a failure to disclose in his or her Application Form all information that it requires constitutes a breach of the obligation under Rule 26.1(a)(i) to comply with these Rules.

### Accreditation Process

19. (1) The RLPA will process Applications and assess whether or not each Application meets the requirements set out in these Rules to allow the merits of the Application to be considered by the Accreditation Board in accordance with Rule 20. The RLPA will conduct or arrange any necessary background checks and confirm that the Applicant will acquire the required level of indemnity insurance cover within five (5) Business Days of his or her Application being accepted by the Accreditation Board.
- (2) Each Applicant (whose Application meets the requirements set out in these Rules) will then be required to sit an Exam as part of the Application assessment process. Failure to meet the standard required by the RLPA (in its sole discretion) in the Exam will result in an automatic rejection of the Application.
- (3) Once an Applicant passes the Exam, his/her Application will then proceed to the Accreditation Board for assessment and determination.

### Accreditation Board to determine Application

20. (1) The Accreditation Board shall determine whether or not an Applicant who has passed the Exam, and whose Application otherwise meets the criteria for assessment under these Rules, ought to be accredited as an Accredited Agent.
- (2) The Accreditation Board shall meet at least twice each year to assess and determine Applications. The RLPA will determine and publish the dates on which it will assess Applications as well as providing timelines for when Applications must be received by the RLPA ahead of those Application assessment dates.
- (3) For the purpose of determining whether an Applicant ought to be accredited pursuant to these Rules, the Accreditation Board or their nominee shall interview the Applicant in accordance with a process developed by the Accreditation Board at its discretion.
- (4) A decision of the Accreditation Board whether or not to accredit an Applicant as an Accredited Agent shall not be capable of review.
- (5) If the Accreditation Board is satisfied that the Applicant ought to be accredited pursuant to these Rules, then the Accreditation Board may decide to grant the Applicant Accreditation, subject to such terms and conditions as the Accreditation Board considers necessary to achieve the objects set forth in Rule 3.

### Accreditation Criteria

21. (1) When considering and assessing an Application for Accreditation that complies with Rule 18, the Accreditation Board shall have regard to whether the Applicant:
  - (a) Is a fit and proper person to act as an agent for Players; and

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- (b) has the skills, experience, knowledge and ability to provide services to Players to the level required to be an Accredited Agent.
- (2) In determining whether an Applicant is a fit and proper person to act as an agent for Players, the Accreditation Board is entitled to take into account any matter whatsoever, including whether the Applicant:
- (a) has previously breached (or aided or counselled a breach of) the NRL Rules, including any Schedules or Guidelines to the NRL Rules or engaged in conduct on behalf of a Player that the NRL Rules deem to be a breach of the NRL Rules by that Player;
  - (b) has previously engaged in conduct such that his accreditation as an Agent, might bring into disrepute, or be detrimental to the interests, welfare or image of the NRL, the NRL Competition, the Leagues, the Clubs, the RLPA or the Game;
  - (c) has been convicted of an offence;
  - (d) has been a defendant in any civil proceedings in which a final judgment was made against the person in respect of any matter involving fraud, forgery, corruption, dishonesty, theft, embezzlement, or other misappropriation of funds, or breach of fiduciary duty (any spent or lapsed convictions as defined under relevant legislation (if any) will not be considered);
  - (e) has engaged in any other conduct that might in the reasonable opinion of the Accreditation Board impact adversely on his or her ability to serve in a fiduciary capacity on behalf of Players; and/or
  - (f) Any other matter that, in the opinion of the Accreditation Board, should be taken into account in considering whether the Applicant is a fit and proper person to be accredited under these Rules.
- (3) In determining whether an Applicant has the skills, experience, knowledge and ability to provide services to Players to the level required to be an Accredited Agent, the Accreditation Board is entitled to take into account any matter whatsoever, including:
- (a) The Applicant's understanding of an agent's fiduciary duties and his or her ability and commitment to act in the best interests of his or her client;
  - (b) The Applicant's understanding of ethical standards and his or her commitment to act in accordance with the Accredited Agents' Code of Conduct;
  - (c) The Applicant's education and formal qualifications;
  - (d) The Applicant's knowledge of the Rugby League industry including these

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Rules, the CBA, the NRL Player Contract, the NRL Rules and related policies and procedures;

- (e) The Applicant's prior experience, if any, as an agent for Players or other persons;
- (f) The capacity of the Applicant to carry out the obligations of an Accredited Agent;
- (g) The nature and level of service that the Applicant provides or undertakes to provide to all Players whom the Applicant represents or may represent as an agent;
- (h) The extent to which the Applicant either provides or undertakes to provide advice and assistance with respect to the non-playing career development of the Players whom the Applicant represents or may represent as an agent; and/or
- (i) Any other matter that, in the opinion of the Accreditation Board, should be taken into account in considering whether the Applicant ought be accredited pursuant to these Rules.

