



# REGULATIONS

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## NETBALL NEW ZEALAND INCORPORATED June 2023

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## PART I – GENERAL REGULATIONS

### DEFINITIONS & INTERPRETATIONS

1.1 The words and phrases used in these regulations shall have the same meaning as defined and interpreted in the Constitution of NNZ, unless otherwise specified in these regulations.

1.2 In addition to clause 1.1, the following words and phrases used in these Regulations shall mean as follows:

**"Associate Member"** means an organisation or body that has been granted membership in this category as determined by the Board of NNZ under Rule 5.5 and as outlined in clause 5.

**"Benefit or Reward"** means any direct and/or indirect monetary and/or non-monetary bribe(s), gain(s), benefit(s), gift(s) and/or advantage(s), including, without limitation, winnings and/or potential winnings as a result of a Bet(s). This does not include official prize money and/or legitimate contractual payments authorised by NNZ for participating in Matches or Events, any services, sponsorship, endorsements and/or similar payments.

**"Bet"** means a bet, wager or other form of financial speculation.

**"Betting"** means making, accepting, or laying a Bet, including (without limitation) activities commonly referred to as sports betting, such as fixed and running odds, totalisator / toto games, live betting, betting exchanges, spread betting, and other games offered by sports betting operators.

**"Brand Guidelines"** means the brand guidelines developed by NNZ in respect of the trademarks, logos and brands that it owns.

**"Gender"** references to any gender include all genders.

**"Inside Information"** means any information considered to be not available to or not known by the public relating to any Match, Event, team, athlete or any aspect connected with any of these, that a person has because of their position within NNZ or connection to NNZ. This could include, without limitation, such information as a Netball team's actual or likely membership composition, the fitness of individual athletes, or planned tactics.

**"NNZ"** means Netball New Zealand Incorporated

**"Primary Netball Centre"** means the Netball Centre that the player or member nominates as the Centre that they choose to trial for first if they play representative netball match.

**"Secondary School Team"** means a Netball team of up to 12 players in which the players are attending secondary school or the equivalent years 9-13 of the school system as at 1 January in the year of competition.

**"Senior Team"** means a Netball team of up to 12 players in which the players are playing in a senior competition as at 1 January in the year of competition.

**"Sporting Tactical Reasons"** means reasons for action taken in a sports match or event in situations which are not for the purpose of obtaining or influencing any Betting or Betting outcome or to obtain any Benefit or Reward. Such actions are not intended to be captured as offences in the Integrity Regulations. Such situations include, for example, where an athlete or team deliberately loses, does not participate, underperforms or plays in a manner which the athlete or team intends will help obtain a more favourable sports outcome, for example, a more favourable draw in a competition.

**"Summer League/Social Team"** means a Netball team of up to 12 players in which the players are playing in a competition offered by a Centre outside of the main playing season or structure. These may be alternative forms of Netball e.g. Fast5 and/or held across the end of one calendar year and the start of the next. These competitions may be of shorter duration than other Centre competitions e.g. 6 weeks.

**"World Netball"** means the worldwide governing body for Netball.

**"Year 1 & 2", "Year 3 & 4", and "Year 5 & 6"** means a programme of fundamental skills and modified games of Netball usually taken part in by players aged 5 to 10 years old as at 1 January in the year of competition.

**"Year 7 & 8"** means a Netball team of up to 12 players in which the players are usually aged 11-13 years old as at 1 January in the year of the competition.

## PLACE OF NNZ REGISTERED OFFICE

- 2.1 Under Rule 2 of the Constitution, the Board has determined that the place of the registered office of NNZ shall be at the offices of NNZ being Level 4, Building 5, Central Park Business Centre, 666 Great South Road, Ellerslie, Auckland, or such other place as is notified in writing to the Zones.

## ZONES

- 3.1 Zones: Under Rule 6.1 of the Constitution, the Board has determined that the five (5) Zones shall be as depicted in Schedule 1.
- 3.2 **Approved Zones:** Under Rule 6.2 of the Constitution, the Board has determined, subject to clause 3.3, the five (5) Zones shall be as follows:

## Zone

Netball Northern Zone Inc.

Netball Waikato Bay of Plenty Zone Inc.

Netball Central Zone Inc.

Netball Mainland Zone

Netball South Zone Inc.

**3.3 Additional Obligations of Zones:** In addition to the obligations on Zones under the Constitution, Zones must have:

- (a) at least three or more Netball Centres as members; or
- (b) not less than 100 Senior Teams registered with it in any one year.

**3.4** If a Zone:

- (a) has less than three Netball Centres as its members; or
- (b) does not have 100 Senior Teams each year for two consecutive years;

the Board may:

- (a) direct that the Zone amalgamate and/or merge with another Zone
- (b) intervene in the management of the Zone Entity under Rule 6.6 of the Constitution;
- (c) terminate the membership of the Zone Entity under Rule 13.2. (b) of the Constitution; and/or
- (d) take such other steps as it considers in the best interests of NNZ and netball.

**3.5 Register of Members:** Under Rule 6.5 of the Constitution the Board has determined that the following information shall be obtained and held by each Zone on its register of members:

- (a) name of each Netball Centre, each Individual Member, each member of the Zone Board and such other official positions within the Zone as the Zone considers appropriate e.g. Executive Director, if applicable, name of each School Team and Club;
- (b) for each Netball Centre, the names of the President/Chair, the Secretary/General Manager (or equivalent positions), the members on the Netball Centre's board, and such other official positions as it considers appropriate eg Executive Director;
- (c) contact address and phone and email, for each of the members, directors and officials listed in (a) and (b);
- (d) class of membership (e.g. Individual Member, Life Member etc) for each of the members listed in (a);
- (e) for Individual Members, members on the Zone Entity Board and other individuals who are members of the Zone Entity, the occupations of each such person;
- (f) the date on which the member, director, official or other individual became a member of the Zone Entity;
- (g) coaching and qualifications of officials (if applicable); and
- (h) date of birth.

3.6 The Zone shall supply the information described in Regulation 3.5 to the Chief Executive on the following dates:

- (a) On or before 30 June each year; and
- (b) Within 30 days of a request in writing by the Chief Executive to do so; and
- (c) Within 30 days of any change, or of it being notified on any change, to the information.

3.7 Other Information: In addition to the information for the Register of Members, each Zone Entity shall supply to NNZ the following:

- (a) the names, addresses and contact details of the Chair, Chief Executive (or equivalent positions) and the Members of the board of the Zone, by 31 March each year and within 20 days of any change to such details;
- (b) the names, addresses and contact details of the President, Secretary (or equivalent positions) and the members of the board of each Netball Centre within its Zone, by 31 March each year and within 20 days of any change to such details;
- (c) a copy of its annual report which shall include (a) the audited annual financial statements and (b) an annual report of the years' activities by 31 March each year
- (d) if either its or any of its Netball Centres' constitution/s or regulations have been amended since 1 April in the previous year, a copy of such documents (including the amendments) by 31 March each year; (Including filing with the Incorporated Societies);
- (e) number and type of teams i.e. Senior, Secondary, Year 7 & 8, Year 5 & 6, Year 3 & 4, Year 1 & 2 and other, as listed on the annual membership questionnaire by 30 June each year;
- (f) a written report where any member of the Zone (including a Netball Centre) has its membership of the Zone terminated for any reason. Such report to be provided within 7 days of such termination;
- (g) provide to NNZ the names of the two (2) Delegates which will represent it, and, if applicable, the one (1) Delegate from a Netball Centre which is a member of the Zone, at the Annual General Meeting by the due date as specified by the Chief Executive;
- (h) any alterations to the NNZ Constitution or other remits or general business for Council Meetings, by the due date as specified by the Chief Executive; and
- (i) any nominations for election of NNZ Elected Board Members by the due date as specified by the Chief Executive.

## NETBALL CENTRES

**4.1 Application for Membership as a Netball Centre:** Under Rule 7.1 of the Constitution, a group of Individual Members who wish to form a Netball Centre shall apply to the Board of the Zone Entity in that area in writing by no later than 31 July in the year preceding the year in which membership is sought, or by such date as otherwise agreed by the Board and if it approves such application to further apply to the NNZ Board for its approval. If there is no Zone Entity, the group of individual members shall apply directly to the NNZ Board for its approval.

4.2 The application in clauses 4.1 shall state:

- (a) the names and number of proposed Individual Members;
- (b) the number of proposed Netball Teams;

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- (c) the proposed name of the Netball Centre;
  - (d) details about the financial position of the proposed Netball Centre including proposed budget, proposed management plan, funding sources, proposed capital and assets, and such other matters as the Board may request;
  - (e) details about the administration structure of the proposed Netball Centre including providing proposed constitution and regulations, proposed staff/officials structure.
- 4.3 The application in clause 4.1 must be accompanied by a signed statement supporting the application by the Zone Entity (if Zone Entity in place) in which the proposed Netball Centre proposes to become a member.
- 4.4 Upon receipt of an application under clause 4.1, the Board shall consider the application as soon as possible. It may request further information from the applicant(s). It may also make its own enquires including obtaining the views and information from other Netball Centres in the Zone.
- 4.5 The Board shall determine whether or not the application is accepted and advise the applicants in writing. The approval may be granted subject to specific conditions being met.
- 4.6 Subject to complying with the conditions set out in clause 4.7, an application to be a Netball Centre which is approved by the Board shall take effect no earlier than 1 February in the year following the year in which the application was submitted.
- 4.7 Following receipt of the notice by the Board approving an application to be a Netball Centre the applicants shall, as soon as practicable:
- (a) take all the necessary steps to become an incorporated society with a constitution which is consistent with the constitutions of NNZ and the relevant Zone, and to advise NNZ and the relevant Zone when such incorporation is registered.  
It is recommended that Netball Centres use the template constitution for Netball Centres prepared by NNZ:
  - (b) make payment to NNZ of the Membership Fee for the relevant year;
  - (c) make payment to the relevant Zone of any membership fee and other fees determined by it for the relevant year;
  - (d) forward the register of its members to NNZ and the relevant Zone; and
  - (e) forward a copy of its constitution to NNZ and the relevant Zone and ensure it is filed with the Incorporated Societies.
- 4.8 Upon all of the conditions in clause 4.7 and the Constitution being met, and any specific conditions imposed by the Board under clause 4.5, the Netball Centre shall be a member of NNZ and the relevant Zone.
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**4.9 Register of Members:** Under Rule 7.7 of the Constitution the Board has determined that the following information shall be obtained and held by each Netball Centre on its register of members:

- (a) name of each Individual Member, School Team (if applicable), Club (if applicable), and members of the board of the Netball Centre, registered with it;
- (b) for each School Team and Club, the names of the coach, manager or other contact person;
- (c) contact address and phone, email (if available), and for each of the members, Board Members and persons listed in (a) and (b) (e.g. Individual Member, Life Member etc);
- (d) class of membership for each of the members listed in (a);
- (e) for Individual Members, members on the Netball Centre's board and other individuals who are members of the Netball Centre, the occupations of each such person;
- (f) the date on which the member, director or official became a member of the Netball Centre;
- (g) coaching and qualifications of officials (if applicable); and
- (h) date of birth for Members.

**4.10** The Netball Centre supply the information described in clause 4.9 to the Zone of which it is a member, on the following dates

- (a) on or before 31 May each year; and
- (b) within 30 days of a request in writing by the Chief Executive to do so; and
- (c) within 30 days of any change, or of it being notified of any change, to the information.

