



Gymnastics
Australia

ATHLETE TRANSFER POLICY

Policy Name:	Athlete Transfer Policy
Date of Approval:	June 2004
Policy Coverage:	Business - Membership
Date of Review:	July 2006

1. STATEMENT OF COMMITMENT

Gymnastics Australia is responsible for the storage and maintenance of membership details on the sport's National Membership Database, for all recognised membership categories, including affiliated clubs, athletes, volunteers, coaches and/or Judges. Each membership area has specific registration procedures, all of which are in-line and supported by the GA's Privacy Policy.

GA is committed to the integrity and accuracy of the national membership database by ensuring the information recorded is up-to-date and correct for all members. Accordingly, any registered athlete wishing to transfer to another club or Institute program (State or Australian Institute of Sport) is required to apply for a transfer of their membership details.

2. POLICY APPLICATION

This Policy applies to all registered athletes regardless of their Gymsport, Level, Stream, location or timing of transfer, including commencement of a new calendar year. Implementation of the policy also involves all levels of administration from local Club to State Association and Gymnastics Australia, ensuring consistency in governing principles and administration procedures applied.

The Local Club or Institute program, to which the athlete is transferring to, is responsible for initiating the transfer process whilst Gymnastics Australia is responsible for coordinating and approving the transfer and updating the relevant membership files recorded on the national database.

At all times the 'Club/Institute of Origin' is that which an athlete is registered under, on the National database, when initial membership within the sport of gymnastics is accepted.

3. POLICY COVERAGE

A transfer refers to a registered athlete, for whatever reason, deciding to take up membership with a different club OR Institute program to that which they are currently recorded on the national database.

This action requires the athlete's membership file, recorded on the national database, to be updated and linked to the new Club/Institute that the athlete will be transferring to.

4. ROLES AND RESPONSIBILITIES

This section specifies the roles and responsibilities of all parties involved in the transfer process.

4.1 Registered Athletes

A registered athlete wishing to transfer to another club or Institute program must:

- Comply with this policy
- Advise the clubs/Institutes involved of their desire to transfer
- Not leave any outstanding accounts in relation to training or other related club/Institute services provided by their Club/Institute of Origin or governing body

4.2 Affiliated Clubs / Institute Programs (SIS/AIS)

A Club/Institute involved in the transfer process must:

- Comply with this policy
- Ensure a formal transfer application is presented to Gymnastics Australia
- Distribute, promote and implement this policy and it's related administration procedures
- Deal with transfer applications in an impartial, sensitive, timely and confidential manner

4.3 State Associations / Gymnastics Australia

Gymnastics Australia and the State Association(s) involved in an athlete transfer must:

- Comply with this policy
- Deal with transfer applications in an impartial, sensitive, timely and confidential manner
- Investigate, to ensure that all transfer requirements have been met, and identify and resolve any requirements that have not been met, prior to approving any application
- Consulting with all parties involved ensuring a collective agreement in relation to the transfer application, in favour or against.
- Complete all administrative procedures to ensure the integrity and accuracy of the National database is maintained and the athletes best interests are met.

5. COMPLAINT PROCEDURES

Gymnastics Australia will deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially. GA recognises that natural justice is the minimum standard of fairness to be applied in the investigation and adjudication of a complaint.

6. CONFIDENTIALITY AND REPORTING

GA will keep confidential, in-line with their Privacy Policy, the names and details relating to complaints, unless disclosure is:

- Necessary as part of the corrective process or
- Required by law.

7. GOVERNING PRINCIPLE

Regardless of the athlete's reason for transfer it is necessary for a transfer application to be completed. It is recognised that when an athlete transfers a number of issues are raised for all parties involved because:

- The club/Institute of Origin has invested in the athlete's development
- Institutes need to maximise their representation numbers to assist in acquiring funding while club's benefit from improved image/status
- Athletes can feel strongly about retaining their "Origin" identity or alternatively wish to be identified under their new club/Institute
- Athletes can move from club to club leaving outstanding accounts if transfers are not coordinated

To assist in overcoming these and other issues, and ensuring that the athlete's best interests are always at the forefront, the following Principles will govern all athlete transfers:

- No affiliate club or Institute program shall refuse permission for any athlete to transfer to another affiliate club/Institute, provided:
 - They are fully paid-up members at the time of transfer (i.e.: no fees owing)
 - They have no financial commitments to any other member of the club or the club itself
 - That the transfer is not contradictory to this Policy or any State By-Law/Regulation.
- On transferring, the athlete is responsible for paying all fees required by their new club/Institute including annual club fees, training fees and any other fee outlined within the club's/Institute's fee policy, with the exception of State/National registration fees where these have already been paid for the current calendar year.
- An athlete transferring to another affiliated club/Institute shall not participate or be accepted for any sanctioned gymnastic competition/event for a period of two (2) months for Inter-State transfers (i.e.: competition qualification period - 60 days) and up to a maximum of 30 days for Intra-State transfers. This period commences from the date the transfer application is received by Gymnastics Australia.

- An athlete accepted into, and therefore transferring to, a State Institute or the AIS (including for a scholarship), must maintain membership with their 'Club/Institute/State of Origin' where:
 - a) They have represented their 'Club/Institute of Origin' at a State Championships and been ranked within the top 10 of their level in the All-Around or any Apparatus final or
 - b) They have been selected, and represented their State, at any National Championship while a member of their 'Club/Institute of Origin' or
 - c) They have been a **competitive member** of their Club/Institute of Origin, within their selected Gymsport, for more than 3 years.

This principle may not apply when all parties agree to remove the requirement and/or special circumstances apply (e.g.: the club closes down and/or does not maintain their affiliation).

7.1 Flat Fee Structures

Many States and clubs across Australia now implement a "flat fee payment scheme" for their membership fees. Such schemes allow clubs flexibility to structure their membership fees in any manner to meet their varying financial needs and usually are not based on a set State/National registration fee **per athlete**, but rather based on overall registration numbers. Based on this flexibility the following principles apply:

- 7.1.1 State/National membership fees are annual and apply January 1st – December 31st and therefore cannot be charged twice within any one year.

Impact

- Where a club itemises the fee payable for State/National membership this fee cannot be re-charged to an athlete transferring, regardless of whether the fee paid is more or less than that itemised by the new club.
- Where the fee is not itemised and incorporated into overall fees, the club may decide to provide a discount for membership to alleviate the issue of double payment. However, this decision is totally at the club's discretion and dependant on the policies and fee structures they have in place.

- 7.1.2 State/National membership fees are non-refundable regardless of the length of time an athlete is actively participating within the sport of gymnastics.

Impact

- Club, which the athlete is transferring to or from, is not required to reimburse any or part of the State/National membership fee paid by the athlete, either to the athlete or the club who the athlete is transferring from/to.

- The club that the athlete is transferring to is not required to pay another State/National membership fee for the athlete for that calendar year. When calculating flat fee categories for the following year, State Associations may take into consideration transfer numbers.

7.1.3 Insurance, provided to registered athletes as part of the National Insurance scheme, is annual and applies January 1st – December 31st. Therefore the fee payable cannot be charged twice within any one calendar year. The Insurance cover is valid from the time an athlete joins an affiliated club and their details are recorded on the national membership database.

8. SPECIAL RULES

- A registered athlete may only compete for and/or represent their 'Club/Institute of Origin', State or Australia at sanctioned gymnastic events. From time to time it is acknowledged that special circumstances may apply, and permission may be sought for exclusion from this rule. Approval for exclusion can only be granted by a State Association or Gymnastics Australia (refer procedural steps outlined below);
- Special consideration may be given to waiving the "competition qualification period" that applies when an athlete transfers. This can only be approved by Gymnastics Australia and/or the relevant State Association(s) - refer to procedural steps detailed below;
- Athletes who "transfer" from overseas must take up residence in Australia for a period of no less than 6 months and have been a registered member for no less than 3 months before being eligible to compete in a State or National Championships. Again special consideration may be given to waiving this period however, this can only be approved by Gymnastics Australia.

9. PROCEDURAL STEPS

9.1 Athlete Transfer

The administrative procedures to be carried out in regards to an Athlete transfer will differ and depend on the registration process being utilised by the clubs involved, however they all require:

- Agreement by both Clubs and/or Institutes involved
- Approval by the State Association and/or Gymnastics Australia

A record of all transfers occurring within a calendar year will be maintained by the governing body coordinating the transfer process (e.g.: Gymnastics Australia). The transfer process should take not longer than 30 days to be finalised, regardless of the registration method utilised. The transfer procedures required for each registration method are detailed below.

