



MEMORANDUM

To: **Community football stakeholders**

From: **AFL Game Development, AFL Legal & Regulatory**

Date: **3 March 2023**

Re: **Summary of 2023 amendments to National Community Football Policy Handbook**

Dear all,

The purpose of this memorandum is to provide a summary of the substantive amendments to the National Community Football Policy Handbook (**Policy Handbook**) for 2023.

The Policy Handbook was introduced in April 2022 and used across Australia for the first time last year. After an extensive review and feedback process in relation to the 2022 version of the Policy Handbook, the following substantive amendments will be implemented in 2023:

1. Section 1.4 (General): A new provision has been added that allows for any matter not dealt with in the Policy Handbook to be dealt with in such as manner as the AFL determines.
2. Section 2.4 (Transition period): Last year, to accommodate the leagues that elected not to adopt the Policy Handbook, we included a 'transition period' provision whereby the rules and regulations of those leagues applied to the extent of any inconsistency with the Policy Handbook. There are still several independent leagues in Victoria that are yet to adopt the Policy Handbook, so the transition period has been extended from 31 December 2022 to 31 December 2023.
3. Section 3.4 (Transfer refusal): Previously, a Source Club could refuse a player transfer where the player was "indebted to the Source Club". This ground for refusal has been amended to "**financially** indebted to the Source Club", which ensures that a refusal cannot occur where a club argues that the time and effort invested to develop a player equates to indebtedness.
4. Section 4 (Age dispensation): The following amendments have been agreed in consultation with the AFL's medical team:
 - a. Players may seek dispensation to play down a grade on the basis of "Physical Size Considerations". That definition has been amended to include players below the 5th percentile in height. Previously, the definition only applied to players with a Body Mass Index below the 5th percentile.
 - b. Section 4 has also been amended to provide that, where dispensation is sought on the basis of disability, a medical specialist may recommend dispensation for two seasons and a controlling body may grant that dispensation. Previously the grant of dispensation applied for one season only in all circumstances.
5. Section 7.3 (Deregistration): The Policy Handbook now includes provision for the AFL, or the State Football Body with the prior approval of the AFL, to deregister a player or football official who has contravened the rules of other sports.

6. Section 10 (Vilification and discrimination):
 - a. A new section has been included which addresses the appointment and function of the AFL vilification and discrimination panel (i.e. people available to assist in conciliation for vilification matters).
 - b. Under the revised Section 10, conciliations may be held in-person or virtually (previously it was limited to in-person).
7. Section 25.4 (Tribunal – outcomes): A clause has been added which expressly excludes ‘suspended sentences’ as a sanction available to tribunals.
8. Section 25.5 (Tribunal – suspension of a person):
 - a. Section 25.5 has been amended to provide that a suspended person may play in practice matches, unless otherwise determined by the Controlling Body. Previously, there was no flexibility for a Controlling Body to deny participation in practice matches. There may be circumstances where it is not appropriate for a suspended player to participate in a practice match. For example, where that player has received a significant suspension in the previous year’s grand final.
 - b. It has been clarified that a suspended person cannot serve a suspension in any competition bye round.
 - c. Under the revised Section, there is now additional flexibility for a Controlling Body to use its discretion (acting reasonably) to make a determination on any scenario that arises with respect to the application of a suspension that is not specifically dealt with in the Policy Handbook.
9. Section 26.1(b) (Appeals): An amendment has been made to provide that only persons affected by a decision made by a Controlling Body may appeal that decision to the Appeal Board. Previously, this Section read as though any individual could appeal such a decision.
10. Appendix 1 (Reportable Offences) and 2 (Example Reportable Offences): These Appendices have been updated to align with the 2023 AFL Tribunal Guidelines. The substantive changes to Appendix 1 are as follows:
 - a. Intentional Contact with an Umpire

Appendix 1 (Reportable Offences) did not previously expressly provide that a player may be found guilty of Intentional Contact with an Umpire by pushing or holding an opponent into an umpire or their direct path (i.e. where the contact is caused by the player’s opponent, not the player themselves). Appendix 1 (Reportable Offences) has been amended to provide that a Player may be found guilty of Intentional Contact with an Umpire for such conduct.

Further, Appendix 1 (Reportable Offences) previously included a deeming provision which provided that all “Forceful” contact with an umpire will be deemed to be Intentional and constitute a Direct Tribunal Offence. However, there may be circumstances where forceful contact with an Umpire by a player is genuinely incidental, and where it may not be appropriate for such conduct to be referred directly to the Tribunal. Appendix 1 (Reportable Offences) has been amended to reflect that where contact with an Umpire is forceful but only incidental, the MRO has the discretion to not charge the Player with Intentional Contact with

an Umpire (resulting in a direct referral to the Tribunal) and instead charge the Player with Careless Contact with an Umpire (but provided such Contact is not otherwise disrespectful, demonstrative or aggressive).

b. Force Front-On Contact

Appendix 1 (Reportable Offences) in respect of Forceful Front-On Contact previously provided that a player will be guilty of Forceful Front-On Contact (as a form of Rough Conduct) where the player makes forceful contact to an opponent from front-on when the opponent has their head down over the ball.

However, there are circumstances where a player's head may be over the ball, but the player may still be looking up and so their head is not "down". In this context the victim player is still vulnerable, and that contact where this occurs, which is otherwise Careless (or Intentional), should still be graded as Forceful Front-On Contact.

Appendix 1 (Reportable Offences) has been amended to provide that, in respect of Forceful Front-On Contact, it is not necessary for a Player's head to be "down" over the ball – it is only necessary for the Player's head to be over the ball.

c. Potential to cause injury for Body Contact

Appendix 1 (Reportable Offences) previously provided that where contact is both High and to the Body, the Controlling Body/MRO will classify the contact as High even in circumstances where the Body contact is significantly greater than the High contact.

Appendix 1 (Reportable Offences) have been amended to provide that the Controlling Body/MRO has the discretion to grade an incident as Body contact where the impact to the Body is more significant than the High contact (i.e. where the High contact is only glancing but significant Body contact is made which would result in a more significant sanction).

d. Striking with an open hand

Appendix 1 (Reportable Offences) has been updated to specify that a strike can occur with an open hand (as opposed to a closed fist).

11. Appendix 9 (AFL National Age Dispensation Application Form): A new template application form for age dispensation applicants has been incorporated.

12. Appendix 10 (Deregistration Warning): A new template deregistration warning letter has been incorporated. Under Section 7.7(a) of the Policy Handbook, a Controlling Body must use reasonable endeavours to issue a deregistration warning once a player has been suspended for ten or more matches.