**4.11 Other Information:** In addition to the information for the Register of Members, each Netball Centre shall supply to the Zone of which it is a member, the following:

- (a) the names, addresses and contact details of the President/Chair, General Manager/Secretary (or equivalent positions) and the members of the board of the Netball Centre, by 31st March each year;
- (b) a copy of its annual report which shall include (a) the audited annual financial statements as required and (b) an annual report of the years' activities for the last financial year within a month of the Netball Centre's Annual General Meeting being held;
- (c) if either its constitution or regulations have been amended since 1 April in the previous year, a copy of such documents (including the amendments) within a month of the Netball Centre's Annual General Meeting being held;
- (d) number and class of membership of teams as listed on the Annual Membership Questionnaire by 30 June each year;
- (e) a written report where any member of the Netball Centre has its membership of the Netball Centre terminated for any reason. Such report to be provided within 7 days of such termination;
- (f) provide to NNZ and the Zone of which they are a member, the name of the Delegate which will represent it at the Annual General Meeting by no later than the due date as specified by the Chief Executive;

- (g) any alterations to the Constitution or other remits for Council Meetings, by the due date as specified by the Chief Executive;
- (h) any nominations for election of Elected Board Members by the due date as specified by the Chief Executive;

#### ASSOCIATE MEMBER

5.1 Under Rule 5.5 of the Constitution, the Board has determined a category of membership of NNZ which shall be Associate Member as defined in regulation 1.2.

- (a) The NNZ Board shall consider applications for Associate status from sports or organisations which:
  - (i) Do not meet the criteria for NNZ membership under any other category of members as listed in Rule 5; or
  - (ii) are recognised by government agencies or crown entities as the governing body for their aspect of netball or are a sports related group recognised as important to New Zealand; or
  - (iii) are recognised as the governing or representative body for that aspect of netball in New Zealand; and
  - (iv) are governed by a constitution acceptable to NNZ.
- (b) Applications for Associate Member status will be required to complete the application process as defined in the "Associate Member Policy".
- (c) Upon successful completion of the process for Associate Member status as detailed in the "Associate Member Policy", the application will be presented to the NNZ Board for acceptance by unanimous vote.
- (d) Applications which are unsuccessful shall be advised to the NNZ Board and the applicants.
- (e) Associate Members are not eligible to vote at the AGM, or a Special General Meeting. Their rights as Associate Members are determined by the NNZ Board from time to time and as contained in the Associate Member Policy.
- (f) The Board has determined that Associate Members shall pay by the 31st May each year a Membership fee which shall be set and advised annually.
- (g) The obligations under Rule 11 (a) to (e), of the NNZ Constitution shall apply to all Associate Members.
- (h) An Associate Member which at any time fails to meet the criteria for this category of membership shall be automatically suspended.
- (i) The Board may by unanimous vote at a meeting of the NNZ Board expel from Associate Member status or suspend the Associate Membership of any Associate Member that has in the opinion of the Board acted in a manner which would bring disrepute to NNZ and/or netball in New Zealand.

## REGISTRATION REGULATION

### 6.1 Every individual member must register

Every individual member who is involved in any capacity with netball under the auspices of a Netball Centre must register as an individual member of a Netball Centre, Zone or NNZ.

Individual members include:

- (i) **Players** - school, club, representative, team and other players playing in any competition under the auspices of a Netball Centre, Zone or NNZ.
- (ii) **Officials** – all persons (not being players or Life Members) involved in netball under the auspices of a Netball Centre, Zone or NNZ including coaches, umpires, managers, bench officials, volunteers, physiotherapists, other team assistants, employees, selectors, examiners, board members, members of sub-groups or committees and any other persons appointed, elected or selected for a netball role whether paid or unpaid.
- (iii) **Life Members** – of Netball Centres, Zones or NNZ.

By 15 June in each calendar year, every Netball Centre must provide its Zone with a register of its individual members who are registered in accordance with the Regulation. Any changes, deletions or additions to the Netball Centre's register or the individual member's details must be notified to the Zone within 30 days of being advised of the amendment by the member. On request, each Zone shall provide NNZ with access to and use of information on its register and Netball Centre registers.

Clauses 6.2 to 6.5 of this Regulation do not prevent any Netball Centre or Zone from having its own rules regarding registration, provided such rules are not inconsistent with this Regulation. To the extent that there is any inconsistency, this Regulation shall prevail.

### 6.2 Registration of players

- (a) To register as an individual member, every player (or guardian/parent if the player is under 18 years) must at the commencement of each Netball Season and no later than 31 May in each calendar year:
  - (i) register as a member of a Netball Centre by completing the NNZ membership return (or any other form approved by NNZ); and
  - (ii) pay or agree to pay in full any membership or other fees due to the Netball Centre, Zone or NNZ by the due date in each year.
- (b) The completion by any player of any membership or registration form or other process other than the NNZ registration form shall be insufficient to the player to be registered as an individual member of a Netball Centre or NNZ (unless otherwise approved by NNZ).
- (c) By registering as an individual member by 31 May in any calendar year, the player is deemed to be a member of and registered with the Netball Centre and NNZ for the period of that whole calendar year (1 January to 31 December).

- (d) A player may register with more than one Netball Centre in any one calendar year provided that such Netball Centres are in the same Zone (except for the situation in clause 6.2(e)). A player registered in more than one Netball Centre must nominate which Netball Centre is her Primary Netball Centre on the registration form. The Primary Netball Centre shall take precedence if the player is selected as a representative player in more than one Centre.
- (e) A player may play and be registered as a player in two Zones if and only if, in one of the Zones she is playing for a school, and in the other Zone she is playing for a club. However, if this applies and the player wishes to be eligible as a representative player for a Netball Centre or Zone, the Netball Centre and Zone in which she is playing for a club shall take precedence, and the player must nominate the Netball Centre in which she is playing for a club as her primary Netball Centre on the registration form.
- (f) A player who is playing in a competition which is not under the auspices of a Netball Centre, Zone or NNZ (such as school player in a separate school competition) is not required to register as an individual member. However, where the player wants to be eligible as a representative player for a Netball Centre, Zone, or NNZ, the player must register as an individual member in accordance with clause 6.2(a) above.
- (g) This Regulation does not prevent a player registered in one Netball Centre or Zone from being registered as an Official in another Netball Centre or Zone.
- (h) Where a player has not registered with any Netball Centre, Zone or NNZ prior to 31 May in any calendar year and the player wishes to be registered with a Netball Centre, Zone or NNZ for any period after 31 May to the end of that year, this player must apply in writing to the relevant Netball Centre, Zone or NNZ for a dispensation. To qualify for the dispensation, the player must comply with any rules for registration of the Netball Centre, Zone or NNZ.
- (i) On receipt of the application for dispensation under clause 6.2 (h), the Netball Centre, Zone or NNZ may, in its sole discretion, decide whether to register the player as an individual member. If it grants the dispensation, all other clauses in this regulation shall apply.

### 6.3 Registration of Officials

- (a) To register as an individual member, every Official (or guardian/parent if the Official is under 18 years) must at the commencement of each netball season and no later than 31 May in each calendar year:
  - (i) register as a member of a Netball Centre, or NNZ by completing the NNZ membership form annexed to this Regulation (or any other form approved by NNZ); and
  - (ii) pay or agree to pay in full any membership, or other fees due to the Netball Centre, Zone or NNZ by the due date in each year.
- (b) The completion by an Official of any membership or registration form or other process other than the NNZ membership form shall be insufficient for the Official to be registered as an individual member of a Netball Centre or NNZ (unless otherwise approved by NNZ).
- (c) By registering as an individual member by 31 May in any calendar year, the Official is deemed to be a member of and registered with its Netball Centre and NNZ for the period of that whole calendar year (1 January to 31 December).

#### 6.4 Registration of Life Members

To register as an individual member, every person who is appointed a Life Member must as soon as practicable after appointment, register as a Life Member of a Netball Centre, Zone or NNZ by completing the NNZ registration form (or any other form approved by NNZ).

#### 6.5 Transfer of registration by players

If having registered as an individual member of a Netball Centre in a calendar year, a player subsequently wishes to transfer her registration to another Zone for the remainder of that calendar year she may transfer her registration from one Zone to another Zone if all of the following conditions are met:

- (a) The player was registered to play with a Netball Centre by 31 May in that calendar year.
- (b) The player pays any outstanding fees or other monies owing to that Netball Centre and/or Zone and complies with any other requirements of that Netball Centre or Zone as set out in their constitutions, rules or by-laws.
- (c) The player resigns her membership of that Netball Centre in writing.
- (d) The player obtains a clearance in writing from that Netball Centre and that Zone to play for and be registered with another Zone.

#### 6.6 Release of Players

- (a) Where a player does not wish to transfer her registration from one Zone to another but wishes to play in a specific competition representing another Netball Centre and/or Zone, the player must apply for a release from the Zone in which she is registered for that calendar year.

*(A specific competition is a competition under the auspices of NNZ – for example National Netball League, Netball NZ U18 Champs.)*

- (b) The original Netball Centre and/or Zone has the right to refuse the release, but it shall not unreasonably refuse the release and shall make every attempt to act in the player's best interest. A reasonable ground for refusal includes but is not limited to the desire by the Netball Centre and/or Zone to select that player in its own representative team.

#### 6.7 Transfer/Release clauses do not apply to NZ Elite League players

Clauses 6.5 (transfer) and 6.6 (release) of this Regulation do not apply to NZ Elite League players. Therefore, a player may represent a NZ Elite League Team outside the Zone in which that player is registered without having to complete a transfer or apply for a release under this regulation provided that the player and the Team comply with all NNZ rules pertaining to that competition.

## 6.8 Disputes

- (a) If there is any dispute about the interpretation, operation or application of this Regulation (or any matter not provided for in this Regulation) in a Netball Centre or between Netball Centres in a Zone, the Netball Centre(s) concerned shall seek to resolve the dispute by mutual agreement. If no agreement is reached the Netball Centre(s) may refer the dispute to their Zone. The Zone shall determine such dispute and its decision shall be final and binding.
- (b) If there is any dispute about the interpretation, operation or application of this Regulation (or any matter not provided for in this Regulation) to a Zone or between Zones, the Zone(s) concerned shall seek to resolve the dispute by mutual agreement. If no agreement can be reached the Zone(s) concerned may refer the matter to NNZ who shall:
  - (i) Appoint a person (which may be a NNZ employee or officer) to mediate the dispute and attempt to reach an agreement between the parties.
  - (ii) If no agreement can be reached, refer this matter to the Board of NNZ whose decision shall be final and binding in accordance with rule 29.1 of the NNZ Constitution.

## 6.9 Breach of Regulation

- a) It is the responsibility of Netball Centres and Zones to ensure that all players and Officials comply with this Regulation. Any Netball Centre or Zone which itself breaches the Regulation or has a player in breach of this Regulation may be disciplined by NNZ under the NNZ Constitution, and any games played and/or points gained in relation to the breach may be forfeited.
- b) Any player or Official who breaches this Regulation may be disciplined by NNZ under the NNZ Constitution
- c) And games played and/or points gained in relation to the breach may be forfeited.

## NNZ MEMBERSHIP FEES

7.1 Under Rule 10.1 of the Constitution the Board has determined that the following Membership Fees are payable by all Netball Centres through their Zones to NNZ as approved by the Board on 26 August 2021:

NNZ Membership Fees are payable by all Mainland Zone Centres, directly to NNZ.

	<b>Per team incl. GST</b>
(a) Senior Team	\$65
(b) Secondary Team	\$40
(c) Year 7 & 8	\$40
	<b>Per individual incl. GST</b>
(d) Year 5 & 6	\$4.00
(e) Year 3 & 4	\$2.50
(f) Year 1 & 2	\$2.50
	<b>Per team incl. GST</b>
(g) Summer League/ Recreation	\$20.00
	<b>Per Organisation</b>
(h) Associate Member Organisation (Paid directly to NNZ)	\$250 plus GST

7.2 Under Rule 6.5 each Zone shall submit to NNZ in each year the total number of teams or individuals in each Centre under the following categories.

- (a) Senior Team
- (b) Secondary Team
- (c) Year 7 & 8
- (d) Year 5 & 6
- (e) Year 3 & 4
- (f) Year 1 & 2
- (g) Summer League/Recreation

Zones are to submit the numbers in the categories above by 30 June. Any additional teams or individual members registered after this date to be submitted to NNZ by 1 November.

