

AUSTRALIAN BASKETBALL ASSOCIATION

BY LAWS

2007

Approved at the ABA Council Meeting 2 December 2006

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This By-Laws & Operations Manual is provided to each member Club and provides guidelines for the smooth operation of the ABA League during the 2007 season. This manual will change each season dependant upon sponsor agreements and Board Decisions.

Clubs should acquaint themselves of all responsibilities contained in this document and ensure that all Club personnel are aware of their individual responsibilities and rights.

DEFINITIONS AND INTERPRETATIONS

1. Definitions

Where the word is defined in the Constitution, then the word will have the meaning attributed to it in the Constitution unless the context otherwise requires. In these By-Laws, unless the context otherwise requires the following words and expressions have the following meanings:

“ABA” means the Australian Basketball Association, the official second tier basketball competition for men and women in Australia.

“ABA National Board” means [elected representatives of each of the leagues]

“ABA Council” means [council members appointed by each of the leagues]

“ABA Fixture” means a basketball game which is part of the Competition or any game designated as such by the ABA from time to time.

“ABA Logo” means the logo of the Competition owned by the ABA.

“ABA Naming Rights Sponsor” means the competition advised as such by the ABA from time to time.

“ABA Operations Manual” means the written guidelines for operating the ABA fixtures as prescribed and amended from time to time by the ABA.

“ABA Season” means the period in each year determined by the ABA when the competition takes place.

“ABA President” means the chairperson of the ABA as appointed by the members under constitution.

“Australian Team’ means any representative team for Australia entered into a FIBA Competition.

“Away Club” means a Club which is named second in a fixture and is not playing in that Club’s endorsed home venue but traveling to the endorsed venue of another Club to compete against the Home Club in a fixture.

“Basketball Australia” the national sporting organisation.

“Business Day” means every day which is not a Saturday, a Sunday or public or bank holiday.

“Club” means a person or body who holds a valid Licence, and where the context allows, includes all members, representatives, officers, officials and players of that Club.

“Club Delegate” is the person appointed by a Club in accordance with the by-law

“Club President” is the elected president of any ABA Club or where the Licence is held by a company, the company Chairman.

"Club Sponsor" means any sponsor who provides benefits to a Club.

"Coach" means any person who is contracted to coach a ABA team for any season or part thereof.

"Competition" means the premier second tier national competition for both men and women conducted by the respective Leagues or Basketball Australia and includes any pre-season or other tournaments as organised.

"Constitution" means the Constitution of the ABA as amended from time to time.

"FIBA" means the international body that governs the rules and regulations of basketball.

"FIBA Oceania" means the official zone representative of FIBA.

"Finals" means the series of games as determined by the respective League or BA, played at the completion of the regular season by the Clubs to determine the team which becomes the champion team of the competition.

"Foreign Player" is any player of non Australian nationality.

"Games Commissioner" means the person nominated by a Club to act as official agent of both the Club and ABA at all home fixtures.

"Game Official" means any person acting as a Scoretable official, statistician or referee at any ABA fixture.

"Gate Receipts" means the total monies received (in form of cash, cheques, credit card or other payments) by a Home Club for or on account of persons attending a ABA fixture.

"Home Club" means a Club which is named first in a fixture and is playing in that Club's endorsed home venue.

"Home Game" means a ABA fixture which a Home Club is obliged by the ABA to stage.

"Leagues" means as approved from time to time and becomes a member of the ABA

"Licence" means the ABA Licence agreement a Club and the League granting the right to the person or body to participate in the ABA Competition.

"Member" means an approved League from time to time to play under the auspices of the ABA from time to time, under the Constitution

"National Referees Panel" means the list of referee who are eligible to referee the competition.

"NBL" means the National Basketball League of Australia for men.

"NBL Current Season" means the season that is active at the time of determining the level of an athletes restriction if they were to participate in the next seasons ABA competition.

"Overseas League/Competition" means any competition played outside of Australia.

"Player" means a player of any ABA team.

"Pre-Season Competition" means any competition which is arranged by or on behalf of the ABA which occurs prior to the commencement of the ABA season.

"Prescribed Interest Rate" means the rate comprising the percentage movement in the CPI over the most recent 4 quarters plus ten percentage points.

“Referees Commissioner” means the person appointed by the ABA under the constitution to administer the referees.

“Regular Season Game” means any ABA fixture played in the regular home and away season of the Competition.

“Restricted Player” means a player who is either not of Australian nationality, a squad member of any senior national team as determined by that International Federation, or an Australian citizen as a player restricted by minutes played in competitions as determined by the ABA, pursuant to all FIBA regulations as determined from time to time.

“Roster” means the approved list of players that are eligible to represent a Club.

“Special ABA Meeting” means a meeting convened in accordance with by-law.

“Squad” means a group of athletes that form a team.

“Team” means a team of a Club which participates in the ABA Competition.

“Territory” means the Northern Territory or the Australian Capital Territory.

“Tribunal” means the Tribunal rules of Basketball Australia.

“WNBL” means the National Basketball League of Australia for women.

“WNBL Current Season” means the season that is active at the time of determining the level of an athletes restriction if they were to participate in the next seasons ABA competition.

2. Interpretation

- a. Words importing the singular include the plural and vice versa.
- b. Words importing any gender include the other genders

Chapter 1 – ABA By-Laws

1. *Playing Rules*

All ABA Leagues must adopt these general playing and participation rules. Any additional local rules relative to respective competition or administrative requirements must not contravene this document. Variations may be approved by ABA Directors if deemed not to change the intent of the relative rule.

- 1.1. The ABA Playing Rules shall be the rules of FIBA. Variations to the ABA Playing Rules maybe granted by the ABA on a League by league and case by case basis.
- 1.2. Each ABA men’s game shall consist of 4 x 12 minute quarters. Each ABA women’s game shall consist of 4 x 10 minute quarters.
- 1.3. Acceptable playing numbers shall be; 1-15, 20-25, 30-35, 40-45, & 50-55.
- 1.4. Each player in the men’s competition is permitted six (6) personal fouls in each 48-minute game and each player in the women’s competition is permitted five (5) personal fouls in each 40-minute game..
- 1.5. Twenty (20) minutes must be set aside for team warm-ups prior to the start of the game. The pre-game warm-up can be changed to a minimum of ten (10) minutes at the discretion and agreement of BOTH teams. Half-time is 10-15 minutes at the discretion of the Home team, but there must be a minimum of five (5) minutes for player warm-ups. Quarter and three quarter time shall be two (2) minutes.

- 1.6. For all games, the first team named in the programme (home team) shall have the Team bench and its own basket, on the left side of the scorers' table, facing the playing court.

However if the two teams involved agree, they may interchange the team benches and/or baskets.

Before the first and third periods, teams are entitled to warm-up in the half of the court in which their opponent's basket is situated.

Dunking in warm-ups, the game referee shall closely police dunking in warm-ups. After warning the WHOLE team ONCE, the referees shall penalise by a bench technical foul on any player who snaps the basket release or attacks the ring in a manner that suggests damage may be done..

- 1.7. Roster size, each team is entitled to suit up and play twelve (12) players per game, provided that each player has complied with the relevant registration requirements.
- 1.8. Each team shall have two sets of uniforms, where a clash in uniform colours occurs the home team wears dark, visiting team light. Though where a visiting team is playing more than 1 away game a common sense approach to avoiding clashes is to occur.

2. Match Ball

The ABA owns the rights to the game ball and as determined by the ABA this will be the only approved basketballs to be used.