### Prohibitions against Accreditation

22. (1) The RLPA shall not forward an Application to be considered by the Accreditation Board if the Applicant:
- (a) Has been refused accreditation as an Accredited Agent in the 12-month period immediately before the Application is made, unless the RLPA otherwise determines that it is appropriate to do so in its sole discretion;
  - (b) Has not paid the Application Fee or Annual Fee;
  - (c) Was not over 18 years of age as at the date of the Application;
  - (d) Has made an incomplete, false or misleading statement of a material nature in the Application;
  - (e) Has not agreed to have in place current professional indemnity insurance as required by these Rules;
  - (f) Has failed to demonstrate a satisfactory standard of knowledge in relation to any tests or examinations required by the RLPA in accordance with Rule 28;
  - (g) Is subject to a current period of suspension or ineligibility to re-apply for Accreditation pursuant to these Rules;
  - (h) Has a conviction for an offence involving violence or abuse, dishonesty or deception;

- (i) Has been the subject of a court judgment (not over-turned on appeal) in civil proceedings involving findings against the Applicant of fraud, dishonesty or breach of professional duty;
- (j) Is an undischarged bankrupt or otherwise subject to current bankruptcy proceedings; and
- (k) Has been disqualified from involvement in the management of a corporation or banned from practising in the financial services or credit industry, pursuant to the Corporations Act 2001 (Cth) or other legislation in Australia or overseas.

### Commencement of Accreditation

23. (1) Where the Accreditation Board determines that an Applicant should be Accredited as an Accredited Agent, the Applicant will become an Accredited Agent until the next Anniversary Date and his or her name entered on the Register when all of the following have been satisfied:
- (a) The RLPA has received:
    - i. The Annual Fee;
    - ii. The written agreement of the Applicant to comply with the NRL Rules and these Rules including the Accredited Agents' Code of Conduct (in each case, as amended from time to time);
    - iii. Confirmation that the Applicant has in place current professional indemnity insurance as required by these Rules; and
    - iv. The Applicant has completed any stipulated induction procedure to the standard required by the Accreditation Board.
- (2) An Individual who was, as at 30 November 2018, accredited under the Former Rules will continue to have his or her accreditation recognised under the Former Scheme until 14 December 2018. Provided that he or she agrees to pay the Annual Fee for the 2018/2019 Year and provides the RLPA with a completed and signed Existing Agent Application Form by 14 December 2018, he/she will be granted Accreditation under these Rules from 14 December 2018. For the avoidance of doubt, if such an Individual fails to complete and sign the Existing Agent Application Form by 14 December 2018 and/or does not agree to pay the Annual Fee for the 2018/2019 Year, he or she will be required to apply for Accreditation in accordance with the process set out in these Rules.

### Annual certification of Accreditation

24. (1) An Accredited Agent must certify by each Anniversary Date that:
- (a) The RLPA has received:

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- i. Payment of the Annual Fee which is payable for each year of his or her accreditation as an Accredited Agent;
    - ii. A signed and completed Accreditation Certification Form; and
    - iii. Any other documents or materials specified in the Accreditation Certification Form; and
  - (b) He or she has satisfied any professional development or testing requirements prescribed from time to time pursuant to Rule 28.
- (2) Any Accredited Agent who has not satisfied the requirements of Rule 24(1) by the Anniversary Date may have his or her Accreditation suspended until these requirements have been satisfied. If the requirements have not been satisfied within a month of the Anniversary Date (or such other date notified in writing by the RLPA), his or her Accreditation will be cancelled unless the Accreditation Board decides, in its absolute discretion, to extend that time period.

### Automatic Removal

25. (1) The RLPA shall remove from the Register the name and particulars of an Accredited Agent if:
- (a) The Accredited Agent requests the RLPA, in writing, to do so because he or she is no longer operating as an Accredited Agent;
  - (b) The Accredited Agent is suspended, for the period of that suspension;
  - (c) The Accredited Agent fails to meet the requirements of Rule 24(1) and his or her Accreditation is cancelled in accordance with Rule 24(2);
  - (d) The Accredited Agent dies or his or her Accreditation is cancelled; and/or
  - (e) The Accredited Agent holds an official position with any of the NRL, the Leagues, the RLPA, a Club or within any Rugby League team in breach of clause 2.4 of the Accredited Agents' Code of Conduct.