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## NNZ LIFE MEMBERSHIP AND SERVICE AWARDS

- 8.1 NNZ Life Membership and Service Award Committee:** There shall be a NNZ Life Membership and Service Award Committee which functions are to:
- (a) consider nominations and make recommendations to the Council of persons it considers should be granted a service award of NNZ ("Service Award"); and
  - (b) consider nominations and make recommendations to the Council of persons it considers should be granted Life Membership of NNZ.
- 8.2** The NNZ Life Membership and Service Award Committee shall comprise of four persons who shall be appointed by the Board for a three-year term.
- 8.3** The Board may fill any vacancy in the NNZ Life Membership and Service Award Committee.
- 8.4** The term of office for a member of the NNZ Life Membership and Service Award Committee shall be three years. A member may be re-appointed for a maximum of two subsequent consecutive terms of office, providing service does not exceed nine years.
- 8.5** The members of the NNZ Life Membership and Service Award Committee shall, by agreement, determine which one of them will be the convenor of the Committee.
- 8.6 Nomination Process for Life Membership:** Under Rule 9.1 of the Constitution, a person shall be nominated for Life Membership of NNZ by the Board, a Zone or a Netball Centre, with the endorser being from a different entity, in accordance with the Procedure for Nomination.
- 8.7** To be eligible for nomination as a Life Member, the nominee must:
- (a) hold a NNZ Service Award at the time of nomination; and
  - (b) have provided additional outstanding contribution to netball that has enhanced the game nationally and/or internationally since receiving a NNZ Service Award
- 8.8** Nominations must be received in writing by the Chief Executive by no later than the due date, in each year setting out the following:
- (a) full name and address of nominee;
  - (b) date on which the NNZ Service Award was awarded;
  - (c) details of the outstanding service the nominee has made to netball; and
  - (d) other information as requested.
- 8.9 Nomination Process for Service Award:** A person may be nominated for a NNZ Service Award by the Board, a Zone or a Netball Centre, with the endorser being a board/executive from a different entity.
- 8.9.1** To be eligible for nomination for a NNZ Service Award, the nominee must have made a significant contribution to netball that has enhanced the game at local, national and/or international level.
- 8.9.2** Nominations must be received in writing by the Chief Executive by no later than the due date in each year setting out the following:
- (a) full name and address of nominee;
  - (b) details of the excellent service the nominee has made to netball; and
  - (c) other information as requested.
- 8.9.3** The Life Member and Service Award Committee shall consider all nominations with reference to the NNZ Service Awards and Life Member Awards Policies and Procedures as issued from time to time.



- 8.9.4 **Recommendation:** The Chief Executive shall forward all nominations for Life Membership and NNZ Service Awards to the Life Membership and Service Award Committee. Following receipt by the NNZ Life Membership and Service Award Committee of any such nominations, the Committee shall consider the nominations and make any additional enquires it considers appropriate. It shall then forward any recommendation(s) for Life Membership and/or NNZ Service Awards to the Chief Executive by no later than the due dates. There shall be no obligation on the Committee to make any recommendation(s).
- 8.9.5 On receipt of any recommendations for Life Membership the Chief Executive shall notify those Zones and Netball Centres who have submitted such recommendations, whether or not the recommendation was successful, not less than thirty (30) days prior to the Annual General Meeting.
- On receipt of any recommendations for NNZ Service Awards, the NNZ Board will consider and confirm approval to the Chief Executive. The Chief Executive shall notify those Zones and Netball Centres who have submitted such recommendations whether or not the recommendation was approved not less than thirty (30) days prior to the Annual General Meeting.
- 8.9.6 **Voting:** In accordance with Rule 9.1 of the Constitution, if there are any recommendations for Life Membership, they will be awarded if a two-thirds majority of those entitled to vote at an Annual General Meeting do so in favour of each such recommendation.

#### BOARD COMMITTEES

- 9.1 The Board may establish Board committees, whether permanently or on an ad hoc basis, as it considers necessary.
- 9.2 The Board shall approve the Terms of Reference for each Board committee prior to its establishment and appointment. The Terms of Reference shall be made available to members by NNZ on its website or other accessible media.
- 9.3 Subject to any specific Regulations which provide otherwise, the persons appointed to each Board committee shall be determined by the Board or person(s) delegated this responsibility on its behalf.
- 9.4 Unless the Regulations provide otherwise, for all Board committees the Board shall:
- (a) determine the skills and competencies required for each Board committee;
  - (b) where appropriate invite applications, or expressions of interest, for all sub-committees by notifying the Zones, Netball Centres and as many other Members and interested people as possible.
- 9.5 The Board may revoke any appointment to any Board committee at any time upon written notice to the member.

## POSTAL VOTING

- 10.1 If, under Rule 18.14 of the Constitution, the Board considers it appropriate for an item(s) to be voted upon for a Council Meeting, to be determined by post, the process for doing so shall be as set out in this Regulation (with the form for any such postal voting being set out in Schedule 2).
- 10.2 The Delegate of a Zone, a Netball Centre or the Board may submit to the Chief Executive a motion to be determined by postal vote provided that such remit is made within not less than thirty (30) days prior to a scheduled Council Meeting and is accompanied by explanation of the purpose and impact of the proposed motion.

## FINANCIAL YEAR

- 11.1 Under Rule 19.1 of the Constitution, the Board has determined that the financial year of NNZ shall commence on the 1<sup>st</sup> of December and end on the 30<sup>th</sup> day of November in the next year.

## COMMON SEAL

- 12.1 Under Rule 21.2 of the Constitution, the Board has determined that the common seal of NNZ shall be held in a secure place by the Chief Executive.
- 12.2 The common seal shall be used for execution of all deeds entered into by NNZ. The seal need not be, but may be, used for any contracts or agreements entered into by NNZ.
- 12.3 When the common seal is proposed to be used, the Chief Executive shall obtain the Board's approval prior to execution.

## JUDICIARY COMMITTEE

- 13.1 Jurisdiction: In the event that the Board refers a matter to the Judiciary Committee under Rule 22.1(a) or (b) of the Constitution, this Regulation shall apply.
- 13.2 Procedures: The Board shall clearly set out in writing the matter required to be investigated and determined by the Judiciary Committee.
- 13.3 **Appeals pursuant to Rule 22.1(b)**
- (a) Where an Appeal has been referred by the Board pursuant to Rule 22.1(b), the appellant shall be required to pay a deposit of \$500 to NNZ within 10 days of being notified by NNZ that the appeal has been referred to the Judiciary Committee.
  - (b) An appeal will not be heard until the deposit has been received by NNZ. Should the deposit not be received by NNZ within 10 days, the referral of the appeal shall lapse.
  - (c) The Judiciary Committee can decide that the deposit paid by an appellant be forfeited (in whole or in part) if the appeal is deemed to be frivolous, vexatious, or otherwise without merit, or is dismissed in full or in part. If the Judiciary Committee decide the deposit, or part of it, should not be forfeited, it or the remaining portion of it shall be refunded to the Appellant.

#### 13.4 Stay

- (a) The lodging of an appeal pursuant to Rule 22.1(b) does not operate as a stay. If the appellant wishes to stop the penalty being enforced pending the outcome of the appeal that has been lodged, he or she must apply to the Judiciary Committee in writing for a stay setting out the grounds of their application.
- (b) The Judiciary Committee has absolute discretion as to whether a stay should be granted, with the Judiciary Committee having regard to the nature of the penalty, the consequences of the penalty in the event the appeal is upheld, whether refusal to grant a stay would render the appeal nugatory, and the interests of the game in New Zealand generally.

#### 13.5 Process and procedure

- (a) The Judiciary Committee is entitled to regulate its own processes and procedures and shall have full discretion to carry out such preliminary and/or investigative work as it deems necessary in the circumstances.
- (b) The Judiciary Committee shall determine the basis upon which a hearing of the matter will take place and the extent to which it requires the party or parties to be heard or present at any hearing.
- (c) The Judiciary Committee has absolute discretion as to whether it requires submissions to be made in person or in writing.
- (d) Where matters are referred by the Board to the Judiciary Committee pursuant to Rule 22.1(a), the individual or organisation making the allegation shall have the burden of proof to prove the allegation on the balance of probabilities.
- (e) New evidence may only be heard in respect of any appeal of a decision referred to it under Rule 22.1(b) with the express authorisation of the Judiciary Committee.
- (f) The Judiciary Committee may issue guidelines from time to time with regard to the process and procedures it will follow.

#### 13.6 Proof of facts

Facts related to any matter may be established by any reliable means, including admissions.

#### 13.7 Natural Justice

The Judiciary Committee shall in all matters observe the principles of natural justice.

#### 13.8 Decisions

- (a) Decisions of the Judiciary Committee shall be made by a majority decision of the persons appointed to the Judiciary Committee.
- (b) In respect of a matter referred to it pursuant to Rule 22.1(a), the Judiciary Committee shall have the power to impose such sanction(s) as it deems appropriate.

In respect of appeals pursuant to Rule 22.1(b), the Judiciary Committee shall have the power to confirm, reverse, or vary the decision being appealed to it (together with the power, to alter vary or cancel any sanction imposed by the Zone or Netball Centre).

#### 13.9 Costs

The Judiciary Committee may order any party to a matter that has been referred to it to pay to any other party and/or to the Judiciary Committee such costs and expenses as the Judiciary Committee thinks fit.

## COLOURS & LOGOS

- 14.1 With reference to Rule 28.1 of the Constitution, the predominant colours of NNZ and any national representative Netball team are black, white and silver. From time to time NNZ may include other colours to meet various requirements, commercial, differentiation of teams or other such purposes as may be required.
- 14.2 NNZ owns a number of trademarks, logos and brands as set out in the NNZ Brand Guidelines
- 14.3 No Zone, Netball Centre or Member of NNZ may use any of NNZ's trademarks, logos and brands set out in the NNZ Brand Guidelines without first obtaining the prior written permission of the Chief Executive.

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## PART II – DOMESTIC COMPETITION REGULATIONS

### DOMESTIC COMPETITION

National Championships, Leagues or other competitions conducted by Netball New Zealand are only open to female players unless otherwise determined by the Board.

### NZ ELITE LEAGUE

The Board has resolved that the documents described as policies and procedures and collectively entitled the “NZ Elite League Policies and Procedures”, the event management guidelines, manuals and other policies relating to the NZ Elite League as issued from time to time shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.

### NATIONAL NETBALL LEAGUE

- 1.1 The National Netball League (NNL) is owned and held by NNZ and shall be conducted in accordance with these Regulations.
- 1.2 The Board has resolved that the documents described as policies and procedures and collectively entitled the “National Netball League Policies and Procedures”, the event management guidelines, manuals and other policies relating to the League as issued from time to time shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.
- 1.3 The NNL shall be conducted in such a format as NNZ considers necessary to ensure a fair competition.
- 1.4 Entry to the NNL shall only be accepted if submitted by a Netball Zone or other entity as approved by NNZ.
- 1.5 NNZ shall circulate to each Netball Zone that has entered a team, the team lists of all teams entered in the NNL no less than two weeks prior to the commencement of the competition.
- 1.6 Each Netball Zone shall be entitled to enter one team in the NNL but by agreement with NNZ, may enter more than one team in the NNL.
- 1.7 Players participating in the NNL must be Members of NNZ and registered in the Zone they are representing in the NNL in accordance with NNZ Player Eligibility Regulations. The Zone shall be responsible to ensure that all players selected for the Zone are eligible.