9.2 Manual Registrations

- a) Notification of transfers shall be in writing, to Gymnastics Australia, on the official athlete transfer form. This process can be initiated by either club, and will then be coordinated by Gymnastics Australia.
- b) GA will
 - Consult with both clubs or Institute to ensure all transfer requirements have been met and that the transfer is supported
 - If approved, amend the necessary database records
 - Officially notify, in writing, both clubs/Institutes involved that the transfer has been approved, or otherwise
- c) Maintain a record of all approved transfers

9.3 Gymnastics On-line

- a) When entering an athlete directly into the national membership database, via Gymnastics Online, a “Transfer Request” action will immediately be flagged when a duplicate entry is made (e.g.: entering an athlete already listed on the national membership database). The flagged action will require the club to “request Transfer” by selecting this designated button on the screen.

This process automatically sends a transfer application to Gymnastics Australia’s National Office.

- b) GA will:
 - Consult with both clubs or Institute to ensure all transfer requirements have been met and that the transfer is supported
 - If approved, amend the necessary database records
 - Officially notify, in writing, both clubs/Institutes involved that the transfer has been approved, or otherwise
- c) Maintain a record of all approved transfers

9.4 Waiving ‘Club/Institute of Origin’ Status

An athlete who has been accepted into a State Institute or the AIS, must maintain membership with their ‘Club/Institute of Origin’ as a means of recognising the contribution made by this club/Institute to the athlete development. Clubs/Institutes or athletes seeking exemption from this rule must apply in writing to Gymnastics Australia. The following procedures are to be followed:

- a) An application, in writing, must be made to Gymnastics Australia’s CEO. This correspondence should provide information on:
 - Name of athlete
 - Competition history with Club/Institute of Origin’
 - Rational supporting waiving of ‘Club/Institute of Origin’ status

- Supporting letters from 'Club/Institute of Origin' and State Association
- b) The CEO will:
 - Consult with all necessary parties – Club, Institute, State Association, State & National SMCs
 - Refer request to appropriate authorisation body where necessary – Board or SMCs
 - Officially notify, in writing, all relevant parties on the outcome

9.5 Waiving of “Competition Qualification Period”

A “competition qualification period” applies to all transfers. Clubs/Institutes seeking to have this period waived due to special circumstances must complete the following procedures, at least 30 days prior to the competition:

- a) An application, in writing, must be made to Gymnastics Australia. This correspondence should provide the following information:
 - Name of athlete
 - Date transfer application was submitted
 - Reasons for transfer
 - Next event that athlete wishes to compete within
 - Details of special circumstances to support request
- b) GA will:
 - Provide information to relevant organisation (e.g.: State, SMC) for consideration and action
 - Notify all relevant parties on the outcome

9.6 Competition/Representation Status

A registered athlete may only compete for and/or represent their 'Club/Institute of Origin', State or Australia at sanctioned gymnastic events. From time to time it is acknowledged that special circumstances may apply and permission to be excluded from this rule may be necessary. In such cases the following procedures are to be followed:-

- a) An application, in writing, must be made to the relevant State Association and/or Gymnastics Australia. This correspondence should provide information on:
 - Name of athlete
 - Rationale for needing to compete/represent a club/Institute other than their 'club/Institute of Origin'
- b) State Association/Gymnastics Australia representative appointed to coordinate request will:
 - Provide information to relevant organisation (e.g.: State, SMC) for consideration and action
 - Notify all relevant parties on the outcome

10. APPEALS AND GRIEVANCE

All members have the opportunity to appeal and/or lodge a grievance to the relevant management levels. Further details are contained in the GA Grievance and Appeals policy document.

11. CHANGES TO POLICY

Recommended changes to this policy may be submitted to Gymnastics Australia's Board of Management for consideration. The Board will review the recommendations and have the authority to make any changes to this policy. Should changes be accepted the policy will be updated, dated and circulated to members.

In addition, Gymnastics Australia is committed to ensuring all policies are up-to-date and reflect current times, therefore reviews are undertaken annually. The latest review date is detailed at the beginning of each policy.