### Obligations of Accredited Agents

26. (1) Every Accredited Agent must themselves (and ensure that any Associates, his or her Agent Employer Entity and any employees, contractors or representatives, if any, will):
- (a) Comply in all respects with:
    - i. The NRL Rules and the following Schedules to the NRL Rules:
      - a. These Rules, including the Accredited Agents' Code of Conduct;

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- b. NRL Anti-Doping Rules (Schedule Two to the NRL Rules);
  - c. NRL Appeals Committee Procedural Rules (Schedule Five to the NRL Rules);
  - d. NRL Playing Contract and Remuneration Rules (Schedule Six to the NRL Rules); and
- ii. Any Player and Agent Agreement or Young Player and Agent Agreement in relation to the Accredited Agent;
- (b) Ensure that they are not the subject of any of the prohibitions against Accreditation set out in Rule 22;
  - (c) Advise the RLPA within five (5) Business Days following any change in the details submitted in the Accredited Agent's most recent Application or Accreditation Certification Form including making prompt disclosure of any circumstances not previously disclosed that are relevant to whether the Agent is a fit and proper person to act as an agent for Players or which may constitute a breach of these Rules, the NRL Rules or a Player and Agent Agreement or Young Player and Agent Agreement;
  - (d) Enter into a Player and Agent Agreement with each Player or Young Player and Agent Agreement with each Young Player that he or she represents in the form prescribed under the Rules as amended by the Accreditation Board from time to time;
  - (e) Provide the RLPA with details of any Associates and Coaches within ten (10) Business Days of their being contracted or engaged by the Accredited Agent, their Agent Employer Entity or an entity or organisation in which the Accredited Agent has a financial interest.
  - (f) Provide the RLPA within ten (10) Business Days of execution of each Player and Agent Agreement or Young Player and Agent Agreement with details of the Player or Young Player with whom the Accredited Agent or their Agent Employer Entity has entered into a Player and Agent Agreement or Young Player and Agent Agreement, which includes:
    - i. Player's name;
    - ii. Player's Date of Birth;
    - iii. In the case of a Player who is under the age of 20, a signed copy of the Player Agent Information Sheet in accordance with Rule 27(8);
    - iv. A copy of the Schedules to the Player and Agent Agreement or Young Player and Agent Agreement including any Special Conditions; and



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- v. A copy of the signing page of the Player and Agent Agreement or Young Player and Agent Agreement.
- (g) make immediate and ongoing disclosure to the RLPA of any circumstances not previously disclosed to the RLPA or Accreditation Board which:
  - i. Are relevant to any of the prohibitions against Accreditation as set out in Rule 22; or
  - ii. Constitute a breach by the Accredited Agent of these Rules including the Accredited Agents' Code of Conduct and/or a Player and Agent Agreement or Young Player and Agent Agreement.
- (2) To remove any doubt, an Accredited Agent is not bound or required to comply with the following Schedules of the NRL Rules:
  - (a) NRL Code of Conduct - Schedule One to the NRL Rules;
  - (b) NRL Anti-Vilification Code - Schedule Three to the NRL Rules;
  - (c) NRL Judiciary Code of Procedure - Schedule Four to the NRL Rules;
  - (d) NRL Player Welfare Rules - Schedule Seven to the NRL Rules;
  - (e) NRL Operations Manual - Schedule Eight to the NRL Rules;
  - (f) NRL Testing Policy (Illicit & Hazardous Drugs) - Schedule Nine to the NRL Rules;
  - (g) NRL Football Department Expenditure Rules - Schedule Ten to the NRL Rules, but must not aid, abet, counsel, procure, or induce any person bound by those Schedules to the NRL Rules to do, or to attempt to do, anything which is prohibited by those Schedules to the NRL Rules.

### **Player and Agent Agreement and Young Player and Agent Agreement**

- 27. (1) The Accreditation Board may update, amend or replace the form of a Player and Agent Agreement and Young Player and Agent Agreement that must be used by Accredited Agents or their Agent Employer Entity when contracting with Players and Young Players from time to time.
- (2) An Accredited Agent must enter into a Player and Agent Agreement with a Player, in the form prescribed by these Rules and amended by the Accreditation Board from time to time, prior to representing that Player. For the avoidance of doubt, an Accredited Agent must not enter into any agreement or understanding with a Player that seeks to vary or amend in any way any of the provisions or obligations of the Player or the Accredited Agent in the Player and Agent Agreement except as expressly permitted in accordance with the terms of Schedule 2 and/or 3 of the Player and Agent Agreement.