Men shall play with the size seven (7) 12 panel basketball and the women with the size 6 12 panel basketball.

3. Game Results

All game results to be processed as per each respective League requirements – refer to the relevant administration procedure documents and League By-Laws for requirements.

4. Home Club Responsibilities

- 4.1. Provide an approved match ball, court, lighting and equipment of first class standard for the match.
- 4.2. Provide technical officials for all games These would include 5 competent scoretable officials with a minimum of four Level 2 and one level 1 scoretable officials. Include 2 statisticians with a minimum of one Level 2 and one Level 1
- 4.3. No later than Monday before the match provide the visiting team with:-
 - a) Confirm the colour of the **home** team and if there is a clash, the **visiting** team is to change.
 - b) Telephone number of any personnel whom they may need to contact.
 - c) The time to start warm-up.
 - d) Information re pre-game formalities and post-game hospitality.
- 4.4. Each Home Club is to supply a minimum of 2 persons to fulfill the duty of a floor wiper for all Home games. Please read the Basketball Australia policy of Floor Wipers for more detailed information.
- 4.5. Provide a lockable change room or a lockable and secure area within the change room for the use of visiting teams. The key to this change room or storage area is to be provided to the Manager of the visiting team on that team's arrival at the stadium.
- 4.6. Display the Australian Flag and the ABA/League sign at all home games as supplied by the respective League.

- 4.7. Play warm-up music and the Australian National Anthem (optional) prior to ALL home games; before both games if double header..
- 4.8. Introduce the players, team officials, referees and special guests to the spectators..
- 4.9. At all home games provide the spectators with an informative commentary on the game; Courtside announcers shall comply with the Code of Conduct under the heading COURT ANNOUNCERS in this document..
- 4.10. Hold reserved seat allocation for referee evaluator and partner, in a position in which the game can be clearly viewed.
- 4.11. Each member club must provide a video tape recording of home games played, if requested within 14-days of the specified game by the League for any purpose.

Visiting Club Responsibilities

- 4.12. Provide the home team with current player lists and numbers on the Monday prior to each scheduled game.
- 4.13. Advise home team as to the colour of uniform to be worn by visiting team on the Monday prior to each scheduled game.
- 4.14. Advise home teams of accommodation location in advance (if applicable) in case contact is required.

Other

- 4.15. The tip-off time shall be the time as published in the fixture.
- 4.16. The Home Team must supply an after-game function, the after game function must be held at the competition venue or an alternate venue as approved by the respective League.
- 4.17. It is the objective of the ABA that the visiting team and the referees be received and treated as guests.
- 4.18. A Game Controller shall be appointed for each home game as a representative of the ABA and will undertake designated duties as determined from time to time.

5. Acts of God

That the following formula be used to determine the result for a game that cannot be completed.

- 5.1. A 20 + point margin will mean that the result will stand at the scoreline when the game was abandoned, at any point of the game.
- 5.2. A margin less than 20 points before half time will mean the game is abandoned.
- 5.3. A margin of 15+ points between half and three-quarter time will mean that the result stands at the scoreline when the game was abandoned.
- 5.4. After three-quarter time, the result stands at the scoreline when the game was abandoned.
- 5.5. Each League at its discretion can determine the action's to be followed on games that can't commence or be completed.
 - 5.5.1. The initial decision is in consultation with the Referees, Game Commissioner and League Administrator.
 - 5.5.2. The League determines the outcome of the game.

Tribunal (see appendix B)

6. Disciplinary Matters & Disputes

- 6.1. All disputes regarding games must be lodged with the respective ABA League office within 48 hours of the game, followed by a full written report within 24 hours. A payment of \$250 must accompany such report. The League appointed officer shall consider the report details and after consultation with appropriate personnel will determine the action required. Should the complaint be proved, the hearing levy will be refunded and an appropriate fine be levied against the offending club.
- 6.2. The relevant League appointed persons will make a final decision whether the charge should be heard by a judiciary after receiving a written report and relevant statements. If determined that a case needs to be heard the report shall be dealt with by the Tribunal. A team may report an official or another team for misconduct. The report must be written and lodged with an appropriate ABA League Office within seven days of the incident reported.
- 6.3. An ABA Executive Judiciary is to be convened where matters are such that the ABA's Executive decides that, for any reason, the interests of the ABA have not been adequately served by the finding of any initial judiciary hearing held by the League Tribunal, or of no finding if not held. The ABA President is to act as Head Chairman with the power to delegate the Chief to any Executive Officer or other duly appointed judiciary member. A quorum shall be two. The decisions of the ABA Judiciary shall be ratified by the ABA's Executive, but apart from the imposition of fines or good behaviour bonds, shall be effective from the time they are made. The scope of such decisions must be written the confines of the activities of the ABA.
- 6.4. An appeal against a judiciary decision may be lodged with the ABA Chairman. This must be lodged with 7-days of the previous decision. Each appeal must be accompanied by a \$1000 fee. If the appeal is successful, the fee will be returned.

ABA Administrative

7. Player Eligibility

- 7.1. Clubs are able to have a maximum of two players who are restricted players.
A restricted player is:
 - A player who is a non-Australian citizen, and is required under rules of FIBA to hold an annual Foreign Players Licence or
 - A player who is an Australian Citizen but has represented another country in an official FIBA tournament (Zone Qualifier, World Championships and or Olympics) and therefore is ineligible to represent Australia.
- 7.2. Players who do not hold Australian citizenship status but immigrated to Australia with their parents prior to their fifteenth (15th) birthday may apply for a Special Foreign Player Licence to enable them to participate in the ABA as an unrestricted player. This only applies to ABA competitions.
- 7.3. Each team be limited to two (2) restricted players being either;
 - 7.3.1. A foreign player under Basketball Australia guidelines (ref 7.1)
 - 7.3.2. At a point as determined by the ABA, all players who are currently participating in the NBL/WNBL shall be classed into two different categories. These being:
 - 7.3.2.1. Restricted: a player who averaged greater than 25% of available court time in the NBL or a player who has averaged greater than 35% of available court time in the WNBL.

7.3.2.2. Unrestricted: a player who averaged less than 25% of available court time in the NBL or a player who has averaged less than 35% of available court time in the WNBL.

If a player has not played in the current NBL/WNBL season or a player has not played in the previous overseas league then their restricted status will remain for a period of 2 seasons.

e.g. If the current season of the NBL/WNBL is for example 2006/07 and a player last played in 2004/05, (2 seasons prior) and has not played in any other basketball competition in Australia or overseas then the status given in that season shall apply.

	NBL/WNBL - Overseas 04/05	ABA 2005	NBL/WNBL - Overseas 05/06	ABA 2006	NBL/WNBL - Overseas 06/07	ABA 2007
Example A					Restricted by Minutes	Restricted
Example B			Restricted by minutes	DNP	DNP	Restricted
Example C			Restricted by minutes	Restricted Status Activated	DNP	Unrestricted
Example D	Restricted by Minutes	Restricted Status Activated	DNP	DNP	DNP	Unrestricted
Example E	Restricted by Minutes	DNP	DNP	DNP	DNP	Unrestricted
Example F	Restricted by Minutes	DNP	DNP	Restricted Status Activated	DNP	Unrestricted
Example G	Restricted by Minutes	Restricted Status Activated	DNP	Unrestricted	DNP	Unrestricted

Any Australian player who last played in any competition in the following countries shall have 7.3.2.1 and 7.3.2.2 apply:

- United States of America (excluding college programs)
- Yugoslavia
- Canada (excluding college programs)
- Argentina
- Lithuania
- Spain
- Italy
- Russia
- Greece
- France
- China
- Germany
- Turkey
- Croatia
- Slovakia
- New Zealand

7.3.4 If minutes played could not be produced then the player would be treated as a restricted player.

7.3.5 The date used to calculate available court time shall be round 18 of the NBL or WNBL competitions, for players returning from an overseas league time on court shall be calculated from the season just completed. For the purpose of this rule all graduating players from AIS are exempt from any restriction and become eligible to participate as an unrestricted player provided that the player is returning directly from the AIS to the Club which released the player to the AIS.