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## NEW ZEALAND NATIONAL (UNDER 18 & OPEN CHAMPS) NETBALL CHAMPIONSHIPS REGULATIONS

- 2.1 The New Zealand National (Under 18 & Open Champs) Netball Championships are owned and held by NNZ and shall be conducted in accordance with these Regulations.
- 2.2 The Board has resolved that the documents described as policies and procedures and collectively entitled the "New Zealand National Championships Policies and Procedures", the event management guidelines, manuals and other policies relating to the National Championships as issued from time to time shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.
- 2.3 Entry to the Championships shall only be accepted if submitted by a Netball Centre or cluster of Netball Centres as approved by NNZ.
- 2.4 NNZ shall circulate to each Centre all team lists associated with the New Zealand National Netball Championships no less than two weeks prior to commencement of the competition.
- 2.5 Conditions of entry for the NZ National Netball Championships shall be contained in the respective Championship competition rules. All teams entered must abide by these rules.
- 2.6 Players may participate in two of the three (Under 18, Open or NZSS Champs) domestic events in a calendar year.
- 2.7 No participant, team or official of the New Zealand National Netball Age Group Championships shall be permitted to be sponsored by a tobacco or vaping product nor be permitted to advertise or sell a tobacco or vaping product while at the Championships consistent with the Smoke-free Environments and Regulated Products Act 1990 and its amendments.

## NEW ZEALAND SECONDARY SCHOOLS CHAMPIONSHIPS REGULATIONS

- 3.1 The New Zealand Secondary Schools Championships ("the Secondary Schools Championships") are owned and held by NNZ and shall be conducted in accordance with these Regulations.
- 3.2 NNZ shall be responsible for organising the New Zealand Secondary School Championships (Finals).
- 3.3 The Board has resolved that the documents described as policies and procedures and collectively entitled the "New Zealand Secondary Schools Championships Policies and Procedures", the event management guidelines, manuals and other policies relating to the Secondary Schools Championships as issued from time to time shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.
- 3.4 Players, coaches and team officials must be Members of NNZ. This must be done through their respective Netball Zone/Centre and be in accordance with the NNZ Constitution and Regulations.
- 3.5 There will be three Regional Qualifying events throughout New Zealand, which will be held in the School Sport New Zealand (NZSSC) recognised Winter Tournament week. These will be held in venues as determined by the Regional Management Committees.

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- 3.6 They will be divided into areas, which include the whole of the South Island, the Lower North Island representing schools from approximately the area south of New Plymouth, Turangi and Gisborne to Wellington and the Upper North Island representing schools north of New Plymouth, Turangi and Gisborne to North Cape.
  - 3.7 Once a school has entered into a qualifying event in a particular regional event, they cannot change areas in following years, unless NNZ and the relevant Regional Management Committees have all given prior written approval.
  - 3.8 As determined by NNZ up to six teams from the top grade of each Regional qualifying event shall qualify for the New Zealand Secondary School Championships.
  - 3.9 Each Regional qualifying event will be arranged and administered by the respective Regional Management Committee.
  - 3.10 Costs associated with Regional Qualifying events will be the responsibility of the schools (unless advised otherwise by Regional Management Committees).
  - 3.11 The Regional Management Committee at each Regional Qualifying event will set the standard for umpires attending the qualifying tournament. Secondary school students with the appropriate qualifications should be encouraged to officiate at these tournaments.
  - 3.12 The Regional Management Committees shall have the right to arrange sponsorship for their event pertaining to umpires and to decide the clothing to be worn on court, including details relating to the sponsor's name / logo, which may appear on it.
  - 3.13 NNZ will ensure a material is provided to each of the Regional Qualifying tournaments to communicate with those schools that qualify for the Finals.
  - 3.14 Regional Management Committees, in order to retain NNZ endorsement of their Tournament with the School Sport NZ (NZSSSC), must:
    - (a) Notify NNZ of information for the regional qualifying tournament, including the location, draw, format, structure, entry fees and associated levies, and number of teams entered. The Regional Management Committees may set their own entry fee levies.
    - (b) Forward team sheets of the teams qualifying for the Finals, from the tournament to the NNZ Office by due date.
    - (c) Submit by November 30; each year minutes of their AGM, audited balance sheet, final results, and such information as talented player and umpire lists.
    - (d) Forward copies of all policies, tournament rules and guidelines to NNZ and updates as required.
    - (e) Complete requirements of NZSSSC as requested, which may include a tournament report.

#### OTHER DOMESTIC COMPETITIONS

- 4.1 NNZ may from time to time establish additional domestic competitions.
- 4.2 Such competitions will be owned and held by NNZ and shall be conducted in accordance with the Regulations established for each competition, event or tournament.
- 4.3 The Board has resolved that documents described as policies and procedures for a domestic competition, the event management guidelines, manuals and other policies relating to the establishment of a Domestic Competition as issued from time to time shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.



## PART III – NETBALL FACILITIES REGULATIONS

The Board has resolved that standard requirements must be met for venues on which Netball games held by or under the auspices of NNZ, Zones, or Netball Centres.

### **1.1 Specific requirements for each event or level of netball under the auspices of NNZ are:**

- (a) Contained in the event management guidelines for that event or level of netball.
- (b) These guidelines are forwarded to the host and/or venue by NNZ.
- (c) Included in the guidelines is information detailing the key responsibilities of NNZ and the host and/or venue.

### **2.1 Such events or levels of netball include but are not limited to:**

- (a) International Test Matches – netball games, involving NZ representative teams competing in an international test match.
- (b) Other International matches – all other netball games in which NZ representative teams are competing which are not International Test matches.
- (c) Competitions conducted by NNZ as outlined in the Domestic Competition Regulations.
- (d) Other domestic level competitions not directly conducted by NNZ for example Regional Secondary School Tournaments.

### **3.1 The aspects detailed include the following:**

- Court space/s – including lines, markings, goal posts and padding.
- Court surface and surround composition.
- Clear space around and above court.
- Broadcast requirements.
- Warm-up and cool down areas.
- Spectator seating.
- Scoreboards, score benches, team benches and visible time clocks.
- Visibility.
- Disabled access, seating and facilities.
- Changing rooms for teams including showers, toilets.
- Umpire facilities including showers, toilets.
- Public facilities such as toilets, food outlets.
- Spectator egress and movement patterns – entry/exit points.
- Drug testing facilities.
- First aid.
- Media space – jack points, telephone and computer, power points, courtside visibility.
- Lighting requirements.
- Heating/Cooling systems.
- Broadcast and Radio commentary facilities.
- Parking: teams, officials, guests, spectators, media requirements.
- Administration area – secure, size, jack points; telephone, computer, power points, location in relation to courts.
- Security.
- Signage.
- Hospitality areas, function rooms, corporate boxes/rooms.
- Catering requirements.
- Ticketing.

- Access for the sale of NNZ licensed product and sponsored product.
- Volunteer or host personnel to assist with or be responsible for organisational aspects.
- Other requirements specific to the event or level of netball, which may include but are not limited to; autograph signing area, results charts, changing rooms for entertainment personnel, recovery procedures.

#### **4.1 VENUE CATEGORIES**

Venues are categorised on the basis of the aspects listed in 3 and on their suitability for levels of netball as outlined in 2. Venues may change category due to upgrade or alterations. For the latest categories and specifications required for a level of netball game or event, reference to the NNZ website is advised.

#### **5.1 OUTDOOR COURT FACILITIES GUIDELINES**

This can be accessed through the NNZ website and includes – Guidelines for the Development of Facility Strategies, and Outdoor Court Specifications and Guidelines.

## PART IV – SPONSORSHIP REGULATIONS

### NNZ SPONSORS, PARTNERS AND SUPPLIERS

- 1.1 NNZ shall have the right to secure sponsors and official suppliers for NNZ Inc (including subsidiary companies) across a range of categories, which may include but are not limited to:
- (a) Premier Sponsor
  - (b) Naming Rights to Events and Programmes
  - (c) Associate Sponsors for Events and Programmes
  - (d) Equipment
  - (e) Broadcasting – Television, Radio
  - (f) Bank
  - (g) Vehicle
  - (h) Airline
  - (i) Match Ball
  - (j) Apparel
  - (k) Footwear
  - (l) Medical Supplies
- 1.2 From time to time NNZ shall notify the Sponsors, Partners and Suppliers, and their relevant categories to Zones and Centres.
- 1.3 For the current listings and the relevant categories reference should be made to the NNZ website.

### ZONE AND NETBALL CENTRE SPONSORS

- 2.1 Zones and Netball Centres are encouraged at all times to support NNZ Sponsors and Official Suppliers.
- a) Zones and Netball Centres may seek their own sponsors, provided always that no such sponsor is a competitor of or is likely to conflict with a NNZ Sponsor or Official Supplier, unless prior written approval is obtained from the Chief Executive.
  - b) Zones and Netball Centres are at all times encouraged to seek sponsors who share NNZ's brand values. At no time should a Zone or Netball Centre appoint a sponsor who could damage the NNZ brand or reputation or in any way bring the game of Netball into disrepute. In particular a Zone or Netball Centre must not appoint a sponsor that produces, sells or is in any way associated with goods, services or activities which are illegal or improper.
  - c) Zones and Netball Centres must not, without the prior written approval of the Chief Executive, appoint a sponsor for any representative team competing in a NNZ event, where that sponsor is a competitor of or is likely to conflict with an official NNZ event sponsor, as advised by the Chief Executive from time to time.

## PART V – PRIVACY REGULATIONS

### PRIVACY REGULATIONS

- 1.1. NNZ acknowledges the provisions of the Privacy Act 2020 and its amendments (“the Act”).
- 1.2. In collecting personal information NNZ, Zones and Netball centres must comply with the Act and these Regulations.
- 1.3. Personal information which is collected for the Register of Members must be collected on the prescribed membership form or form as approved by NNZ.
- 1.4. Where a person consents on the prescribed membership form to receiving information from NNZ, a Zone and/or a Netball centre then only those persons may be sent such information and no others.
- 1.5. Zones and Netball Centres are responsible for the development and communication of their own policies related to the supply of such information from a sponsor or other third party. (A “mail out” means information from one sponsor or third party and includes mail sent electronically e.g. by email or internet).

### PERSONAL DATA USE PRINCIPLES (RELATING TO THE MEMBER MANAGEMENT SYSTEM IN PARTICULAR)

#### 1.6. Purpose and Scope

This outlines the rules and processes that all Centre, Zone, Team and NNZ Staff should follow when processing (or contemplating the processing of) Personal Data. The general principles set out in this document are based on the New Zealand Privacy Act 2020, but will apply globally (to the extent relevant), to ensure an adequate and consistent approach in relation to personal data.

#### 1.7. Definitions

**Centre/s** are the netball centres recognised by NNZ per Rule 7 of the NNZ constitution.

**Commercial Electronic Messages** means an electronic message that: markets or promotes (either on the face or through a link) goods or services or a business or investment opportunity. Common transactional communications are not considered Commercial Electronic Messages (e.g. a message that facilitates, completes, or confirms a commercial transaction that the recipient previously agreed to).

**Commercial Electronic Messaging** takes the form of an email, SMS text, instant message, or fax and is sent to any of the following types of electronic address: email account, telephone account, instant messaging account or a similar account. When sending commercial electronic messages there are rules under the Unsolicited Electronic Messages Act 2007 which must be followed.

**Netball Community or Netball System** refers to Netball New Zealand Incorporated, Centres, Zones or Teams as per the definitions in these principles.

**NNZ** refers to Netball New Zealand Incorporated.

**Personal Data** is information identifiable to a person. This may include (but is not limited to) Name, Date of Birth, Address, email address and contact telephone

*number and any other information which can be attributed to a specific person (i.e. ethnic data recorded against an individual).*

**Staff** refers to either paid or volunteer staff who have access to an individual's Personal Data.

**Team/s** for the purpose of these principles refers to the National Elite League Team Entities. For example, NLNZ Ltd (Mainland Tactix) and New Netball Team Ltd (Northern Stars). If these entities also have a National Netball League (NNL) Team associated, this also captures the NNL Team.

**Zone/s** are the Zones recognised by the NNZ Board per Rule 6 of the NNZ Constitution. If a Zone has a National Netball League (NNL) Team, this also captures the NNL Team.