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- (2a) An Accredited Agent must enter into a Young Player and Agent Agreement with a Young Player in the form prescribed by these Rules and amended by the Accreditation Board from time to time, prior to representing that Young Player. For the avoidance of doubt, an Accredited Agent must not enter into any agreement or understanding with a Young Player that seeks to vary or amend in any way any of the provisions or obligations of the Young Player or the Accredited Agent in the Young Player and Agent Agreement except as expressly permitted in accordance with the terms of Schedule 2 and/or 3 of the Young Player and Agent Agreement.
- (3) Subject to clause 27.7, where the term of a Player and Agent Agreement is longer than two (2) years, the Player and Agent Agreement will provide the Player with a right to terminate on three (3) months written notice following the expiry of the initial two (2) year period of the term.
- (4) An Accredited Agent must provide a complete draft of the Player and Agent Agreement to the Player, or the Young Player and Agent Agreement to the Young Player, at least three (3) Business Days prior to him or her signing the agreement together with a list of Players on a NRL Playing Contract or Development List Contract whom the Accredited Agent or their Agent Employer Entity represents.
- (5) An Accredited Agent must provide a copy of the executed Player and Agent Agreement to the Player, or the Young Player and Agent Agreement to the Young Player, at the time of signing.
- (6) An Accredited Agent must not enter into a Young Player and Agent Agreement with a Player (and a Player's parent or legal guardian) before the calendar year in which the Player turns fifteen (15) years of age. For the avoidance of doubt, an Accredited Agent may enter into a Young Player and Agent Agreement with a Young Player (and a Young Player's parent or legal guardian) during or after the calendar year in which the Young Player turns fifteen (15) years of age.
- (7) Any Young Player and Agent Agreement entered into with a Young Player (and a Young Player's parent or legal guardian), must expire prior to the Young Player turning seventeen (17) years of age and provide the Young Player with a right to terminate on three (3) months' written notice.
- (8) If an Accredited Agent wishes to enter into a Player and Agent Agreement or a Young Player and Agent Agreement with a Player who is, at that time under twenty (20) years of age, they must provide the Player with a Player Agent Information Sheet and contact details for the RLPA before the Player signs the Player and Agent Agreement. If the Accredited Agent fails to provide the Player Agent Information Sheet and contact details for the RLPA prior to signing, the Player shall have the right to terminate the Player and Agent Agreement on seven (7) Business Days written notice.
- (9) An Accredited Agent (or relevant Agent Employer Entity) who was a party to a valid Player and Agent Agreement entered into under the Former Rules on or before 30 November 2018, will be entitled to rely on the terms and conditions of

that agreement until it expires or is terminated (but may not ‘renew’ or ‘rollover’ that agreement). Any renewal, rollover, extension or new agreement entered into with a Player on or after 1 December 2018, must be in the form prescribed by these Rules.

### Continuing Education and Examination

28. (1) The RLPA shall determine what continuing education, seminars or other courses of education ought, in the interests of achieving the objects set forth in Rule 3, be undertaken by Accredited Agents.
- (2) Every Accredited Agent shall attend and complete to the standard reasonably required by the RLPA such continuing education, seminars or other courses of education which are notified by the RLPA to Accredited Agents from time to time.
- (3) The RLPA may, in its discretion, require Accredited Agents to sit an examination to demonstrate his/her knowledge of the Scheme, the CBA, the NRL Rules and other matters related to the performance of their services.

### Complaints, Investigations and Breaches

29. (1) The NRL may investigate, or request the Operations Manager to investigate:
- (a) Any complaint against an Accredited Agent;
  - (b) Any conduct of an Accredited Agent that may amount to a breach of these Rules (including the Accredited Agents’ Code of Conduct);
  - (c) Any conduct by the Accredited Agent prior to the commencement of the Rules that may amount to a breach of, or for which the Accredited Agent is liable for sanction under, the Former Rules; and/or
  - (d) Any circumstances which indicate that one or more of the prohibitions in Rule 22 may apply to the Accredited Agent or which otherwise may be relevant to the matters set out in Rule 21.1.
- (1A) A Transitional Investigation undertaken under the Former Scheme may be referred to the NRL for determination and the imposition of penalties in accordance with the procedure set out in Rules 29.2 to 29.7.
- (2) If, as a result of investigations conducted pursuant to Rule 29(1) or 29(1A), the Chief Operating Officer or the Chief Executive Officer forms the opinion, in his or her absolute discretion that:
- (a) A breach of these Rules by an Accredited Agent has occurred; or
  - (b) The Accredited Agent while accredited under the Former Scheme committed a breach of, or engaged in conduct for which the Agent is liable for sanction under, the Former Rules; or