The principles adopted in categorizing these players are as follows:-

(Applicable for both men and women)

- Any player that is a member of national senior squads as at 1st of July of the previous year shall be automatically a restricted player. A player deemed restricted by being a member of a national senior squad shall remain restricted until their National Federation announces a new national squad list. This means that a list can carry over a twelve month period.
- Graduating AIS women players are exempt from restricted status with the exception of senior national squad selection provided that the player is returning directly from the AIS to the club, which released the player to the AIS.
- Players on injury waivers will not have games they were unavailable included in their calculations.
- Foreign players are not included on the list as they are automatically restricted players.
- Players must compete in a minimum of 4 games for this rule to apply.
- Players who have played more than 150 games with the women or 200 games with the men or played 8 seasons with the women or the men (whichever is lower) as unrestricted players with the one Club in the ABA or equivalent State League games can play in the ABA for that Club as an unrestricted player.

It should also be noted that all players contracted to WNBL or NBL teams must provide written permission from that team to allow them to play with any ABA team.

Basketball Australia upon lodgment of Player Registration forms shall automatically provide a written letter of approval for any player that is in a senior National squad.

Prior to any approach, either directly or indirectly, to any NBL/WNBL player on the ABA restricted/unrestricted lists, permission must be sought to approach the player from the relevant NBL/WNBL team to which the player is contracted.

- 7.4. Any player that miss participation in ABA scheduled games whilst representing their State in National Junior Championships, or Australia on official national duties at national camps or playing for Australia shall have those games missed due to participation, included in the calculations for finals eligibility at both ABA League and National level. Application in writing to the respective League at least 14 days prior to the start of the finals stating the details of games missed must be included.
- 7.5. Any player who has played one ABA game in any one competition year may not transfer to another ABA team in that playing season, except that uncontested clearances may be permitted within sixty (60) days of the commencement of the ABA playing season, that is, the date of the first ABA game being played regardless of the league. The clearance request must be ratified by the relevant League Executive. For clearances between different leagues under this clause, approval must be given by the ABA National Chief executive.

- 7.6. To be eligible to play in the League or National finals a player, has to have played a minimum of 40% of games in that season, is suited up for the game and recorded on the scoresheet, with the exception of 7.4 above.

When calculating player's games played and where the number is not a whole number then the number will be rounded up to the next whole number eg 39.1 goes to 40.

A member of a club who by virtue of injury/illness fails to qualify for the ABA finals under ABA By-Law 7.6 may apply in writing to the ABA at least 14 days prior to the start of the finals for permission to play in the finals. In considering any application the ABA shall have regard only to two criteria, viz.

I. Whether the player is a 'bona-fide' player of the Club, and

II. The validity of the injury preventing the player from otherwise qualifying to play.

- 7.7. All players must be clear of any penalties imposed by any basketball authority directly or indirectly affiliated with the Australian Basketball Federation Inc., unless that penalty is the subject of an officially recognised appeal yet to be resolved.

- 7.8. In the case of an injured or sick player a Club has the option of requesting an injury waiver for that player from the relevant ABA League Commissioner. The injury waiver may be granted, and the player replacement made after the League Commissioner is satisfied of the bona fide's of the injury of illness, subject to the following conditions.

Provided that;

- The injured/sick player must miss a minimum of three (3) consecutive ABA games for the Club and the appropriate League Commissioner has been notified.
- Medical certification of the extent and term of the injury/illness is supplied by a certified medical practitioner or sports medicine specialist. Additional medical certification and written notice is provided to the ABA League Commissioner to state the injured/ill player is medically fit to resume participation after the minimum (3) game stand out.
- The injury waiver MUST be lodged with the appropriate ABA League Commissioner by no later than two (2) weeks after the injury/illness has been sustained.

The replacement player is subject to all other ABA By-Laws and player eligibility rules and regulations; this means that the replacement player must be able to play in 40% of the regular season. There is no restriction on the number of times that a player may substitute for another player out on waivers, however, each time a player is waived they must miss a minimum of three (3) ABA games played for their team.

- 7.8.1. No player may play in the National or League Finals without having played 40% of the regular season ABA games that season.
- 7.8.2. Clubs wishing to bring in a player that would be ruled as restricted may do so only if they are replacing another restricted player.
- 7.8.3. Clubs may apply for special dispensation to this rule if their roster size is reduced to less than nine (9) players and that the team has less than 40% of regular season games remaining.
- 7.9. A full registration system is maintained by each respective ABA League and also the ABA National Office on all players, coaches, assistant coaches and managers.

- 7.9.1. Before any player, coach, assistant coach or manager of any Club is eligible to participate in the ABA competition they must be registered with the Club/Association/State and or Territory.
- 7.9.2. Registration of players, coach, assistant coach or manager shall be affected only when the registration form or any other prescribed requirements have been received and approved by the respective League and ABA National.
- The form is to include the following information;
- a) Parent/Guardian signature for U-18 players
 - b) Privacy and permission tick boxes to allow the League or ABA National to use images or participants in promotion of the competition.
- 7.10. With the exception of 7.8 no player may register to compete in the competition unless they are capable of qualifying for the final series. Under specific circumstances the ABA Board may authorise registration in this period.
- 7.11. For failure to comply with any or all player eligibility By-Laws, an automatic loss of match result plus a fine of up to \$1000 for each breach, to be administered by the respective league.
- 7.12. A player who gains Australian citizenship through naturalization must lodge certificate of Australian citizenship with the ABA National Office prior to participating in any ABA league.
- 7.13. A maximum of 20 players can be registered to a team participating in the ABA.
- 7.14. If during the ABA season Basketball Australia receives a request for an international letter of clearance for a player registered in the ABA, and once approved by the relevant ABA Club, will result in that player's ABA registration being cancelled. Cancellation of the registration will not override rule 7.5.
- 7.14.1. If a player is returning back to Australia after participating in an overseas league, an international letter of clearance is required before they can participate again in the ABA and a new ABA registration form is the by lodged with the respective League and ABA National. All normal ABA rules and regulations for player eligibility shall apply.
- 7.15. Clearances deadline for response, a State/Territory receiving a request for a letter of clearance, must reply with seven (7) business days, following receipt of the request either by granting or refusing the letter of clearance.
- If there is no response with in the seven (7) business day period, the requesting League shall immediately notify the ABA National Competition Manager. The ABA National Competition Manager in conjunction with the Basketball Australia Representative will authorise the granting of the clearance, unless there are exceptional circumstances.
- The only reason for which a clearance maybe refused is if the player is under contract to play for his/her Club beyond the scheduled transfer date.
- 7.16. All players playing in the ABA must have a written contract with their clubs, whether for monetary consideration or not
- There are two types of contracts for the ABA;
- 1) Amateur Player Contract
 - 2) Professional Player Contract
- All clubs must lodge the contracts with their respective Leagues prior to the player's first game in the League.