#### 1.8. Personal Data Principles

- a) **Personal Data belongs to the individual**, not to any one organisation within the Netball Community.
- b) **Centres, Zones and NNZ will adhere to the privacy policies and procedures** developed and outlined by NNZ (and as made available from time to time). This will help to ensure all organisations operate within the boundaries of the Privacy Act 2020, the Unsolicited Electronic Messages Act 2007 and any other relevant legislation and regulation, protecting both our individual and collective brands and reputations.
- c) **The principal purpose for collecting Personal Data is to administer and promote Netball in NZ.** Personal Data is used to support strategy and decision making, provide opportunities for engagement, and provide an improved customer experience. Further details can be found in the NNZ Privacy Policy on the NNZ website.
- d) **We protect Personal Data as the valuable asset or Taonga it is.** This includes collecting, storing and accessing Personal Data securely, maintaining Personal Data quality, following the Privacy Act 2020 and NNZ's Privacy Policy, and never sharing Personal Data with a 3<sup>rd</sup> party outside of NNZ, except with the express consent of the individual concerned (or as otherwise permitted in accordance with law). For example:
  - I. If a sponsor/partner wants Personal Data about an individual, and that individual has not authorised its disclosure, we do not provide it;
  - II. If a sponsor/partner wishes to send something to NNZ participants, we may send it on their behalf (and in line with our principles and Privacy Policy), as opposed to giving the sponsor/partner email addresses.
- e) **Commercial Electronic Messages can only be sent to individuals when the individual concerned has consented to receiving those messages.** This applies to each level of the Netball System (Centres, Zones, Teams and NNZ).
- f) **Each level of the Netball System is responsible for maintaining their own databases (including in relation to unsubscribe requests).** This ensures the independence and integrity of all customer databases at each level of the Netball System.

- g) **NNZ and Zones will not use the shared database (Sporty) to contact individual members without consultation with the relevant Centre/s and only to the extent such members have elected to receive communications from NNZ/Zones.** For clarity, if any entity within the Netball System has themselves collected the personal data of an individual for a specific purpose, they may use it for that purpose.

## PART VI – NNZ APPOINTED ZONE BOARD INDEPENDENT DIRECTOR REGULATIONS

1. In addition to the Zone Elected and Appointed Board members the NNZ Board shall appoint to each Zone Board a NNZ Appointed Independent Director.
2. The NNZ Appointed Zone Board Independent Director shall have the same rights and responsibilities as all other Elected or Appointed Zone Board members.
3. The appointment of the NNZ Appointed Zone Board Independent Director shall be at the sole discretion of the NNZ Board. However, consultation with the Zone may be undertaken.
4. The NNZ Appointed Zone Board Independent Director shall be appointed for a term of 3 years.
  - (a) The NNZ Appointed Zone Board Independent Director may be re-appointed for a maximum of two (2) subsequent and consecutive terms of three years providing that the Independent Directors total service does not exceed nine (9) years.
  - (b) If a vacancy occurs in the NNZ Appointed Zone Board Independent Director role for any reason, then the NNZ Board may fill the vacancy to complete the remainder of the term.
5. A NNZ Appointed Zone Board Independent Director may be appointed by the Zone Board as the Chair.
6. A NNZ Appointed Zone Board Independent Director may not be appointed to more than one Zone Board.
7. Cessation of a NNZ Appointed Zone Board Independent Director - the NNZ Board shall have the right to remove and replace a NNZ Appointed Zone Board Independent Director.
8. The decision to remove and replace a NNZ Appointed Zone Board Independent Director shall be at the sole discretion of the NNZ Board. However, consultation with the Zone may be undertaken.

## PART VII – INTEGRITY REGULATIONS

### ANTI-MATCH FIXING AND ANTI-CORRUPTION REGULATIONS

- 1.1 This Regulation establishes anti-Match Fixing rules to apply across Netball in relation to any match or event under the jurisdiction of, or connected to, NNZ whether inside or outside of New Zealand.
- 1.2 The purpose of this Regulation is:
- (a) to protect and maintain the integrity of Netball as an honest sporting competition of skill and ability;
  - (b) to protect Netball against any efforts to improperly influence the result, or any aspect, of any Match or Event;
  - (c) to establish uniform rules and a consistent scheme of enforcement and penalties;
  - (d) to generally align with the New Zealand Policy on Sports Match-Fixing and Related Corruption developed by Sport New Zealand (Sport NZ);
  - (e) to capture Match-Fixing as a breach under these Regulations; and
  - (f) to exclude a situation where an athlete or team, loses, does not participate, underperforms or plays in a manner which the athlete or team intends will help obtain a more favourable sports outcome, which may include but are not limited to Sporting Tactical Reasons or genuine medical reasons.
- 1.3 In this Regulation, Match-Fixing involves improperly taking any action to influence the overall result, or any part of, a Netball match or Event for financial or other benefit; rather than solely for genuine medical reasons or Sporting Tactical Reasons. It is usually associated with corrupt gambling practices such as placing bets on arranged outcomes for financial return. However, match-fixing can also involve a range of associated activities.
- 1.4 Conduct prohibited by this Regulation may also be a criminal offence and/or a breach of other applicable laws or regulations. This Regulation is intended to supplement other laws and regulations and does not replace, prejudice or undermine in any way the application of other laws and regulations. People to whom this Regulation applies must comply with all applicable laws and regulations at all times.
- 1.5 This Regulation applies to and is binding on all Relevant Persons as defined in Schedule 3 of this Regulation.
- 1.6 The enforcement procedures for this Regulation are outlined in the NNZ Anti-Match Fixing Policies and Procedures (as may be amended from time to time).
- 1.7 This Regulation prohibits a Relevant Person engaging in the conduct and activities listed below (**“Prohibited Conduct”**).



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- (a) No Relevant Person shall directly or indirectly:
- (i) pay or accept, or offer or seek, or agree to pay or accept, or expect to receive any bribe or Benefit or Reward (including associated with a Betting arrangement) to:
    - (aa) take any action or omission that causes or is intended to cause or influence the occurrence of a particular incident, outcome or any other aspect of a Match or Event.
    - (bb) fail to perform as reasonably expected to his or her abilities in, or withdraw completely from, any Match or Event, other than solely for genuine medical reasons or Sporting Tactical Reasons.
  - (ii) gamble or enter into any other form of financial speculation on any match or event under the jurisdiction of, or connected to, NNZ.
  - (iii) use, or provide to any person, Inside Information where it might reasonably be expected the information could be used for Betting purposes;
  - (iv) pay or accept, or seek or offer, or agree to pay or accept, or expect to receive any bribe or other Benefit or Reward for Inside Information.
  - (v) receive, take an action with the expectation of receiving, or provide or offer to provide any Benefit or Reward in circumstances that might reasonably give the impression that the Relevant Person is involved in, influenced by, or connected with any Prohibited Conduct.
  - (vi) tamper with, obstruct, delay and/or destroy any evidence, potential evidence, documentation and/or information which may be relevant to a breach (actual or potential), and/or an investigation, under this Regulation;
  - (vii) engage in any other form of corrupt conduct, as may be defined by NNZ from time to time, regarding any match or event under the jurisdiction of, or connected to, NNZ.
  - (viii) knowingly help with, cover up or otherwise be complicit in any Prohibited Conduct listed in this Rule 1.8(a);
  - (ix) induce, instruct, encourage or facilitate anyone to engage in any prohibited conduct listed in this Rule 1.8(a);
  - (x) attempt to engage, or agree with any other person (whether a Relevant Person or not) to engage, in any Prohibited Conduct listed in this Rule 1.8(a), whether or not such attempt or agreement in fact resulted in the commission of a breach under this Regulation or whether or not, in the circumstances, it was possible to commit such a breach
  - (xi) engage in any conduct relating directly or indirectly to any Prohibited Conduct listed in this Rule 1.8(a), which is prejudicial to the interests of NNZ or which brings the person engaging in the conduct, or NNZ, into disrepute.
  - (xii) fail to promptly disclose to NNZ full details of facts and circumstances of which they are aware, including any acts, incidents, approaches, invitations, or threats relating to themselves or any other person regarding any Prohibited Conduct;
  - (xiii) fail to cooperate fully with any reasonable investigation carried out by NNZ regarding any alleged breach of this Regulation, including providing any requested information.

- (b) Any Relevant Person who engages directly or indirectly, alone or in conjunction with another or others in the prohibited conduct in 1.8 (a) above will be in breach of this Regulation and will be subject to sanctions.

1.8 To avoid doubt, none of the prohibited conduct in Rule 1.7 (or otherwise specified in this Regulation) is intended to prohibit:

taking action solely for genuine medical reasons or Sporting Tactical Reasons;  
investment in, or financial support for, a team or athlete in accordance with legitimate and genuine commercial practices.  
the appropriate use or disclosure of Inside Information for genuine business or organisational purposes related to NNZ such as: (i) communications between NNZ personnel for those purposes; (ii) necessary communications with other relevant sports sector personnel for those purposes; and (iii) media interviews and other public commitments.

1.9 The following factors are not relevant in determining whether a breach of these Regulations has occurred (although they may be relevant to the appropriate sanction to be imposed):

the Relevant Person was not participating in the Match or Event to which the breach is alleged to relate;  
the nature or outcome of any Bets in issue;  
the outcome of the match or event in question or of any aspect of it on which bets were made;  
whether or not any Benefit or Reward was actually given or received;  
whether or not the benefit or reward was intended for, given to, expected by, or received by, the Relevant Person or another associated person, for example a family member, friend or someone the Relevant Person wishes to benefit; and  
whether or not any of the results in, or any aspect of, the Match or Event in question were (or could have expected to have been) affected by any act or omission in question.

1.10 This Regulation does not prevent enforcement of any other rules or the referral of Prohibited Conduct to the New Zealand Police or other law enforcement agencies.

1.11 Any information or reports on alleged Prohibited Conduct by a Relevant Person, or activity by anyone outside the sport, which the Integrity Officer or Integrity Review Officer considers may be a criminal offence, must be immediately referred, by the Integrity Officer, to the New Zealand Police. The Integrity Officer must also inform the Chief Executive Officer and Board of NNZ and the Chief Executive Officer of Sport NZ of this report to the New Zealand Police.

## ANTI-DOPING REGULATIONS

2.1 NNZ, as the recognised governing body of netball in New Zealand:

*Condemns* the use of Prohibited Substances and Prohibited Methods in sport;

*Seeks* to protect the health and welfare of its athletes by removing the use of potentially dangerous Prohibited Substances and Prohibited Methods from sport;

*Seeks* to ensure that its athletes are able to compete in fair and equitable sporting events;  
and

*Recognises* that Doping is fundamentally contrary to the spirit of sport.

2.2 The Board has resolved that the document entitled the Sports Anti-Doping Rules made by Drug Free Sport New Zealand (DFS) under the provisions of the Sports Anti-Doping Act 2006 and as amended from time to time by DFS shall be binding on Members as Regulations and shall have the same force and effect as if they were issued as Regulations.

2.3 NNZ, Zones and/or Netball Centres will educate and inform their athletes and their support personnel about issues concerning doping in sport, including by:  
circulating or providing its athletes and their support personnel with information materials and resources on doping in sport, and  
cooperating with DFS, World Netball, the World Anti-Doping Agency (WADA) and other relevant Anti-Doping Organisations to implement drug education and information programmes for its athletes and their support personnel.

## INCLUSIVITY REGULATIONS

NNZ's new strategic direction, Poipoia, is centred on being participant focussed and inclusive - providing opportunities for all ages, ethnicities, and genders to be involved in netball.

NNZ provide a framework for delivery to empower netball Centres to work with this framework and their communities to determine the type of and make up of competitions.

### 3.1 Purpose

To proactively promote and allow inclusivity in our sport and prevent situations where participation is affected by discrimination.

To provide clarity to processes involved in granting and assessing exemptions to Regulations with particular reference to Transgender Players, religious or cultural clothing and/or adornments and male participation in Netball.