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- (c) the Accredited Agent no longer satisfies the matters set out in Rule 21.1, the Chief Operating Officer or the Chief Executive Officer may issue a Notice to that Accredited Agent setting out the alleged breach or conduct, or matters relied upon in relation to Rule 29(2)(c) and the proposed penalty and specifying a period of not less than five (5) Business Days during which that person may show cause in writing to the Chief Operating Officer or the Chief Executive Officer in relation to the alleged breach or conduct, or matters relied upon in relation to Rule 29(2)(c) and the proposed penalty. If the proposed penalty includes the proposed suspension or cancellation of Accreditation, such Accreditation may be immediately provisionally suspended until the determination of the matter pursuant to Rule 29(3).
- (3) Subject to Rule 29.6, the Chief Operating Officer or the Chief Executive Officer may impose one or more of the following penalties:
- (a) Suspend or cancel the Accreditation of the Accredited Agent;
  - (b) Issue the Accredited Agent with a warning or reprimand;
  - (c) Fix any period during which the Accredited Agent will not be permitted to re-apply for Accreditation;
  - (d) Impose conditions in relation to the continued Accreditation of the Accredited Agent; and/or
  - (e) Require the payment of a financial penalty (in an amount determined by the Chief Executive Officer or Chief Operating Officer) of up to \$50,000 by the Accredited Agent.
- (4) After the expiration of the period for response specified by Rule 29(2), the Chief Operating Officer or the Chief Executive Officer may, after considering any written response to the Notice from the Accredited Agent:
- (a) Determine that the breach or conduct has occurred, and/or that the Accredited Agent no longer satisfies Rule 21.1, and impose the penalty set out in the Notice;
  - (b) Determine that the breach or conduct has occurred, and/or that the Accredited Agent no longer satisfies Rule 21.1, and impose a different penalty to the one set out in the Notice;
  - (c) Determine that the breach or conduct has not occurred, and/or that Accredited Agent continues to satisfy Rule 21.1; or
  - (d) Determine that a different breach or conduct than set out in the Notice has occurred, in which event he may withdraw that Notice and forward to the Accredited Agent an amended Notice pursuant to Rule 29(2).

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- (5) In any case where the Chief Operating Officer or the Chief Executive Officer has determined that a breach or conduct has occurred, and/or that the Accredited Agent no longer satisfies Rule 21.1, and he has imposed a penalty pursuant to Rule 29(3):
  - (a) The NRL will provide written notification of this determination including reasons to the Accredited Agent within two (2) Business Days after the determination;
  - (b) The determination will be final and binding, subject only to any appeal in accordance with Rule 30.
  - (c) In the case of a cancellation, the Accreditation of the Accredited Agent shall forthwith be cancelled and the name and particulars of the Accredited Agent shall be forthwith removed from the Register;
  - (d) In the case of a suspension, the Accreditation of the Accredited Agent shall forthwith be suspended and he or she shall be removed from the Register for the duration of that suspension; and
  - (e) The RLPA shall as soon as practicable notify all Players whom the Accredited Agent represents and all Clubs that the Accreditation of an Accredited Agent has been suspended or cancelled, as the case may be.
- (6) In any case where the conduct of an Accredited Agent is the subject of consideration by the Chief Executive Officer or the Chief Operating Officer in respect of the period prior to the commencement of the Rules:
  - (a) If the relevant conduct occurred whilst the Accredited Agent was accredited under the Former Scheme, the Chief Executive Officer or the Chief Operating Officer shall consider the conduct in the context of the Former Rules; and
  - (b) Where determining that an Accredited Agent committed a breach of, or engaged in conduct for which the Agent is liable for sanction under the rules of the Former Scheme, the Chief Executive Officer or the Chief Operating Officer may impose a penalty as if the conduct were a breach of these Rules, provided that such penalty was one capable of being imposed under the Former Rules.
- (7) To avoid doubt, neither the Chief Executive Officer or the Chief Operating Officer may take action against an Accredited Agent in respect of conduct giving rise to an alleged breach of the Former Rules where that Accredited Agent has received a written confirmation from the Chief Operating Officer in respect of that alleged conduct or breach that no action will be taken.
- (8) In any determination under Rule 29 in which the Chief Executive Officer or the Chief Operating Officer is required to determine whether a breach of the NRL Rules has occurred, proof of the breaches will be established in accordance with Rule 8 of the NRL Rules.

### Appeals

30. (1) Any Accredited Agent who is the subject of a determination and penalty pursuant to Rule 29(3) may, within five Business Days of the receipt of that determination and penalty, request the NRL Appeals Committee to review that determination and/or penalty, in accordance with the NRL Appeals Committee Procedural Rules.
- (2) On the hearing of the review of a determination or imposition of the Chief Operating Officer or the Chief Executive Officer, the NRL Appeals Committee may:
- (a) Affirm the determination and/or imposition of the Chief Operating Officer or the Chief Executive Officer;
  - (b) Set aside the determination and/or imposition of the Chief Operating Officer or the Chief Executive Officer; or
  - (c) Vary the determination and/or imposition of the Chief Operating Officer or the Chief Executive Officer.
- (3) Any review by the NRL Appeals Committee of a determination or imposition by the Chief Operating Officer or the Chief Executive Officer pursuant to Rule 30(3) shall not be justiciable and shall be final and conclusive and given effect to by the party seeking the review and the NRL.