8. Schedule of Games

- 8.1. Schedule of games is at the discretion of each respective League, generally games shall be played on Friday, Saturday and Sunday and any variations are subject to league direction.
- 8.2. Flexibility is to be allowed to the League Executive or ABA Board to have home venue relocations to ensure the standard of venue is suitable for television coverage when obtained.

9. National Finals

- 9.1. Each League will conduct a playoff series to establish a League championship and to establish League seedings for the National finals.
- 9.2. The National League Finals will be conducted over two rounds.
- 9.3. Eight teams will compete in the Men's and Women's National finals.
- 9.4. The 8 teams will comprise:
 - Men: 6 leagues/2 wildcards
 - Women: 5 leagues/3 wildcards (SEABL to be one of the wildcards)
- 9.5. Round 1 – quarter finals will be played at home venue of seeded teams 1 – 4.
- 9.6. Men and Women to play at different venues except if a seeded team had a men's and women's team in the finals. Winners would go to round 2 for the semi finals.
- 9.7. Venue for finals would be the most cost effective neutral venue.
- 9.8. Home team for week 1 to pay a fee of \$1500 with the home team to retain gate. Hosts for round 1 to cover all costs in presenting games.
- 9.9. Referees for round 1 would be appointed from the state where the games are being played. Referees for the final would be appointed with one from each of the individual leagues and the remaining referees to be from the state where the final is being played.
- 9.10. Airfares for all teams for both rounds to be paid by ABA. An allowance for ground transport and accommodation has been provided with total costs to remain below \$75,000.
- 9.11. No prize money shall be allocated from the ABA funds. Prize money should only be given if supplied by sponsor specifically for that purpose.
- 9.12. Teams that win the league finals shall be awarded an appropriate banner. The National ABA Champion teams will be known as the Australian Basketball Club Champion.

10 Sponsorship

- 10.5. Each member club must reserve standardized space for ABA sponsorship exposure:-
 - I. Courtside Signage
 - II. Uniform logos
 - III. Program advertising
- 10.6. Reserve front right side of uniform singlets for the League logos and front left of players shorts for use of the ABA and ABA sponsors logo as determined.

11 Premiership Tables

Premiership tables are as determined by FIBA Rules and Regulations.

12 Promotion and Publicity

12.1 Each Game should be promoted and advertised by the home team to obtain a maximum attendance. The match should be presented with a suitable program, appropriate announcements, music and half-time entertainment for better enjoyment by patrons. Such music should enhance the atmosphere of the game rather than being a noisy distraction; there needs to be supervised discretion exercised by the court controller.

12.2 League awards are to be presented at the end of the season from game statistics recorded by teams. Each Statistical award shall be determined by a per average per player with a minimum of 50% of game to qualify. Games missed due to national team commitments shall count in calculations of awards.

12.3 Awards are to be presented in each league of competition to:

- **Coach of the Year**
- **U-21 Australian Youth Player of the Year**

Coach of the Year and U-21 Australian Youth player of the Year shall be determined by the Head Coach, Team Captain and Club Delegate of each team participating in their respective league by a 3-2-1 end of regular season vote. The winner of this award must have Australian basketball nationality.

- **Most Valuable Player**

Most Valuable Players – after each game coaches are to allocate a total of 10 votes to players of either team with a maximum of 5 votes to any one player. It shall be each team's responsibility to provide their votes via fax by noon Monday following the game to the respective ABA League office. At the completion of the season an additional 3-2-1 vote by coaches of the top 15 qualifiers will be conducted to determine the League/Conference Most Valuable Player.

- **All-Star League Team**

An "All-Star League team" shall be selected by each League. The All-Star Team to comprise 2 guard positions, 3 forward/centre positions and with a limit of two restricted players. The All-Star team shall be voted on by Coach, Team Captain for each team at the completion of the season. Cubs are not able to vote for players from their own team. A list of players that received Most Valuable Player votes throughout the regular playing season will be provided to each team. The voting system to be used is a 3-2-1 system.

The list distributed shall have a maximum of 15 names for guard's positions, 15 names for forward/centre positions.

For media and marketing purposes individual leagues can select a second All-Star team which can be announced but not presented with an award.

- **Referee of the Year**

Referees of the Year shall be determined as those referees appointed to the respective League Grand Finals.

12.4 Media Awards shall be presented acknowledging excellence in the following categories on a League basis.

- **Best Feature Story**
- **Best Action Photograph**
- **Best Print Coverage**
- **Best radio Coverage**
- **Best Television Coverage**

12.5 For the purpose of League awards, no person is entitled to vote for or select an individual from their own team.

12.6 Awards to be presented on a National basis **at the final are**

- **All-Star Men's and Women's Team**
- **MVP of the Final**
- **Grand Final Referees**

All awards apply individually and equally to Men and women.

An All-Star 5 team for men and for women shall be announced at the National finals and the All-Star teams shall include;

- 1) 2 guard positions
- 2) 2 forward positions
- 3) 1 centre position

A Most Valuable Player of the Grand Final will also be presented.

12.7 The ABA logo is to be provided free of charge to members for uniform purposes; with a limit of 30 per member team per season.

13 Technical Officials – National Finals

13.1 The ABA is to appoint an ABA National Referees Commissioner for a two-year term. The appointment shall be on a rotation basis from the ABA Referees Commission. The ABA National Referee Commissioner shall be responsible for chairing all meetings of the ABA Referees Commission.

13.2 Referee match fees for men's and women's games are set each year at the respective Annual League Meeting for each League.

13.3 The ABA National Referees Commission shall be responsible for the appointment of all referees for National Finals.

- There must be a referee from each League attending the National Finals, provided that referee has reached the appropriate standard for a National Final.

13.4 National referees Commission will recommend referees fees for National Finals to the ABA Board for their approval.

14 Penalties

In circumstances where there are persistent or willful breaches of these By-Laws, fines will be imposed.

14.1 Late Start – Where there is a complaint of a deliberate late start a penalty of \$100 is to be imposed if found guilty after investigation by the relevant League executive.

14.2 Wrong Ball – As per By-Law 2 – a fine of \$100 is to be imposed.

14.3 ABA & Sponsor Logos not on Uniforms – A fine of \$100 per uniform is to be imposed.

14.4 No program or insufficient program content – A fine of \$100 is to be imposed.

14.5 Statistics Incorrect or Incomplete – A fine of \$100 is to be imposed by the respective league office.

14.6 Provision of Game results as per League requirements. Failure to comply - \$100 fine.

14.7 Faxing of Score sheets, Statistic Sheets and MVP as per League Administrative requirements. Failure to comply with this rule will incur a \$100 fine.

14.8 Posting of Original Score Sheets, MVP and Statistic Sheets as per League Administrative Requirements Failure to comply with this rule will incur a \$100 fine.

14.9 Home Club shall make a Video tape recording of an acceptable standard as per By-Law 4.11 of each and every home game. Failure to comply with this rule will incur a \$250 fine.

14.10 Scoretable Officials Not in Matching Attire – A fine of \$100 is to be imposed. The Table Chairperson can be in different distinguishing attire.