3.2 NNZ Harassment Free Regulations (Part VII, 4) outline NNZ policies against any form of harassment and/or discrimination (see Definitions 4.14), against those who participate in Netball on the basis of an attribute or personal characteristic which may include but is not limited to;

- (a) Age
- (b) Disability
- (c) Marital status
- (d) Parental/carer status
- (e) Physical feature
- (f) Political belief/activity
- (g) Pregnancy

- (h) Race
- (i) Religious belief/activity
- (j) Sex or gender
- (k) Sexual orientation

Discrimination is permitted if one of the examples under the *Human Rights Act 1993* and its amendments applies (section 49). These include the following;

- (i) Male participation in netball – see 3.5 ii.
- (ii) For reasons of health and safety. Discrimination because of a person's disability is permitted if there would be risk of harm to that person or to others if they were to take part in the competitive sporting activity, and it is not reasonable to take that risk (for example risk of infecting others with an illness)

Refer to Part VII, 4.5 for full discrimination regulation.

### 3.3 Transgender Players

Exemptions may be granted for NNZ non-elite competitions and Zone, Centre competitions on the basis that;

- I. The applicant can provide a medical certificate verifying legal female status (Proof of Gender reassignment surgery) or
- II. The applicant can provide Medical documentation that hormone therapy has brought blood- measured testosterone levels within the range of the participants' affirmed gender.

For elite competitions including the National Netball League and NZ Elite League, those who transition from male to female exemptions may be granted exemption. Exemptions are considered based on the following guidelines.

- I. The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.

NNZ references the guidelines and requirements for transgender athletes as per the IOC/NZOC policies. NNZ reserves the right to grant exemptions at its absolute discretion and may require additional information or evidence as it determines.

### 3.4 Religious or cultural adornments and or clothing exemptions.

Exemptions may be made for clothing and/or adornments that have a particular medical, religious, cultural significance;

- i) Exemptions must ensure the safety of the applicant/participant and those participating in the associated competition.
- ii) Adornments worn for medical, cultural or religious reasons should be taped securely to the body and if possible covered by a sweatband (e.g. to cover a Kara bracelet,

pounamu) in order to ensure the safety of the applicant/participant and those participating in the associated competition.

### 3.5 Male participation in Netball

For the purpose of these Regulations, male is defined as the sex assigned at birth to the participant.

- i) The Human Rights Act and its amendments stipulates that it is illegal to discriminate by sex prior to 12 years of age. This means that all boys may play Netball alongside females till the age of 12. Some Centres/competitions may stipulate limited numbers of male players on court or in certain areas of the court at any one time.
- ii) In relation to participating in any competitive sporting activity (such as Netball) discrimination on the basis of a person's sex is permitted (if over 12 years of age) if the strength, stamina and physique of the competitor is relevant. However, this exception cannot be used to discriminate against the coaching, umpiring or administering of a competitive sport (e.g. Netball) Human Rights Act 1993 and its amendments (section 49).
- iii) NNZ recommendation on male participation in Netball.  
To develop, foster, and encourage the participation of men, and boys in Netball, while protecting and continuing to nurture the unique position that Netball holds as the leading sport for women and girls in New Zealand.

This will be done by continuing to provide participation opportunities that cater for females only, while developing and fostering more playing opportunities for men and boys, by encouraging the provision of male and mixed competitions at National, Zone and local level. Participation opportunities include but are not limited to Centre competitions, grades, teams, tournaments, and representative competitions.

Stakeholders providing participation opportunities must include clear guidelines on the eligibility of participants with specific reference to female, male or mixed competition. Eligibility criteria for participation opportunities must be set and clearly communicated to the participants by the competition provider.

### 3.6 Application for exemption - Process

The application process must be clearly outlined in the Centres Regulations.

Points for consideration:

- a) Application must be made in writing on an approved form.
- b) Application must be made to a designated person. This person may be the Centre General Manager, President or the Games Committee or Competitions Panel as specified by the Centre Regulations.

- c) Clear timeframes and the location of the exemption given must be stipulated. E.g. the exemption is granted for the X Competition and applies only to play at x venue until x date. Generally, these would be given on a year by year basis.
- d) Exemptions granted by any Netball Centre are only applicable for the timeframes stated at the venue/centre specified and are not binding for any competition held at/by another Centre.
- e) Any protests regarding dispensations must be addressed by the Centre Board or Executive Committee as stipulate in the Centre Regulations
- f) It is recommended that Centres review their Regulations annually to ensure they adequately meet the needs of their members.
- g) Changes to Regulations do not need to be approved at an Annual General Meeting or a Special General Meeting. These can be signed off at Board or Committee level.

NOTE: National Competitions e.g. National Netball League and the NZ Elite League are governed by the official competition rules of the National Netball League and NZ Elite League competitions and may stipulate variations to the above regulations (3.3-3.7 Harassment Free regulations)

## HARASSMENT FREE NETBALL REGULATIONS

### 4.1 Purpose

- (a) The purpose of these Harassment Free Regulations is to protect the health, safety and well-being of all NNZ members and of those who participate in the activities of NNZ and its Members.
- (b) NNZ also seeks to provide a safe environment for those participating in the activities of NNZ and its Members.
- (c) These Harassment Free Regulations confirm that NNZ will not tolerate harassment, discrimination or abuse of those involved in its activities.
- (d) These Harassment Free Regulations also record NNZ's commitment to strong ethical principles and its requirement that all Members participating in its activities must comply with principles of responsible and professional behaviour.
- (e) NNZ believes everyone who participates in its activities has the right to be treated with respect and dignity.  
NNZ also believes participants have the right to have any complaints dealt with in a fair, confidential and sensitive manner, and to be given the opportunity to be heard before any penalties are imposed.
- (f) These Harassment Free Regulations also recognise that certain types of harassment and discrimination are unlawful.

### Application

- (a) Subject to clause 4.2(b), these Harassment Free Regulations apply to all Members of NNZ, as defined in the Constitution of NNZ and to the Board of NNZ.
- (b) A Zone or Netball Centre may use their own harassment free regulations; provided such regulations;
  - (i) *prohibit Harassment (as defined in NNZ Regulations);*
  - (ii) *set out a complaints procedure and impose sanctions consistent with these Harassment Free Regulations;*
  - (iii) *are otherwise consistent with these Harassment Free Regulations;*
  - (iv) *have been approved by NNZ;*

Where the Zone or Netball Centre Regulations do not cover matters contained in these Harassment Free Regulations, then these Harassment Free Regulations shall apply.

#### 4.2 Status

- (a) These Harassment Free Regulations are issued by the Board of NNZ under Rule 25 of the NNZ Constitution.
- (b) Zones and Netball Centres are required to take reasonable steps to make their members aware of these Harassment Free Regulations by notifying members of their introduction and distributing them and/or making them accessible.
- (c) These Harassment Free Regulations may be changed from time to time by the Board of NNZ.

#### 4.3 Definition of Harassment

- (a) Harassment is any behaviour by a person to whom these Harassment Free Regulations apply which is offensive, abusive, belittling or threatening and is directed at any other person or group of people and which refers to a particular characteristic of that person or group of people.
- (b) Whether or not the behaviour is “Harassment” is to be determined from the point of view of the person receiving the Harassment and assessed objectively in that it must be the type of behaviour which a reasonable person would find unwelcome. The recipient must also consider the behaviour to be unwelcome. It does not matter whether or not the person harassing intended to offend.
- (c) Harassment can be expressed or implied, physical, verbal or non-verbal. Examples include, but are not limited to:

- (v) abusive behaviour aimed at humiliating or intimidating;
  - (vi) jokes or comments directed at a person's body, looks, age, race, religion, sexual orientation or disability (this may also be Discrimination);
  - (vii) unwelcome remarks including teasing, name calling or insults (for example to judges or other officials);
  - (viii) innuendoes or taunting;
  - (ix) offensive emails, letters, notes;
  - (x) displaying offensive materials e.g. posters, computer screen savers;
  - (xi) sexual propositions (see also Sexual Harassment).
- (d) Harassment includes:
- (i) Sexual Harassment (see clause 4.14 for the meaning of Sexual Harassment);
  - (ii) Discrimination (see clause 4.14 for the meaning of Discrimination), and
  - (iii) Abuse (see clause 4.14 for the meaning of Abuse).
- (e) Sexual Harassment may be a criminal offence. Examples of such an offence would be indecent assault, rape, sex with a minor, obscene telephone calls or letters. If you consider that a criminal offence has or may have been committed, you should notify the Police.
- (f) Some forms of Abuse may constitute a criminal offence, for example assault. If you consider that a criminal offence has or may have been committed, you should notify the Police.
- (g) Harassment is prohibited under these Harassment Free Regulations and will be dealt with in accordance with these Harassment Free Regulations.

#### 4.4 Discrimination

- (a) Discrimination, save for any exceptions expressly set out in these Harassment Free Regulations, is not permitted in any circumstances.
- (b) Discrimination is unacceptable in that it denies or may limit opportunities to participate (by judging the person on the basis of stereotypes or having assumptions about what they can or cannot achieve).
- (c) Discrimination also includes indirect Discrimination. This is where a person imposes or intends to impose a requirement, condition or practice which on its face is not discriminatory, but it has the effect of discriminating against a person(s) with a particular attribute.
- (d) Discrimination also includes victimisation. This is where a person is subject to or suffers any detriment or unfair treatment, because that person has or intends to pursue their legal rights under any legislation or these Harassment Free Regulations.



- (e) Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination, is also Discrimination.
- (f) In addition to the description of Discrimination in clauses 4.5(a) to 4.5(e), any behaviour or conduct which is discrimination under the Human Rights Act 1993 and its amendments or the Employment Relations Act 2000 and its amendments is discrimination for the purposes of these Harassment Free Regulations.
- (g) Discrimination is permitted if one of the exemptions under the Human Rights Act and its amendments applies. These include the following:
  - (i) in relation to participating in any competitive sporting activity (such as netball) discrimination on the basis of a person's sex is permitted if the strength, stamina and physique of the competitors is relevant. However, this exception cannot be used to discriminate against the coaching, umpiring or administering of a competitive sporting activity (eg netball);
  - (ii) for reasons of health and safety, Discrimination because of a person's disability is permitted if there would be a risk of harm to that person or to others if they were to take part in the competitive sporting activity, and it is not reasonable to take that risk (for example a risk of infecting others with an illness).
- (h) Discrimination is a breach under these Harassment Free Regulations and will be dealt with in accordance with these Harassment Free Regulations.

#### 4.5 Staff and Volunteer Screening

NNZ seeks to protect the health, safety and well-being of all people participating in the activities of NNZ and its Member organisations. To ensure that suitable and appropriate staff and volunteers (including parents) are working with all participants, a robust recruitment and screening process should be followed for all roles. Screening is also required for staff and volunteers currently engaged in existing roles. NNZ acknowledges the provisions of the Children's Act 2014 and its amendments, and requirements under the NNZ Safe Netball for Children Policy 2022.

- (a) The Children's Act 2014 requires all persons who work alone with children, or have primary responsibility for, or control over them, as well as those who do or may have regular or overnight contact with children, without a parent or guardian being present, to be Screened/Safety Checked. It is the responsibility of each organisation (NNZ, Zone or Centre) to undertake and manage the process involved in with Screening.

Please refer to the Safety Check/Screening Flowchart (Appendix 9 in the Safe Netball for Children Policy) to determine who needs to be screened.

In addition, any person appointed by NNZ in any role, where that person has been the subject of rumour, suspicion or complaints regarding harassment, violence, or abuse will be screened.