### RFL Agents

31. (1) An RFL Agent who is not an Accredited Agent who wishes to negotiate a NRL Player Contract for a Player must prior to any negotiations commencing contact the Operations Manager by email requesting permission to act on behalf of a Player. The RFL Agent shall provide:
- (a) Evidence that he or she is accredited by the RFL including identifying their RFL accreditation number;
  - (b) Information supporting and confirming the rights of the RFL Agent to represent the Player;
  - (c) An outline of their knowledge of the game and past experience in negotiating contracts on behalf of Players;
  - (d) The name of the Player who the RFL Agent is seeking to contract to a Club;
  - (e) The identity of the Club(s) that the RFL Agent wishes to contact in an attempt to secure the Player an NRL Player Contract; and
  - (f) An undertaking to comply in full with the NRL Playing Contract and

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Remuneration Rules and any other terms or conditions which the Operations Manager may impose in granting the RFL Agent's request.

- (2) Upon receipt of a request that complies with Rule 31(1), the Operations Manager may in his sole discretion permit or deny the request by the RFL Agent to negotiate a NRL Player Contract for a Player. The Operations Manager shall inform the RFL Agent of the outcome of the request but shall not be required to give reasons for his or her decision.
- (3) If the Operations Manager approves the request, the Operations Manager shall:
  - (a) Provide the RFL Agent with details of any terms or conditions on which the request has been approved;
  - (b) Provide the RFL Agent with a copy of the NRL Playing Contract and Remuneration Rules which the RFL Agent will be bound to comply with when negotiating with a Club;
  - (c) Inform the NRL Salary Cap Auditor and the Chief Executive Officers of the relevant Clubs of the approval granted to the RFL Agent; and
  - (d) Take any other steps as may be required to implement the request.

### Notices

32. (1) Where in these Rules a written notice is required to be given or a document is required to be forwarded, written notice shall be taken to have been given and a document shall be taken to have been forwarded if:
  - (a) It is delivered to the recipient in person;
  - (b) In the case of pre-paid post being sent and received in Australia on the third day after the date of posting;
  - (c) It is transmitted to the recipient by facsimile machine and confirmation is given by the recipient that the facsimile has been received; or
  - (d) It is transmitted to recipient by email and receipt of a confirmation report that the email was sent successfully.

### Time

33. (1) Upon application by a person affected by these Rules, the Chair of the Accreditation Board, the Chief Executive Officer and/or the Chief Operating Officer may at any time extend the time for doing any act or taking any proceeding allowed or limited by these Rules upon such terms as the Chair deems fit.

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

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

## Appendix 1

# ACCREDITED AGENTS' CODE OF CONDUCT

### 1. Accredited Agents' Obligations

- 1.1 Accredited Agents must at all times and in respect of each Player they represent:
- (a) Act in accordance with the law and the Player's legitimate best interests;
  - (b) Act in a professional manner, with due care and skill and with honesty and integrity;
  - (c) Provide professional advice to, and act within the scope of their instructions provided by, the Player;
  - (d) Have a conscientious regard for the Player's personal and professional welfare;
  - (e) Act in accordance with the reasonable directions and instructions of the Player;
  - (f) Seek the Player's prior approval before approaching a Club on the Player's behalf and report any approach or interest expressed by a Club to the Player;
  - (g) Provide each Player with a complete and accurate account of all negotiations, dealings and other matters conducted by them on behalf of the Player if requested by the Player;
  - (h) Must not procure, induce, assist or encourage a Player to breach the terms and conditions of that Player's contractual arrangements with another Accredited Agent or that other Accredited Agent's Agent Employer Entity;
  - (i) Must not procure, induce, assist or encourage a Player to breach the terms and conditions of that Player's NRL Player Contract or the NRL Rules, or engage in any conduct on behalf of a Player that the NRL Rules deem to be a breach by the Player of the NRL Rules;
  - (j) Co-operate to the fullest possible extent with the NRL where a complaint has been referred to or is being investigated by the NRL pursuant to clause 29;
  - (k) Fully comply with the Rules and any guidelines issued pursuant to the Rules; and/or
  - (l) Not do anything to bring the Player, him or herself or the Game into disrepute, or which might have the effect of bringing the Player, him or herself or the Game into disrepute.
- 1.2 An Accredited Agent must ensure that his or her Agent Employer Entity, if any, complies with each and every obligation of the Accredited Agent under these Rules.
- 1.3 Every Accredited Agent shall:
- (a) So far as is practicable, do all things reasonably necessary to ensure; and
  - (b) Not do anything to subvert or detract from (for example by aiding, assisting, counselling, procuring or inducing a Player to breach) the proper working of the NRL Rules, including:
    - (i) Schedule Two – NRL Anti-Doping Rules;
    - (ii) Schedule Five – NRL Appeals Committee Procedural Rules; and
    - (iii) Schedule Six – NRL Playing Contract and Remuneration Rules.
- 1.4 No Accredited Agent shall participate, or be involved in any way, in gambling in relation to a Match (whether, in each case, as to its outcome, its course or otherwise) or the progress of a Team in the NRL Competition or any other competition in which a Player is participating.