14.11 Hospitality not provided or not in stadium \$100 fine unless approved by the relevant ABA League.

14.12 National Flag, ABA Sign, and or National Anthem missing – A fine of \$100 is to be imposed for each infringement.

14.13 No introduction, Warm-Up Music, or Commentary – A fine of \$100 is to be imposed for each infringement.

14.14 Failure to provide player lists and numbers for games as per By-Laws 4.12 will incur a \$100 fine.

14.15 Consistent and or wilful breaches of the ABA League participation criteria & guidelines – A fine of up to \$500 to be imposed as determined by the ABA Board.

15 *Late Payment Fines*

15.1 All League ABA equalisation payments overdue are to be subject to a fine of \$50 for each week overdue. Each League will determine its own penalties for late equalisation payments by participating teams.

15.2 In respect of any other ABA member or Club indebtedness, a fine of \$50 for late payment shall be imposed after 30 days and for each 30 days thereafter.

16 *Membership Review*

16.1 Each League Executive shall review the overall performance of existing teams and prepare a report for distribution with the Annual League Meeting Agenda, and provide a copy to the ABA Board for their information. Where it is found that any League or team is failing significantly as per the Participation criteria or in a combination of the following areas, the League Executive shall provide a recommendation relative to the continued participation of that team at the relevant Annual League Meeting.

16.2 Playing strength to the extent that the game results percentage drops to 20% or less.

16.3 Game promotion when there is a significant and repeated infringement of the appropriate By-Laws.

16.4 Media action when there is a significant failing in the endeavour to obtain media coverage.

16.5 Administration – liaison between the League and or ABA National Office to be of a professional manner – deadlines must be met.

16.6 Playing facilities to the extent that there is a significant and repeated failing in regard to the ABF Venue Report.

16.7 Financial commitments towards the ABA to be met at all times and within the specified time frame.

17 *Membership Fee*

17.1The Annual Membership Fee and the Administration Fee are set each year at the Annual Council Meeting.

18 *Election Nominations*

18.1Election nominations must be in writing and signed by the mover who shall be a member and the candidate. All nominations must be circularized to all members prior to the meeting at which the election is to be held. (Refer – ABA Memorandum and Articles).

19 *Interpretation of By-Laws*

19.1The ABA Board shall determine the interpretation of the ABA By-Laws and rule appropriately and shall have the power to decide on all questions not provided for in these By-Laws in the best interest of the ABA.

19.2The ABA directors having due regard to the rules and associated circumstances, shall be empowered by this clause to make any discretionary ruling in the best interest of the ABA competition, notwithstanding that such ruling may be in contravention of any rule or regulation contained in the By-Laws of the ABA.

Chapter 2 – ABA Code of Conduct

1. General

The purpose of this document is to provide a guideline as to the standards of conduct expected by the members of the Australian Basketball Association in all aspects of its operation.

It is not intended that this document becomes a By-Law, but rather that it be an expression of the spirit in which the members believe the League should be conducted.

The Australian Basketball Association is an elite national development basketball competition in Australia and enjoys a privileged status and profile and with that goes the responsibility of being the standard bearers by which the sport is judged. As such, players, coaches and club administrators who share in the status and profile of the Association have a responsibility to conduct themselves both on and off the court and in a manner that will not lessen the high regard in which the Association is held by the public. To this end the following represent ethical codes which all those associated with the ABA should adhere to:

- a) Violence has no part in the sport of basketball and will always, at all times remain unacceptable.
- b) The use of illicit drugs or drugs to enhance performance are prohibited.
- c) Gambling on the outcome of ABA games by players, referees and coaches can have dangerous implications for the sport and is prohibited.
- d) Public comment that is prejudicial to the best interests of the sport and the ABA is not condoned.
- e) Standards of public conduct both on and off the court should not be offensive to the general sensibility of the average Australian family.

1.1. Administrators

The League is an interstate operation needing to be conducted on a professional basis. In the best interests of all involved, especially those who have traveled interstate, it is most important that all our administrators adopt a professional approach and ensure that they have adequate back-up in case of emergencies. Part of that efficiency is the maintenance of good lines of communication.

1.2. Spectators

Spectators pay for the privilege of watching sports events and it is hoped they will enjoy the experience. Certainly they should cheer and support the team of their choice as enthusiastically as they can. They should not denigrate the other team or referees, or spoil the event for other spectators. If any spectator brings the game into disrepute the Court Official should act to remedy the situation even to the point of requiring the offending party to leave the stadium.

With the spectators so close to the action or the action so close to the spectators it is important that all appropriate steps are taken to keep them apart during the course of the game. All too often young children are allowed to walk, run, or even sit far too close to where the players are moving at high speed. Not only is there a potential for the spectator to be seriously injured, but also for the same outcome to happen to the player. Both occurrences can ill be afforded by any of our members. Crowd control is the responsibility of the host member! If immediate motivation is needed just realize, in financial terms, what the loss of your leading player could do to your program.

Spectators should ensure that their refuse is placed in a bin and not just left on the floor to be either a danger to someone lese or an eyesore and a health hazard. Host members should ensure enough bins are available and that they encourage their use by the spectators. Further, canteens could well review the nature of some of their food products offered for sale and possibly remove such items as are likely to roll out onto the court accidentally or otherwise.

1.3. Referees

The referees are a vital and integral part of the game and it is important that they be involved in all that is happening in the League. This is a two-way affair and not just a task for the referees.

Host officials should ensure that the referees are invited to the after game function and the referees should make the effort to attend. Communication between all game participants can be most beneficial to all concerned.

Just as the players strive to perform to their best and beyond, so too should the referees, their performance should demonstrate the highest standards of honesty, integrity and maturity under the pressure of the game and be neutral at all times. During the game the referees should not become involved with the spectators over any interpretations. Where and if a problem arises with any spectator it is a matter the referee should place in the hands of the Game Controller/Court Manager Official.

1.4. Scorers

The members of the score table are an extension of the referee's involvement in the game. Scorers should be neutral in the performance of their assigned tasks and should be attentive so as to accurately time and record the results of the game.

1.5. Statisticians

Except for no actual liaison with the referees, the same comments as have been made in respect of Scorers also apply to Statisticians.

1.6. Executive Officers

The elected officers of the League have offered their services for the promotion of the league and Australian Basketball. They have a job to do which often has its pleasurable rewards but sometimes these are tasks to be done which are quite onerous and may even be quite unpleasant for them and maybe some of our members. Co-operation and understanding on both sides on such occasions will resolve most problems for the betterment of all.

1.7. Media Representatives

The League very much appreciated the efforts of journalists, reporters and other media representatives who portray the sport in an informative unbiased factual mode. Indeed, such responsible reporting is well worth everyone's attention.

Co-operation with media representatives can have a dramatic influence on the way or sport is seen in the eyes of the public. There is a responsibility on all members to provide information and facts from the appropriate source, just as there is a responsibility of good reporting to present the story in its correct context without selective omissions or partial quotes.

Consult your local media representatives/journalist in regard to their requirements/deadlines.

1.8. Players

The Players through their playing ability and personality are the stars of the League and principally determine the Leagues supporter and revenue base. Their conduct on and off the court is of paramount importance to their team and the League as a whole, and should be a model for others to follow.

Players are expected to demonstrate the following values;-

- Competition in the true spirit of sportsmanship.
- Respect and consideration for the League, opponents and referees.
- Loyalty to their team, coach and management.
- Willingness to participate in media and promotional activities.

- Whilst representing the team Players should always be attired in a professional manner. (I.e. Team or walk out uniform)

Prior to a game players are expected to:-

- Comply with home Teams pre-game presentation requirements/procedures.
- Stand and show respect during the playing of the National Anthem.