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- (b) For the purposes of the Harassment Free Regulations and requirements under the Children's Act 2014, screening shall include:
- (i) Checking an employee's CV or work history (optional for volunteers);
  - (ii) An interview;
  - (iii) Identity check/confirmation;
  - (iv) Police Check for roles working with children and vulnerable persons as set out in the Safety Check/Screening Flowchart or a Ministry of Justice Criminal Check of the preferred applicant(s) for all other roles.
  - (v) Two referees/reference checks;
  - (vi) Any relevant professional organisation/licensing authority (as appropriate);
  - (vii) Risk assessment and record keeping.
- (c) The purpose of a Police Check or a Ministry of Justice Criminal Check is to see whether the person has any previous criminal convictions and/or had any contact with the NZ Police. If the person has had contact with the NZ Police, then the following requirements apply:
- (i) If there is no conviction but the contact with the NZ Police (whenever it occurred) involved dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g. sex offences, assault) then the Harassment Free/Child Protection Officer will provide the person with the opportunity to respond. The response will be provided to the relevant CEO (NNZ, Zone, Centre) for a final decision on whether an appointment can be made.
  - (ii) If the conviction (whenever it occurred), is one involving dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g. sex offences, assault) then they must not be appointed to the role.
  - (iii) If the conviction is other than those in 4.6 (c, (ii)), and is a matter that does not suggest that the person is a potential risk to NNZ members and staff, then the person may be appointed, subject to satisfaction of other criteria for the role.
- (d) If a preferred applicant is not willing to agree to the Police Check or Ministry of Justice Criminal Check, then neither NNZ, any Zone nor Netball Centre shall appoint that person to such role.
- (e) All information obtained during the course of screening (including any Police or Criminal Checks) is personal information and shall comply with the Privacy Act. It must be kept confidential to the persons or committee within NNZ, the Zone or the Netball Centre who has been delegated the task of investigating and/or making the appointment for the role. Information collected during the screening about a person who is not appointed to
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the role, other than a record of the result of any check, must be destroyed within twelve months and not retained by NNZ, the Zone or Netball Centre, unless the applicant agrees for them to do so.

- (f) It is mandatory for NNZ, Zones and Netball Centres to conduct police checks on persons in the roles set out in clause 4.6(a) every 3 years.
  - (i) If there is no conviction but the contact with the NZ Police (whenever it occurred) is one involving dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g., sex offences, assault) then the Harassment Free/Child Protection Officer will provide the employee/volunteer with the opportunity to respond. The response will be referred to and considered by the relevant CEO (NNZ, Zone, Centre). A disciplinary process may be undertaken to determine the outcomes as to whether the person may continue in their role. Legal advice should be sought before taking the next steps.
  - (ii) If the conviction (whenever it occurred), is one involving dishonesty, drugs, threatening behaviour, harassment, violence, or other crimes against a person (e.g. sex offences, assault then the relevant CEO (NNZ, Zone, Centre) then legal advice should be taken about whether or not and, if so how, the next steps should be undertaken to end the appointment. Legal advice should be sought before such termination.
  - (iii) If the conviction is other than those in 4.6 (c,(ii)), and is a matter that does not suggest that the person is a potential risk to NNZ members and staff, then the person may be appointed, subject to satisfaction of other criteria for the role.
- (g) In addition, prior to July 2019 NNZ, Zones and Netball Centres, are required under the Children's Act and its amendments, to conduct police vetting for existing staff or volunteers in the roles of the type set out in clause 4.6a;
- (h) In addition to obtaining Police Checks for preferred applicants, NNZ, Zones and Netball Centres are highly recommended to also consider:
  - (i) imposing a positive obligation on all existing appointees (whether paid or unpaid) in roles of the type set out in clause 4.6a within NNZ, Zones and Netball Centres to disclose to NNZ, the relevant Zone or Centre any circumstances which arise during the course of their appointment which have or might give rise to a criminal prosecution; and
  - (ii) obtaining consent from all such appointees to undergo periodic Police Checks. Such checks should be done every 3 years or if whenever there is cause for concern about a particular person. This is a mandatory requirement. If the check reveals a criminal conviction of the type set out in clause 4.6 (c(ii)) then legal

advice should be taken about whether or not and, if so how, the next steps should be undertaken to end the appointment.

*Note: Legal advice should be sought before such termination occurs.*

#### 4.6 Conduct amounting to Breach

- (a) It will be a breach of these Harassment Free Regulations for any person to whom these Harassment Free Regulations applies to:
- (i) engage in Harassment of another person/s in the course of, or arising out of (whether directly or indirectly), their role with NNZ, a Zone, a Netball Centre or a Club;
  - (ii) engage in *Discrimination* against a person/s as set out in the *Human Rights Act and its amendments* and/or on the grounds set out in clause 4.5(b) and in the areas set out in clause 4.5(c), and in the course of, or arising out of (whether directly or indirectly), their role with NNZ, a Zone, a Netball Centre or a Club;
  - (iii) abuse another person/s in the course of, or arising out of (whether directly or indirectly), their role with NNZ, a Zone, a Netball Centre or a Club;
  - (iv) breach any part of the NNZ General Code of Conduct and Ethics;
  - (v) employ or appoint a person to a role of the type to which clause 3.6(b) refers:
    - a. without first obtaining undertaking screening (as per clause 4.6(b); and
    - b. where the Police Check reveals the person has a criminal conviction of the type set out in clause 4.6 (c)(i).
  - (vi) for a person listed in clause 4.9(c) to fail to comply with the procedures in these Harassment Free Regulations for dealing with a Complaint;
  - (vii) make a frivolous, vexatious or malicious Complaint under clause 4.8; or
  - (viii) fail to enforce a penalty imposed by the Judiciary Committee under clause 4.12.
- (b) Any circumstances which may constitute a breach of these regulations may be the subject of a Complaint (under clause 4.8) and/or be investigated and referred to a hearing under clause 4.11 of these Harassment Free Regulations.

#### 4.7 Complaints

- (a) Any person may make a complaint about a person to whom these Harassment Free Regulations applies if they consider that person has, or may have, breached any part of these Harassment Free Regulations (a “Complaint”)
- (b) A Complaint may be made in writing or verbally.
- (c) A Complaint may be made to any one of the following people within NNZ, a Zone or a Netball Centre:
- (i) the Harassment Free/Child Safeguarding Representative (CSR);
  - (ii) any person who is an employee, an appointed representative or an official of NNZ, a Zone or a Netball Centre;

- (iii) a coach, manager or other person appointed by NNZ, a Zone or a Netball Centre.
- (d) Making a frivolous, vexatious or malicious Complaint will be dealt with as set out in clause 4.11.

#### 4.8 Complaints Process

- (a) If a person listed in clause 4.8(c) receives a Complaint of Harassment, Discrimination or Abuse s/he must ask whether the complainant wishes them to:
  - (i) simply listen and advise the complainant about what their options are and what the complainant might do;
  - (ii) act as a mediator between the complainant and the alleged offender to try and resolve the Complaint; or
  - (iii) report the Complaint to the relevant Harassment Free Officer of NNZ, the Zone or Netball Centre for further investigation.
- (b) Having determined the complainant's wishes the person listed in clause 4.8(c), must:
  - (i) act in accordance with the complainants' selection as set out in clause 4.9(a)(i) – (iii); and
  - (ii) keep the matter confidential and only discuss it with those people whom the complainant has agreed should be spoken to about the Complaint to the extent possible.
- (c) If a person listed in clause 4.8(c) (other than a Harassment Free Officer) receives a Complaint which may be a breach of these Harassment Free Regulations as set out in clause 4.7, then the person must immediately report such Complaint to the relevant NNZ, Zone or Netball Centre Harassment Free /Child Safeguarding Representative.
- (d) Upon a Harassment Free/Child Safeguarding Representative receiving a Complaint under clause 4.8(c)(i) or 4.9(c) s/he must:
  - (i) request the complainant to record their Complaint in writing and forward it to them;
  - (ii) on receipt of that written Complaint, immediately notify the alleged offender that a Complaint has been made and provide them with a copy of the written Complaint;
  - (iii) attempt to mediate a resolution of the Complaint between the complainant and the alleged offender; and
  - (iv) if the mediation does not resolve the Complaint, refer the matter to investigation and/or hearing under clause 4.11 of these Harassment Free Regulations. If the matter is resolved it shall go no further.
- (e) For raising matters that sit outside these Harassment Free regulations, refer to Reporting Concerns (Whistleblowing) policy and procedure on the NNZ website.

#### 4.9 Notification of Abuse

Under the Oranga Tamariki Act 1989 and its amendments, *any* person who believes that a child or young person, has been or is likely to be harmed, ill-treated, abused (whether physically, emotionally or sexually) neglected or deprived, or who has concerns about the well-being of a child or young person may report the matter to Oranga Tamariki or the Police.

NNZ, Zone's and Netball Centres will follow procedures in the Safe Netball for Children Policy.

#### 4.10 Investigation and Hearings

(a) Where NNZ, a Zone or a Netball Centre receives:

- (i) information from any source whatsoever (but which is not a Complaint); or
- (ii) a Complaint which is reported by a Harassment Free/Child Safeguarding Representative (CSR),

a Harassment Free/CSR appointed by NNZ and/or the President of the relevant Zone or Netball Centre, as the case may be, shall follow the procedures set out in clause 4.11(b) to (d).

(b) Upon receipt of the information or a Complaint in clause 4.11(a), a Harassment Free/CSR appointed by NNZ and/or the President of the relevant Zone or Netball Centre, as the case may be, shall investigate the matter as s/he thinks fit to ascertain whether in their opinion there is reasonable cause to suspect that a breach of the Harassment Free Regulations may have been committed.

(c) A Harassment Free/CSR appointed by NNZ and/or the relevant Zone or Netball Centre, as the case may be, considers there is reasonable cause to suspect that an breach under these Harassment Free Regulations may have been committed, s/he shall refer the matter to the Board of NNZ which may refer the matter to the NNZ Judiciary Committee in accordance with Rule 22.1 (a) of the NNZ Constitution.

(d) The procedure following the referral in clause 4.11(c) shall be as set out in Rule 22.1 of the NNZ Constitution.

(e) In addition, upon the referral to the Judiciary Committee under clause 4.11(c), the Judiciary Committee may use its discretion, where it considers there is a risk to the safety and welfare of the complainant or to others, and order that the alleged offender ("the defendant") be:

- (i) suspended from any role they hold with NNZ, the Zone or the Netball Centre;
- (ii) banned from any event or activities held by or under the auspices of NNZ, a Zone or a Netball Centre; and/or
- (iii) required not to contact or in any way associate with the complainant or other person about whom the alleged breach relates,

pending the determination of the hearing.

- (f) The defendant may appeal a decision of the NNZ Judiciary Committee to suspend under clause 4.11(e) in accordance with the Rule 22.3 of the NNZ Constitution.

#### 4.11 Penalties

- (a) The penalties which may be imposed by the Judiciary Committee for a breach of these Harassment Free Regulations may include:
  - (i) requiring the defendant to attend counselling to address their behaviour;
  - (ii) termination of the appointment from the role which the defendant holds with NNZ, a Zone and/or a Netball Centre;
  - (iii) the withdrawal of any applicable accreditation for a period or indefinitely;
  - (iv) the withdrawal of any results or awards achieved in any event and competitions conducted by or under the auspices of NNZ, a Zone or a Netball Centre from the date the breach was committed (as determined by the Judiciary Committee); and
  - (v) require the defendant to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by NNZ, a Zone or a Netball Centre from the date the breach was committed (as determined by the Judiciary Committee).
- (b) If a penalty is imposed by the Judiciary Committee the Chief Executive Officer shall notify every Zone, Netball Centre and Club of such penalty.
- (c) Any penalty imposed under clause 4.12(b) shall be recognised and enforced by every Member of NNZ. The failure to do so is a breach under these Harassment Free Regulations and will be dealt with as set out in clause 4.12.

#### 4.12 Appeals Process

- (a) The defendant or the complainant in proceedings held under clause 4.12 of these Harassment Free Regulations may appeal a decision of the Judiciary Committee made under these Harassment Free Regulations to the Sports Tribunal of NZ.
- (b) The procedure for such appeal shall be as set out in the rules of the Sports Tribunal of NZ.