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- 1.5 No Accredited Agent shall offer or accept a bribe or be involved in any way in the fixing of a Match (including of any element of a Match). In any case where an Accredited Agent is offered a bribe or an opportunity to fix a Match, that Accredited Agent shall immediately report the making of that offer to the Chief Executive Officer. For the purposes of this clause, the fixing of a Match involves any action that interferes or is intended to interfere with the natural course of that Match in any respect.
- 1.6 No Accredited Agent shall provide, either directly or indirectly, information that is not in the public domain in relation to a Match (whether, in each case, as to its outcome, its course or otherwise) or the progress of a Team, which might assist another person to gamble in relation to that Match or that progress.
- 1.7 No Accredited Agent shall be sponsored, employed, contracted, engaged or otherwise commercially involved in any way, whether directly or indirectly, with a Gambling Operator without the prior approval of the NRL.
- 1.8 Accredited Agents shall all times hold any necessary and current working with children clearance, approval, authorisation or license that is required by and issued under relevant legislation that deals with child-related work and the protection of children.
- 1.9 Accredited Agents and Associates must not engage or communicate by any means with a Player under the age of eighteen (18) years (unless and until they have entered into a Player and Agent Agreement with the Player or a Young Player and Agent Agreement with a Young Player) without a parent and/or legal guardian being present or directly involved in and part of the engagement or communication.
- 1.10 Accredited Agents must comply in all respects with such rules, protocols, directions and requests as are made by any Rugby League body with authority to administer or arrange junior, school and other competitions or matches, so far as those rules, protocols, directions or requests relate to the attendance or conduct of agents or Associates at such competitions or matches.
- 1.11 Accredited Agents must not solicit or accept any money or any other benefit, whether directly or indirectly, from a Club unless by way of a direct payment of a commission or fee on behalf of a Player for whom he or she acts as an Accredited Agent in accordance with these Rules.
- 1.12 Accredited Agents must not offer or provide any money, goods, benefits or other valuables to or for a Player or a member of his or her family in return for the Player terminating an existing relationship or agreement with another Accredited Agent or for the purposes of forming a relationship, or entering into an agreement with, the Accredited Agent, an Associate or the Accredited Agent's Employer entity.

## **2. Conflicts of Interest**

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- 2.1 No Accredited Agent shall:
  - (a) Take improper advantage of his or her position as an Accredited Agent; or
  - (b) Allow a personal interest, or the interest of any associated entity or person, to conflict with his or her responsibilities and obligations as an Accredited Agent.
- 2.2 Without limiting clause 2.1, Accredited Agents must not engage in any activity which conflicts with their representation of a Player unless they have first provided full disclosure to the Player and received the Player's express written consent to the conflict.
- 2.3 Accredited Agents must not solicit or accept any money or any other benefit in relation to any NRL Player Contract or any other agreement relating to the Player playing the Game unless by way of a direct payment of a commission or fee on behalf of a Player for whom he or she acts as an Accredited Agent which is expressly authorised in writing by that Player and that payment is fully disclosed to the Player.
- 2.4 Accredited Agents must not be employed, contracted or otherwise engaged to provide coaching, management, consultancy, advisory or administration services to any Club or any Rugby League team other than a school team for which the Accredited Agent is a member of staff or a team competing at district junior level.

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### 3. Disclosure

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- 3.1 Accredited Agents must provide on or before 30 June and 31 October in each Year an itemised statement (in a form proscribed by the RLPA) to each Player they represent, setting out a monthly breakdown of any and all payments received by, or charged to, the Player in the previous six month period.
- 3.2 Accredited Agents must disclose to Players they represent where they directly or indirectly solicit or accept money or anything of value for which in any way relates to the Player including referring the Player to any third party for a product or service.
- 3.3 Accredited Agents must disclose their qualifications or lack thereof in any area on which they give or intend to give advice to a Player.
- 3.4 Accredited Agents must disclose to Players they represent any professional or commercial involvement or relationship they have with any Club or any of its Coaches, officials, employees, directors or officers and ensure those Players consult either individually or collectively with the RLPA so the RLPA can inform the Player(s) about the potential for a conflict of interest between the Accredited Agent's duty to act in the best interests of the Player and the Accredited Agent's relationship with the Club or any of its Coaches, officials, employees, directors or officers.
- 3.5 Accredited Agents must disclose to all Players they represent any material information they are aware of relating to the Player's personal affairs, playing opportunities, contract negotiations or commercial opportunities.
- 3.6 Accredited Agents shall report to the Operations Manager any breaches or suspected breaches of these Rules or a Player and Agent Agreement by another Accredited Agent, an Associate, a Club or any other person within seventy two (72) hours of becoming aware of such breaches or suspected breaches.