During a game players should:-

- Allow themselves to be represented by the coach and/or court captain on issues with referees.
- Refrain from otherwise disputing or frivolously questioning decisions.
- Refrain from gesturing with facial expressions, rude gestures, mimicking or indecent body language.
- Refrain from swearing, using foul language or derogatory remarks.
- Refrain from “baiting or intimidating” other players.
- At all times use a courteous, reasonable manner when dealing with referees or scoretable officials.
- Expect to be penalised with a technical foul for violation of the above principles.

After the game:-

- Players must attend the After Match Function unless prior notice to club is given at least 24 hours.

At all times Players are to refrain from

- a) Publicly criticizing the ABA and its officials
- b) Any other actions, which may bring the League into disrepute.

1.9. Coaches

Coaches have a great responsibility with the League as the architects of play, and as mature and responsible participants and representatives of the league.

Coaches are expected to demonstrate the following values:-

- A high standard of honesty and integrity, providing a model of fair play and sportsmanship.
- Observe the letter and intent of the rules of the sport and insists that players and teams under their direction do the same.
- Respect and consideration for the League, opponents and referees.
- Honouring a professional relationship with players, colleagues, official media and the public, avoiding conflict of interest and exploitation of those relationships.
- Positive interaction with them public, and representatives of the media.
- Whilst representing the team Coaches should always be attired in a professional manner. (I.e. Neat Casual attire).

Before a game coaches are expected to:-

- Comply with Home Teams pre-game presentation requirements/procedures.
- Stand and show respect during the playing of the National Anthem.

During the game coaches should:-

- Take responsibility for the conduct of their team and assistants.
- At all times use a courteous, reasonable manner when dealing with referees or scoretable officials.
- Refrain from frivolously disputing or questioning decisions.
- Refrain from gesturing with facial expressions, rude gestures, mimicking, or indecent body language.
- Refrain from swearing, using foul language or derogatory remarks, although it is realised that expletives will occur in the heat of the moment.
- Remain within their designated team bench area.

- Expect to be warned and/or penalised with a technical foul for violation of the above.

After the game:-

- Coaches must attend the After Match Function unless prior notice to Club is given at least 24 hours.

At all times Coaches are to refrain from:-

- Publicly criticising the ABA and its officials.
- Any other actions, which may bring the league into disrepute.

Dress Code Standards

Each male head coach and assistant coach must wear a minimum of dress pants with either a sports shirt (polo) or dress shirt during all ABA games, or such apparel as supplied by the ABA. Female head coaches and assistant coaches must wear a minimum of dress pants or skirt with either a sports shirt (polo) dress shirt during all ABA games, or such apparel supplied by the ABA. Jeans (other than dress jeans) and thongs are prohibited. The team manager/physio may wear the team tracksuit.

Any breach of this rule will incur a penalty of \$500.

1.10. Court Announcers

Announcers should provide information and create or encourage an atmosphere of enthusiasm and enjoyment for the game at hand. There should be no criticism emanating from the microphone. Further all commentary should be made from an unbiased view. Remember that the opposition or visiting team members are the guests of the home team and should always be treated as such; this is one of the cornerstones of the League's formation.

The announcer is seen by all spectators and participants as being representatives of the host body and therefore great care should be taken to ensure that a first class performance creates a good image which will have the spectators wanting to come back again. It is very easy for an announcer to spoil the show by criticising the referees or players even by the tone of his or her voice.

The announcer has a very important role to play in the presentation of our League. An interested and informed audience should be the aim. The announcer should be courtside commentating and most definitely not participating in any way in the outcome of the game.

Objectives

- To introduce teams/players to the spectators
- To play the National Anthem prior to each game.
- To provide information relative to the state of the game that may not be readily available to spectators.
- To promote sponsors at appropriate times.
- To recognise official guests to the audience.
- To provide a limited commentary on the game (as detailed below)

Guidelines

- 1) The court announcer is an official of the game and as such visiting teams should be treated in an equal way. Neutrality extends to how something is said, not necessarily what is said. It is the reasonable for the announcer to use more enthusiasm in his tone in relaying positive information about the home team in comparison to similar information on the visiting team.
- 2) There should be no commentary while a team (either team) has possession of the ball in play in their offensive half (front court), not after a player has had the ball placed at their disposal while shooting free throws.
- 3) Comments that take longer to make, during the course of play, than the time it takes a team to progress to the halfway point of the court is too long!

- 4) In game commentary should be limited to providing the following information at appropriate times.
 - i) Scoring – who scored. Three pointer, accumulative individual total. An occasional mention of assists may be appropriate.
 - ii) Foul – who fouled. Number of fouls – individual and team. Who is shooting free throws and how many (if required).
 - iii) NOTE: the referee's call should not be pre-empted in anyway. The announcer must wait for the referees decision and signal – don't guess. Incorrect information can create confusion and embarrassment to all.
 - iv) Violation – name the violation not the player violating.
 - v) Time Out – which team called it and how many they have had?
 - vi) Rebounds, Blocks and Steals can be mentioned if required and appropriate but who made turnovers is generally not appropriate for comment.
- 5) Time Remaining – At no time should there be any comment from the court announcer relative to the amount of time remaining on the game clock or in specific the shot clock.
- 6) Music and/or sound effects maybe be played while the ball is in play provided they are not distracting to the teams and referees. Music and/or sound effects may not be made while any player is attempting free throws.
- 7) The court announcer is not a cheerleader, barracker, noise generator or game critique. The principle duties are to pass information to the crowd not incite it. Modifiers, which imply critical analysis, should be avoided (e.g nice try, great block, super shot etc) as an editorial description. Any comment reflecting on the performance of the referees, either positive or negative, is not allowed. Critical remarks of any type towards players or coaches are not acceptable (including pre taped comments played on the PA system).
- 8) The Court Announcer has the duty of the pre-game introduction of teams and individual players from each side onto the floor, playing the National Anthem. The timing and program of these introductions may vary from venue to venue.
- 9) Recognition of League sponsors and guests are a part of the court announcer's duties. These announcements should be limited to pre game, time out and quarter/half time breaks. The court announcer will be obligated to acknowledge the ABA Naming Rights Sponsor (if any) a minimum of three times per game.
- 10) Other Game Results.
- 11) It would be informative and of interest to all spectators, that results from previous games on the current weekend be announced over the PA system at appropriate times during 1st game (e.g half time). Results of Friday's games can be announced at Saturday games. Results of Friday and Saturday games can be announced at Sunday games.

Chapter 3 – ABA Player Registration and Eligibility

1. Registration

All players are to be registered with their local association/club prior to the start of the season.

All Leagues are to supply team lists to the ABA National office at least fourteen days prior to the commencement of the respective leagues competition.

Any player who is not on the original team list and who wishes to play later on will need to get approval/clearance sanctioned by Basketball Australia and the ABA League and National office.

A full registration system is maintained by each respective ABA League and also the ABA National Office on all players, coaches, assistant coaches and managers. Registration Form's must be lodged with the ABA League Office and approval given prior to any player being authorised to compete in the ABA. This registration form must be signed by the player and the Club delegate.

Before any player, coach, assistant coach or manager of any Club is eligible to participate in the ABA competition they must be registered with the Club/Association/State and or Territory.

Registration of players, coach, assistant coach or manager shall be affected only when the registration form or any other prescribed requirements have been received and approved by the respective League and ABA National.

The form is to include the following information;

- a) Parent/Guardian signature for U-18 players
- b) Privacy and permission tick boxes to allow the League or ABA National to use images or participants in promotion of the competition.