#### 4.13 Definitions

In these Harassment Free Regulations words with initial capitals are defined words which shall be construed with the meaning set out in the NNZ Constitution, and if they are not defined in the NNZ Constitution, then as follows:

**"Abuse"** means:

- (a) physical abuse (e.g. assault);
- (b) emotional abuse, (e.g. blackmail, repeated requests or demands);
- (c) neglect in relationships (i.e. failure to provide the basic physical and emotional necessities of life);
- (d) abuse of power which the harasser holds over the harassed. Examples of relationships in (d) that involve a power disparity include a coach-player, manager-player, employer-employee, doctor-patient. People in such positions of power need to be particularly wary not to exploit this power;
- (e) use of Technology to degrade, threaten or humiliate others.

Examples of Abuse include:

- (a) bullying and humiliation of players by coaches;
- (b) abuse and insults directed by players or parents at opposing participants;
- (c) abuse of umpires by players and coaches;
- (d) physical intimidation of other players while in competition;
- (e) practical jokes which cause embarrassment or which endanger others' safety.

**"Complaint"** means a complaint made under clause 4.8 of these Harassment Free Regulations.



**"Discrimination"** means treating or proposing to treat a person less favourably than someone else in certain areas of public life on the basis of an attribute or personal characteristic which may include:

- (a) age;
- (b) disability – this includes loss of bodily function (e.g. deaf or blind), presence of disease (e.g. hepatitis or HIV), loss of part of the body, disfigurement, malfunction of part of the body, psychological disease, slow learning difficulties;
- (c) marital status – this covers whether the person is single, married, de facto, married but living separately from one's spouse, divorced, or widowed;
- (d) parental/carer status – this includes whether the person is a step parent, adoptive parent, foster parent or guardian and also includes whether the person is childless or is a carer (e.g. of children, or other dependents);
- (e) physical features – this includes a person's weight, size, height and other physical features;
- (f) political belief/activity;
- (g) pregnancy;
- (h) race;
- (i) religious belief/activity;
- (j) sex or gender;
- (k) sexual orientation.

**"Harassment"** has the meaning set out in clause 3.2 of these Harassment Free Regulations.

**"Harassment Free Officer"** means a person appointed by NNZ, a Zone or Netball Centre to deal with harassment issues.

**"Sexual Harassment"** means:

- (a) an unwelcome sexual advance;
- (b) an unwelcome request for sexual favours; or
- (c) unwelcome conduct of a sexual nature (including a statement, orally or in writing, of a sexual nature),

in circumstances where a reasonable person would have anticipated that the person being harassed would be offended, humiliated or intimidated.

Sexual Harassment is often, but need not be, behaviour which either:

- (a) involves blackmail or a quid pro quo, in that the harassment is accompanied by a direct or implied threat, promise or benefit. For example: - a coach who implies that a player's selection in a team is dependent on compliance with a sexual proposition; or
- (b) for example: a coach who creates a hostile or sexually permeated environment in that the harassment consists of crude remarks, jokes, the display of offensive material or making the environment uncomfortable.

Examples of Sexual Harassment may include:

- (a) uninvited touching, kissing, embracing, massaging;
- (b) staring, leering, ogling;
- (c) smutty jokes and comments;
- (d) persistent or intrusive questions about people's private lives;
- (e) repeated invitations to go out, especially after prior refusal;
- (f) sexual propositions;
- (g) the use of promises or threats to coerce someone into sexual activity;
- (h) the display of sexually explicit material e.g. internet use, computer screen savers;
- (i) getting undressed in front of others of the opposite sex;
- (j) invading the privacy of others while showering or toileting;
- (k) photographing or filming others while undressing, showering or toileting;
- (l) sleeping in close quarters with children without other adults present;
- (m) the use of offensive emails, letters, faxes, notes;
- (n) sexual insults and name calling.

**"Technology"** includes but is not limited to the use of mobile phones, website, internet, texting, camera to abuse and / or harass others.

For the current Harassment Free Officer(s) for NNZ; contact [info@netballnz.co.nz](mailto:info@netballnz.co.nz) or (09) 623 3200.

## GENERAL CODE OF CONDUCT

5.1 To protect the health, safety and well-being of all the people participating in the activities of NNZ and its members, NNZ has developed and issued a NNZ General Code of Conduct. (Refer Schedule 4)

5.2 The NNZ General Code of Conduct applies to all Members.

- 5.3 The NNZ General Code of Conduct is designed to reinforce conduct which NNZ considers is appropriate and to discourage behaviours which NNZ considers inappropriate. It sets criteria to help those to whom it applies to distinguish between correct and incorrect moral judgments.
- 5.4 Any breach of the NNZ General Code of Conduct, will be treated as a breach of these Regulations and the Complaints process Rule 4.8 should be referred to.

## PART VIII – WORLD NETBALL LAW

These Regulations are subject to the statutes, rules, by-laws, regulations, policies and codes of World Netball ("**World Netball Law**") to the extent that such World Netball Law is not in conflict with the laws of New Zealand.

## SCHEDULES

### SCHEDULE 1

#### ZONES



## SCHEDULE 2

### POSTAL VOTING FORM

#### EXAMPLE ONLY

The Chief Executive has received from *[insert name of Zone, name of Netball Centre or the Board]* a request for motion(s) to be voted upon at a Council Meeting held by postal vote.

Under Rules 18.14 of the NNZ Constitution, the Board has resolved that it is appropriate to so hold the Council meeting by postal vote.

Accordingly set out below are the motions which Delegates (appointed in accordance with Rule 18.5.1 of NNZ Constitution) are entitled to vote upon by striking out the answer which is not agreed. Only a striking out will be valid therefore **DO NOT** circle or place any other mark on this voting form.

The motions are as follows:

1. **THAT** *[insert motion]*

I vote for / against this motion (please strike out vote which does not apply).

2. **THAT** *[insert motion]*

I vote for / against this motion (please strike out vote which does not apply).

3. etc

I vote for / against this motion (please strike out vote which does not apply).

Signed: .....

Name of Delegate: .....(print)

Delegate for:..... (name of Zone/Netball Centre or Board)

Date:.....

This form must be completed in full, and returned to the Chief Executive at NNZ by [time] am/pm on [date], at any of the following addresses to be valid:

email: info@netballnz.co.nz

post: PO Box 99710, Newmarket, Auckland 1149

### SCHEDULE 3

#### RELEVANT PERSONS

The following are “Relevant Persons” to whom the Anti-Match Fixing and Anti-Corruption Regulation applies.

- Any athletes contracted to NNZ.
- Personnel named and/or appointed within NNZ national squads and/or any match/event under the jurisdiction of, or connected to NNZ.
- Officials (including but not limited to umpires, referees and technical officials), selectors, coaches and support personnel who participate, or are involved, in:
  - Semi-professional/professional domestic or international matches or events
  - international benchmark matches or events (such as world championships, commonwealth games, or one-off international competitions).
  - any other competition, match or event that attracts or is likely to attract a betting market (including matches or events that have no domestic betting markets but attract overseas betting markets).
- Persons who hold board or other governance positions within NNZ, its member organisations, or their subsidiaries.
- Persons who hold management positions within NNZ or its member organisations, or their subsidiaries.
- Employees (including administrative staff) and/or independent contractors of NNZ or its member organisations or their subsidiaries.

## SCHEDULE 4

### NNZ GENERAL CODE OF CONDUCT

#### Values

Netball New Zealand (NNZ) knows that everyone involved in Netball shares a passion for Netball and cares about the people involved. NNZ aims to provide a safe, inclusive and enjoyable environment for everyone connected with our activities through our nationwide strategy, Poipoia. People are expected to show respect and courtesy in their interactions with others.

Children and young people in particular must be cared for and treated with respect and that their welfare is placed at the centre of everything we do in Netball. See the NNZ Safe Netball for Children Policy 2022 for more information including the Code of Conduct specific to working with this group.

Everyone involved in Netball joins with good intentions and we are all expected to do our part responsibly and to comply with our policies and rules.

#### Purpose

This Code aims to:

- Provide guidance on the behaviour expected of all people when participating in Netball
- Support an inclusive environment where all people are treated with dignity, respect and courtesy.

#### Application

This Code applies to anyone involved in Netball and within the sport's regional and local organisations, where applicable. This includes but is not limited to: volunteers, participants, supporters, club members, employees, service providers, sponsors, associate members and families/whānau of participants. It is to be read together with NNZ's regulations, policies and procedures.

#### Expected behaviours

##### Everyone

Everyone is expected to:

- Act in good faith towards Netball in New Zealand.
- Be respectful and courteous towards all people involved in providing Netball, including but not limited to: administrators, officials/umpires, coaches, team managers, spectators/whānau and other competitors.
- Follow the principles of fair play and encourage others to do the same.
- Respect the manaakitanga, rights, dignity and value of others.
- Be considerate and treat everyone fairly and equitably.
- Be a positive role model.
- Communicate with others in a way that is honest and considerate.
- Be committed to providing a quality service and sporting environment.
- Behave professionally, responsibly and ethically at all times.
- Support officials and umpires, coaches, team management, players, and spectators by modelling respect at all times. Any violence or abuse is unacceptable. This includes but is not limited to: bullying, harassment and racist or sexist language, in person or online.
- Remain free of the influence of drugs, performance-enhancing substances and alcohol while involved in Netball.



- Ensure safe and healthy practices are followed at all times.
- Follow this code, NNZ's policies and procedures, and any applicable rules issued by the Zone or Centre and/or NNZ.
- Report breaches of this code, NNZ's regulations, policies and procedures, and any applicable rules issued by the Zone or Centre and/or NNZ in a timely and appropriate way.

### Participants

In addition, participants are expected to:

- Play the game fairly.
- Play by the rules of Netball.
- Be respectful in both success and defeat.
- Be co-operative with officials/umpires, coaches, team managers, team-mates and other competitors.

### Family/whānau

In addition, family/whānau of participants are expected to:

- Lead by example.
- Remember that participant enjoyment of Netball is most important.
- Encourage participants and participation.
- Focus on participant effort and performance, not the end result.
- Refrain from punishing participants for making a mistake or not winning.
- Encourage participants to play by the rules of Netball.

### Coaches/supervisors

In addition, coaches/supervisors are expected to:

- Respect and treat all participants fairly and equitably.
- Follow all policies and protocols outlined within the NNZ Safe Netball for Children Policy when working with children and young people.
- Support participants to reach their full potential, keeping in mind their individual abilities, developmental stages and sporting goals.
- Provide all participants with equitable attention and opportunities.
- Operate within the rules of Netball, and the principles of fair play, while encouraging participants to do the same.
- Condemn unsporting behaviour and encourage respect for all participants.
- Advocate a sporting environment free of drugs, alcohol and performance enhancing substances, guided by Drug Free Sport New Zealand.
- Provide a safe sporting environment, as far as possible by:
  - Making sure all equipment, rules, training and environments are appropriate, taking into account participants' ages, maturity (physical and emotional), experience and ability.
  - Encouraging participants to seek medical advice when sick or injured.
  - Being considerate and proactive towards sick and injured participants.

### Team managers/supervisors

In addition, team managers/supervisors are expected to:

- Respect and treat all participants fairly and equitably.
- Create a collaborative and inclusive team/group environment.
- Have a good understanding of NNZ's regulations, policies procedures and other relevant Netball rules or guidelines, ensuring the team/group acts in accordance with them.

### Umpires/officials

In addition, umpires/officials are expected to:

- Respect and treat all participants fairly and equitably.
- Apply the rules of the game with impartiality, fairness and consistency, placing participant safety at the heart of their approach.
- Discourage unsporting behaviour and encourage respect for all participants.
- Support other umpires/officials and encourage respect for them.

### **Reporting a breach**

Individuals who wish to report an alleged breach of this Code of Conduct should follow the complaints procedure outlined in Section 4 of the NNZ Regulations (clause 4.8 Complaints).