### 4. Confidentiality

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- 4.1 Accredited Agents must maintain confidentiality in relation to all dealings involving any Player they represent except:
  - (a) As directed by the Accreditation Board or the NRL to comply with these Rules;
  - (b) With the express written consent of the Player; or
  - (c) To the extent that they are required by law to disclose such matters.

### 5. Records and Accounts

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- 5.1 Every Accredited Agent shall comply with best accounting practice and keep full and accurate books of account, records, contracts, agreements, arrangements (including electronic records) relating to any Player whom he or she represents for a period of at least five (5) years from the date on which each document, in each instance, was generated. For the purposes of this Rule, every Accredited Agent shall at the minimum maintain a file dedicated to each Player whom he or she represents containing at least the following:
  - (a) A copy of any NRL Player and Agent Agreement;
  - (b) A copy of any NRL Player Contract;
  - (c) A copy of any Playing Agreement;
  - (d) A copy of every written communication with that Player relating to services provided to the Player by the Accredited Agent;
  - (e) A copy of every written communication forwarded by the Accredited Agent on behalf of that Player to any third party;
  - (f) File notes of every substantive verbal communication between that Player and the Accredited Agent;

## **NRL Accredited Agent Scheme Rules**

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- (g) File notes of every substantive verbal communication between the Accredited Agent on behalf of that Player and any third party; and
  - (h) A record of all monies, consideration or other benefit received from, or paid to, that Player or his Club or a person or entity related, associated or otherwise involved, either directly or indirectly, with his Club.
- 5.2 Every Accredited Agent shall cooperate fully and make available to the Accreditation Board, the RLPA and/or the NRL for inspection and copying, any document, materials and/or information relating to a Player, other than any document, material or information that is subject to legal professional privilege, provided that:
- (a) in the case of an investigation into a possible breach of the NRL Rules, the NRL must reasonably suspect that a breach of the NRL Rules may have occurred and that the suspected breach is regarded by the NRL as serious; and
  - (b) the Accredited Agent has been provided with reasonable notice in writing of the intention to so inspect or copy.

### **6. Compliance**

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- 6.1 An Accredited Agent must insofar as the following documents seek to impose obligations directly upon the Accredited Agent:
- (a) comply with; and
  - (b) not facilitate or induce a breach by the Player he or she represents of the following documents including:
    - (i) NRL Player Contract;
    - (ii) CBA;
    - (iii) NRL Rules;
    - (iv) Playing Agreement; and/or
    - (v) Player and Agent Agreement.
- 6.2 An Accredited Agent must ensure that at all times while he or she is an Accredited Agent he or she is not subject to any of the prohibitions against Accreditation set out in Rule 22 of the Rules.

### **7. Professional Development and Knowledge**

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- 7.1 Accredited Agents must maintain and improve their professional development by maintaining an up-to-date and thorough working knowledge of:
- (a) The NRL Rules (including these Rules and the Accredited Agents' Code of Conduct);
  - (b) The CBA;
  - (c) The standard NRL Player Contracts;
  - (d) Undertaking any examination or test which the RLPA or the Accreditation Board reasonably requires;
  - (e) Attending the annual conference for Accredited Agents (unless there are extenuating circumstances for non-attendance); and
  - (f) Attending or completing any conferences, seminars, workshops or online modules or other learning opportunities as required by the RLPA and Accreditation Board.

### **8. Approaches to/from Players**

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- 8.1 Accredited Agents or Associates must not hold themselves out as representing a Player in relation to whom he or she does not have a Player and Agent Agreement or a Young Player and Agent Agreement.

## NRL Accredited Agent Scheme Rules

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- 8.2 Where an Accredited Agent, an Associate (or their Agent Employer Entity or any of its representatives) is contacted or approached by a Player or Young Player, or intends contacting or approaching a Player, they must:
- (a) Observe the obligations set out at 1.9 of this Accredited Agents' Code of Conduct;
  - (b) Check with the Operations Manager as to whether or not that Player or Young Player has entered into a Player and Agent Agreement or a Young Player and Agent Agreement with another Accredited Agent (or their Agent Employer Entity);
  - (c) Advise the Player that he/she cannot represent the Player while the Player is represented by another Accredited Agent;
  - (d) Advise the Player that he/she cannot discuss the possibility of representing that Player without receiving evidence that the Player has provided written notification to the Player's existing Accredited Agent that the Player will be entering into discussions with another Accredited Agent; and/or
  - (e) Advise the Player or Young Player that he or she may only commence representing that Player once the Player and Agent Agreement or Young Player and Agent Agreement has expired or been terminated in accordance with the terms of that Agreement.