All players must be clear of any penalties imposed by any basketball authority directly or indirectly affiliated with the Australian Basketball Federation Inc, unless that penalty is the subject on an officially recognised appeal yet to be resolved.

Registrations during the Season:

Any new registration must be submitted to the ABA League and the National Office to gain approval, before a player is permitted to play. The registration form can be submitted by fax, email or mail with the original being received within 7-days, registration may be revoked.

No player may register to compete in the competition unless they are capable of qualifying for the final series. Under special circumstances the Executive may authorise registration in the period.

For failure to comply with any or all player eligibility By-Laws, an automatic loss of match result plus a fine of up to \$500 for each breach.

A maximum of 20 players can be registered to a team participating in the ABA.

1.1. Player Movement/Clearances

Player Movement

- Movement of players between ABA clubs season to season is unrestricted, on the condition that there is no club/player contract in place, and all state and club clearances, if required, are obtained.
- A player may play or represent a club from within a state where he/she is domiciled and registered provided that all regulations are abided by. A player cannot represent a club in a state where they are not domiciled. They can only be registered in one state at one time.

Clearances

- By-Law 7.5 States: - Any player who has played one ABA game in any one competition year may not transfer to another ABA team in that playing season, except that uncontested clearances may be permitted within sixty (60) days of the commencement of the ABA playing season, that is, the date of the first ABA competition game being played regardless of the League. The clearance request must be ratified by the relevant League Executive. For clearances between different Leagues under this clause, approval must be given by ABA National.
- If a player wants to represent a club in the ABA and is regarded with another ABA club, clearance must be obtained from the club they are registered with via the affiliated state registration system. Standard forms are available from State Associations. This form must be signed by player

Or

- A letter from his State registered club stating the player is given permission to play for another club in the ABA while playing state competition for his current club. Clubs must be within the same state of Australia to participate under this clause.
- IMPORT players need necessary transfer papers together with new FP licence issued by the FIBA Oceania. Immigration paperwork must also be in order.
- The onus to comply with Basketball Australia registration and state clearance rules is clearly with the participating team and player. The ABA will assume all relevant requirements are met and if not, appropriate penalties will apply for any breach.

NB:

Clearances deadline for response, a State/Territory receiving a request for a letter of clearance, must reply with seven (7) business days, following receipt of the request either by granting or refusing the letter of clearance.

If there is no response within the seven (7) business day period, the requesting League shall immediately notify the ABA National Competition Manager. The ABA National Competition Manager in conjunction with the Basketball Australia Representative will authorise the granting of the clearance, unless there are exceptional circumstances.

The only reason for which a clearance maybe refused is if the player is under contract to play for his/her Club beyond the scheduled transfer date.

1.2. Finals Eligibility

No player may register to compete in the competition unless they are capable of qualifying for the final series. Under special circumstances the Executive may authorise registration in this period.

By-Law 7.6 refers to:- *“To be eligible to play in the League or national finals a player, has to have played a minimum of 40% of games in that season, that is to be suited up for the game and recorded on the scoresheet, with the exception of 7.4.”*

A member of a club who by virtue of injury/illness fails to qualify for the ABA finals under ABA By-Law 7.6 may apply in writing to the ABA at least 14 days prior to the start of the finals for permission to play in the finals. In considering any application the ABA shall have regard only to two criteria, viz.

- i) Whether the player is a “bona-fide” player of the Club, and
- ii) The validity of the injury preventing the player from otherwise qualifying to play.

By-Law 7.4 refers to:- *“Any player that misses participating in ABA scheduled games whilst representing their State in Australian Championships, or Australia on official national duties or national camps or playing for Australia shall have those games missed due to this participation, included in the calculations for finals eligibility at both ABA league and National*

level. Application in writing to the ABA at least 14 days prior to the start of the finals stating the details of games missed must be included”.

2. ABA Foreign Players

Please refer to the ABA By-Law 7 Player Eligibility for full coverage of foreign and Restricted Players. This section serves to provide information for process, not for rules.

2.1. FIBA Oceania Procedures

The following is Oceania’s requirements in relation to Foreign Players and Foreign Player Licences.

A foreign player is defined by FIBA as “a player who does not have the legal nationality (Australian citizenship in our case) of the Federation by which he/she is licensed”.

Any player that falls under this category must have a valid Foreign Player’s License (issued by the FIBA Oceania on a yearly basis) in order to participate in either the NBL, WNBL, ABA or the WA State League (1st & 2nd division national leagues).

There are two stages to attaining the Foreign Players Licence.

- I) Send directly to the FIBA Oceania their “Australian Application for foreign Player Licence” form completed in full with attachments as requested.
- II) Fax to Basketball Australia the “Request to BA to confirm a players eligibility to be registered in Australia” form. FIBA Oceania will be advised once BA is satisfied that the player is eligible to be registered in Australia.

Holders of a Special Foreign Player License

Players who hold a Special Foreign Player License to compete in the 2nd Division National League (ABA) as an Australian may not play in the NBL/WNBL unless they hold an annual Foreign Player Licence.

Note: - All players in the NBL and WNBL who do not hold Australian Nationality (citizenship) must possess an annual international foreign player’s licence.

Please refer to appendix for the correct forms to be used:-

- Regulations for International Licences for Foreign Players in Australia
- Australian Application for Foreign Player Licence for 2005/06
- Request to BA to confirm a Players Eligibility to be registered in Australia

2.2. International Clearances

Requirements

- I) Any player who last played in a foreign country must obtain an international clearance from the National Federation of the country in which he/she last played before she is eligible to play in any competition in Australia.
- II) A club clearance is not an international clearance.
- III) This requirement applies to both foreign players and Australian players.
- IV) These are international laws and not at the discretion of any body in Australia.

A CLUB CLEARANCE NEVER CONSTITUTES AN INTERNATIONAL CLEARANCE.

a) In General

International Clearances are between Federations. Basketball Australia, on request by the player and Australian Club, will contact the National Federation in which the player last played and request an international clearance from that Federation.

The National Federation is under no obligation to supply an international clearance for 7 working days, as the National Federation must first consult the club to seek a club clearance. If no response is received from the Federation after 7 days, Basketball Australia will request assistance from FIBA.

International Clearances are unconditional (with the exception of clearances between National Federations and the WNBA). The only acceptable reason for which a National Federation may refuse a request for an international clearance is the existence of a current valid contract between a player and a club under that Federation's control.

b) Australian Students attending USA College/High schools.

Under FIBA Regulations of the regulations governing the International Transfer of Players, Australian students attending USA Colleges and High Schools do not require an international clearance in either direction. These students remain tied to the club for which they were a member, before leaving school in the USA (i.e. it is assumed that no time has elapsed).

Basketball Australia, to assist the tracking of our players who go to school overseas, and to ensure that proper clearance procedures are followed should the player not return to their home club following completion of their studies, has put in place an "Educational Player Tracking System" by way of an "Educational Player Release Form".

c) WNBA Players

International clearances for players entering or leaving the WNBA must pass through Basketball Australia, FIBA and the WNBA (not USA Basketball).

A National Federation may grant, with club's agreement, a conditional clearance, to play in the WNBA, for a player contractually bound to that Club for a further season. Any player receiving a conditional clearance in this manner must return to the club to complete her contract and cannot receive a clearance to play for any other club. Similarly a player with an ongoing contract to play in the WNBA may be conditionally cleared by the WNBA to a National Federation with the proviso that the player must be cleared back to the WNBA to complete her contract with the WNBA club.

d) Competitions Overseas

Players leaving Australia to play in a competition (even for only two weeks) in another country where the players do not compete as a team from Australia, are required to receive an outgoing international clearance and following their regulations.

