



GymSports[®]
NEW ZEALAND

COMPETITIVE ATHLETE TRANSFER POLICY

Version 1.0

1. STATEMENT OF COMMITMENT

- 1.1 GymSport New Zealand (GSNZ) is responsible for the sport's National Membership Database (Database).
- 1.2 The Database contains details of all GSNZ membership categories.
- 1.3 GSNZ, in conjunction with its Member Clubs will ensure the Database's accuracy and that it is up to date and correct for all members to enable transfers pursuant to this policy to be effected without delay.
- 1.4 GSNZ and its Member Clubs will keep confidential, all registration data on the Database unless disclosure is required by law, or in order to deal with a complaint as required by clause 4.

2. TRANSFER POLICY APPLICATION

- 2.1 This Policy applies to all registered athletes, Member Clubs and GSNZ.
- 2.2 The policy applies when an athlete who is registered with one affiliated Club (**Current Club**) wishes to transfer that registration to another affiliated Club (**New Club**). This policy applies even if the athlete's registration is not current.

3. ROLES AND RESPONSIBILITIES OF PARTIES INVOLVED

3.1 Registered Athletes

A registered competitive athlete¹ wishing to transfer to a New Club must:

- a. Advise the Current Club and New Club.
- b. Settle all outstanding accounts at the Current Club prior to the submission of an application for transfer and as a precondition to the transfer to the New Club being affected.
- c. If requested by GSNZ, provide evidence to GSNZ of the payment of any monies owed by the athlete to the Current Club.

3.2 Clubs – Current and New

- a. The New Club must submit a transfer request using the form in Appendix one.
- b. Both Clubs must deal with transfer applications in an impartial, timely and confidential manner.
- c. The Current Club must provide evidence to GSNZ of any monies allegedly unpaid by the athlete to the Current Club.
- d. The New Club is responsible for ensuring the Origin of the athlete is included in all competition entries as per 7.2.

¹ A competitive athlete is who competes in a STEP, Level, Grade, IDP or International programme

- e. Distribute, promote and implement this policy and its related administration procedures.

3.3 **GSNZ**

- a. Process the transfer applications in an impartial, timely and confidential manner.
- b. Consult with all parties involved to facilitate agreement in relation to the Database is maintained.
- c. Seek to identify any transfer requirements which have not been met by the athlete or a Club.
- d. Complete all administrative procedures to ensure the accuracy of the Gymsports Partnership Database is maintained.
- e. Inform the New Club and Current Club when transfer is complete.
- f. Act as mediator should a dispute not be resolved.

4. COMPLAINTS

- 4.1 The Relationship Team Manager will address any complaint about failure to comply with this Policy promptly, seriously, sensitively and in accordance with the principles of natural justice.
- 4.2 If there is a dispute about a failure to comply with the policy which can not be resolved by consultation, the Relationship Team Manager may direct the parties to attend mediation with GSNZ, which GSNZ may choose to mediate in accordance with GSNZ's Regulations, to attempt to resolve the dispute.
- 4.3 If the dispute is not resolved at mediation or one or more parties fail to attend the mediation then GSNZ may approve a transfer even if all of the transfer requirements have not been met.

5. GOVERNING PRINCIPLES

- 5.1 A Current Club may not refuse permission for any athlete to transfer to a New Club unless:
 - a. The athlete has outstanding accounts at, or otherwise has not fulfilled any financial commitments to, the Current Club.
 - b. The transfer does not comply with this Policy.
- 5.2 Once the transfer is complete, the athlete must pay all required fees to the New Club.
- 5.3 Athletes can transfer at any time during the year.

- 5.4 An athlete may not participate in any sanctioned gymSport competitions or events for the New Club until transfer has been completed and formal notification from GSNZ has been received.
- 5.5 Before being eligible to compete in the National GymSports Championship an athlete who transfers from overseas must:
- a. reside in New Zealand for not fewer than 3 months, and
 - b. be a registered member of GSNZ for not fewer than 3 months.

unless GSNZ in its complete discretion determines otherwise.

6. FEES PAYABLE

Club and GSNZ Fees

- 6.1 These fees are paid each school term by the Athlete, their parents or caregivers.
- a) The fees are non-refundable and non-pro rateable. The Current Club is not required to reimburse any part of fees paid by the athlete, to either the athlete or the New Club.
 - b) Where a Club charges an athlete an itemised amount for these fees which is incorrect and that amount is paid by the athlete, the Current Club:
 - (i) can not claim any underpayment from the athlete; and
 - (ii) is liable to repay to the athlete any amount that has been overcharged.
 - (iii) Where the fee is not itemised, the New Club may provide a discount for membership to alleviate the issue of double payment.
 - c) The New Club is required to pay the set membership fee to GSNZ at the end of the school term of the Athletes transfer.

7. TRANSFER PROCEDURES

- 7.1 The transfer process:
- a. requires agreement by both Clubs involved;
 - b. requires endorsement by the Relationship Team Manager if there is any dispute;
 - c. must be processed in the Gymsports Partnership Database by GSNZ; and
 - d. subject to clause 4 should be finalised within 20 days

7.2 Club Origin

- a. An athlete, who has been transferred to a New Club, must recognise the contribution made by the Current Club to the athlete's development.
- b. For one full year following the Athlete's transfer, the New Club must enter the Athlete into National Championships Qualifying events as detailed below:
 - (i) name of Athlete;

- (ii) the New Club name;
- (iii) in brackets the Current Clubs name.

this rule may only be overridden by special request and acceptance by the CEO of GSNZ.

8. CHANGES TO POLICY

GSNZ may review this policy as it sees fit. Member Clubs may submit changes for GSNZ's consideration. Any altered policy will be distributed in accordance with GSNZ procedure.