Clubs need to be aware of their visa sponsorship provisions in permitting players to compete in the above type of competition.

e) Clearances from USA/CANADA

Only the Club or player can request a clearance from USA Basketball or Canada Basketball. These are the only two Federations known where BA is unable to request a clearance, as a fee is required to be paid by the player to these Federations. Web addresses to obtain each clearance form can be found at:

USA Clearances – www.usabasketball.com

Canadian Clearances – www.basketball.ca

f) Sports VISAS

BA cannot support an application for a sports visa without a valid international clearance.

g) International Clearances from Australia.

International clearances for players leaving Australia to play under the control of another Federation will only be provided by Basketball Australia once both the Club and State/Territory Association have advised in writing that the player has completed her contract with the Club.

The only valid reason for refusal of an international clearance is that the player is still covered by a valid contract.

All International clearances are unconditional (except for players going to the WNBA). A player who has signed a contract for a future period of time in the country from which they are seeking a clearance is bound by the laws of that country with regard to fulfillment of the contract. A Federation can only prevent clearance for players currently under their control.

The responsibility to obtain an international clearance, like all other registration requirements, rests with the player and her club.

2.3. Sponsoring a Foreign Player

A foreign player/coach wishing to participate in the ABA competition needs to have the appropriate visa if they are to receive remuneration/salary from the Club.

The visa is a Sports VISA 421 and the following process must be adhered to:

1. Contact Basketball Australia for your employment of foreign players/coaches sponsorship package, which includes the following:
 - a. Basketball Australia (BA) support for Foreign Players Application Form for Immigration.
 - b. The Department of Immigration & Multicultural & Indigenous Affairs (DIMIA) Form 55 & 147 (which includes Form 956). Current Immigrations forms can be found on the Immigration website – www.immi.gov.au/allforms/forms_num1.htm
2. Application for immigration approval must be completed and lodged with both the National body – Basketball Australia and with the Department of Immigration & Multicultural & Indigenous Affairs (DIMIA) on the appropriate forms.
3. If player/coach is currently overseas, complete both BA's "Support of Foreign Player Application Form for Immigration" & DIMIA Form 55 and attach all required documentation (the application will not be considered if the required documentation is not attached). Send all to Basketball Australia.
4. Should Basketball Australia support the application (based on the terms of reference within the Labour Agreement) BA will forward the necessary information to DIMIA for their consideration.
5. If DIMIA approves the application, DIMIA will send a letter of support to BA, who in turn will inform you the sponsoring Club.
 - a. The Club must send this approval to your player/coach to attach to their application for a sports visa (form 147).
 - b. The Foreign player/coach should apply to the relevant overseas office for a visa.

If the player coach is currently in Australia when applying, the following information must also be sent to BA:

- c. DIMIA Sports Visa application Form 147 with the necessary fee and passport photo of the player/coach and any dependants.

NB: Visa applications in Australia must be lodged before the applicant's current Visa expires.

If the applicant meets DIMIA criteria under the Migration Legislation, a class 421 sports visa will be issued.

A player/coach should only be on a class 421 visa if she is still working within basketball for the Club who sponsored them.

At the completion of the sponsorship you must immediately notify BA in writing that the sponsorship and contract is complete and the date of departure from Australia (BA will immediately notify DIMIA).

If a Foreign player/coach is wishing to move to another club?

No Foreign Player/Coach can move to another Club without the prior approval of BA & DIMIA. The new club will need to complete the BA & DIMIA procedures as explained above and provide a domestic club clearance to BA.

Immigration Application for foreign Players/Coaches Extensions

Any Club wishing to extend a foreign player/coach visa must submit to Basketball Australia a proposal as to why this player should be allowed to extend their visa, along with all the normal paperwork for applying for a visa (BA Form, DIMIA Form 55 & 147 and all attachments). This must be sent into BA prior to the current visa expiring.

Gather as much information and support letters as possible from sources such as the local council, schools and any other community organisation stating what outstanding achievements this player/coach has performed within the community and club (this should include any coaching and/or junior development in basketball for players). Basketball Australia will then review the Club's case and make a decision as to the validity of a further extension of visa.

If the extension to the visa takes the total continuous time in Australia beyond 12-months, then the player/coach will be required to take a medical and penal check for DIMIA. This takes considerable time.

In all cases above, do not assume a visa will be granted by Immigration.

BA must be advised of any changes to Club Sponsorship

It is imperative that the club notifies BA of any changes to the sponsorship. For example:-

1. Should a player/coach wish to sightsee in Australia upon completion of the sponsorship term – the club must get the visa changed to a visitor's visa. Failure to notify BA of the change means that the club will remain responsible for the player/coach and be in breach of the visa and sponsorship issued by Immigration.
2. Should your team be traveling overseas, then unless the visa states "multi entry in Australia", you must get permission for that sponsored player/coach to leave Australia. Do not assume it is ok.

Additional Visa Requirements for Foreign Coaches

The Labour Agreement insists we do not allow foreign coaches to hold roles, which can be equally performed by Australians or Permanent Residents of Australia. Clubs need to demonstrate the following to BA for our consideration.

The granting of visa's for foreign-born coaches should only occur where:

- No Australian or Permanent Resident of Australia is capable of doing the job.
- The foreign born coach has special credentials above and beyond those of Australian born and Permanent Residents of Australia.

In order for the visa application to be considered, the club must:

- Demonstrate that it has advertised extensively for the position (including a copy of the advertisement).
- Furnish to BA a list of applicants together with their priority ranking of each applicant.
- Outline why the foreign born coach should get the position over an Australian or Permanent Resident of Australia.
- Provide evidence that the foreign coach has coached within the last seven years, at least five years professional employment as a coach in a high school or tertiary college program.

- Provide evidence that the foreign coach has a tertiary qualification in Physical education and/or an equivalent coaching qualification acceptable to BA.

Additional Visa Information

The Department of immigration have advised Basketball Australia that the following Visa's have been granted approval to play in the ABA on the condition they do not receive any remuneration/salary from the Club. It is the responsibility of the individual person to ensure that they do not breach the conditions of their respective visa which has been granted to them to enter into Australia for activities other than playing sport.

Please note that all Visa information MUST be lodged and approved by Basketball Australia prior to any person being eligible to register to play with a Club in the ABA.

Other Visa's

- Student visa
- Refugee visa
- Business long stay visa
- Permanent residents visa
- Spousal visa
- Religious visa

If a person found to have breached their visa they could be subject to deportation.

IMPORTANT – Any person on one of the above visas cannot receive any remuneration/salary for their participation in the ABA competition.

IMPORTANT – The ABA/WNBL/NBL and the WA State League are elite basketball competitions and are subject to conditions in their Labour Agreement in place with Basketball Australia and the Departments of Immigration and Multicultural Affairs. Persons entering into Australia on a long stay or short stay tourist visa or working holiday visas are NOT eligible to participate in these leagues. They are allowed to participate in recreational basketball at levels below the above league competitions.

If you have any questions in relation to visas please contact Lisa Kennedy at Basketball Australia on 02 9469 7210.

Note: Any non Australian citizen will also be required to obtain a Foreign Player License from FIBA Oceania prior to the commencement of play.