

ANNEXURE

**RULES AND REGULATIONS
WESTERN AUSTRALIAN ATHLETICS COMMISSION (INC)
("WAAC")**

RULES AND REGULATIONS

1. DEFINITIONS AND INTERPRETATION

1.1 Definitions

In these Rules and Regulations:

“Athletics Australia” means Athletics Australia or its successor.

“Athletics WA Board” means the committee or commission created by the Board pursuant to the powers conferred upon it by the Constitution, to conduct competitions between the Clubs, and to do all such things which are necessary in order for the effective administration, development and promotion of such competitions.

“Athletics WA Competitions” means the athletics competitions conducted by the Athletics WA Board.

“Board” means the Board of the WAAC.

“Club” means a person or body, whether incorporated or unincorporated, which has been licensed by the WAAC to register athletes and officials in the Athletics WA Competitions.

“Constitution” means the Constitution of the WAAC as it exists from time to time.

“eligible athlete” means a registered athlete and any interstate or international athlete not ordinarily resident in Western Australia who satisfies the competition eligibility criteria of the By-Laws of Athletics Australia.

“entry fee” means the fee payable by an eligible athlete or a guest athlete to participate in a sanctioned Athletics WA Competition.

“guest athlete” means a person who is not a registered athlete but who ordinarily resides in Western Australia and who satisfies the competition eligibility criteria of the By-Laws of Athletics Australia.

“IAAF” means the International Amateur Athletic Federation or its successor.

“Licence” means an agreement entered into by a Club and the WAAC by which the Club may register athletes and officials in the Athletics WA Competitions on and subject to the terms and conditions of the particular agreement.

“Mediator” means a person appointed to that position pursuant to Rule 20.

“Registered athlete” means any person registered in accordance with these Rules and Regulations to compete in any Athletics WA Competition.

“registered coach” means any person registered in accordance with these Rules and Registrations as an athletics coach.

“registered official” means any person registered in accordance with these Rules and Regulations to participate in the regulation and conduct of any Athletics WA Competition.

“Registrar” means the person appointed to that position pursuant to Rule 19.

“registration fee” means the fee payable pursuant to these Rules and Regulations upon the registration of an athlete, official or coach in the Athletics WA Competition.

“secretary” means the person appointed by a Club to perform the functions assigned to that position by these Rules and Regulations, and, in particular, the person referred to in Rule 4.6.

“WAAC” means the Western Australian Athletics Commission (Inc).

1.2 Interpretation

In these Rules and Regulations:

- (a) headings are for convenience only and do not affect interpretation, and unless the context indicates a contrary intention:
- (b) a reference to a Rule is a reference to a Rule of these Rules and Regulations;
- (c) a reference to the By-Laws of Athletics Australia or the Rules of the IAAF is a reference respectively to those By-Laws or Rules as they are amended from time to time, but in the case of the Rules, the reference is only to the extent that they are applicable;
- (d) words importing the singular include the plural (and vice versa), words denoting a given gender include all other genders, and words denoting individuals include corporations (and vice versa); and
- (e) where any word or phrase is given a defined meaning, any other part of speech or grammatical form in respect of that word or phrase has a corresponding meaning.

1.3 Inconsistency with Licence

In the event of any inconsistency arising between the provisions of these Rules and Regulations and the provisions of a Licence, then the provisions of the Licence shall prevail to the extent of that inconsistency.

1.4 **Relationship between the Board and the Athletics WA Board**

- (a) Notwithstanding anything to the contrary expressed in these Rules and Regulations, a decision, determination, appointment or exercise of discretion by the Athletics WA Board shall not have effect unless and until the Board approves of that decision, determination, appointment or exercise of discretion.
- (b) The Board may vary any decision, determination, appointment, nomination or exercise of discretion by the Athletics WA Board in such manner as it considers fit, and the decision, determination, appointment, nomination or exercise of discretion as so varied shall have effect on and from the date of the variation.

2. **CLUB NAMES AND LOGOS**

Each Club shall have a name and a logo under which athletes registered through it must compete in the Athletics WA Competitions.

3. **CLUB UNIFORM**

Each Club shall have a uniform in which athletes registered through it must compete in the Athletics WA Competitions.

4. **REGISTRATION - ATHLETES**

4.1 Subject to Rule 4.3, a Club may register an athlete to compete in the Athletics WA Competitions if that athlete is a member of the Club as at the date of the application for registration and that athlete:

- (a) has not within the two years preceding the date of the application for registration been a member of another Club or a member of an interstate athletics club; or
- (b) has been a member of another Club or a member of an interstate athletics club within the two years preceding the date of the application for registration, but has obtained a duly signed form of release from that Club.

4.2 (a) A Club releasing an athlete may demand payment of a fee from the Club seeking to register the athlete ("**transfer fee**")

- (b) A Club may refuse to provide a duly signed form of release only if:
 - (i) the athlete concerned owes the Club money in respect of fees, fines equipment or conditional grants; or
 - (ii) the Club has demanded but not received the transfer fee.

(c) The Athletics WA Board shall, from time to time, determine the amount of the transfer fee payable to a club.

- 4.3 Where a registered athlete has nominated a second claim Club, that athlete may compete for that Club in a particular Athletics WA Competition, provided that he or she has received and given to the Registrar a written clearance from the first claim Club prior to 5:00 pm on the last working day prior to the date of the competition.
- 4.4 The forms of release and clearance shall be in the form approved by the Athletics WA Board from time to time.
- 4.5 The forms of release and clearance shall be signed by a duly authorised officer or employee of a Club ("**secretary**"), whose name, signature and address shall be notified to the Registrar by a Club on the appointment of the secretary, and at any time a change is made in that appointment.

5. **REGISTRATION – OFFICIALS**

- 5.1 A Club may register an official to participate in the regulation and conduct of the Athletics WA Competitions only if that official is a member of that Club as at the date of the application for registration.
- 5.2 Where an official is not a member of a Club as at the date of the application for registration, that official may apply to be registered as an official to participate in the regulation and conduct of the Athletics WA Competitions on either an annual or daily basis as may be appropriate.

6 **REGISTRATION - COACHES**

A coach may apply to be registered as a coach in the Athletics WA Competitions on either an annual or daily basis as maybe appropriate.

7. **REGISTRATION PROCEDURE**

- 7.1 In order for an athlete, official or coach to become a registered athlete, registered official or registered coach in the Athletics WA Competitions, the following procedure must be adhered to:
- (a) the athlete, official or coach must complete a registration form in the form approved by the Athletics WA Board from time to time;
 - (b) the registration form must be lodged with and, in respect of an athlete, the registration fee must be paid to the Registrar at P.O. Box 157, Floreat WA 6014, or otherwise at the offices of the WAAC from time to time;
 - (c) subject to the receipt of any duly signed form of release or clearance which may be required by Rule 4, the Registrar shall as soon as practicable after the receipt of a duly completed registration form and the registration fee, if applicable, provide the application for registration to the Athletics WA Board for its consideration;

- (d) the Athletics WA Board may approve or refuse the application for registration, but shall refuse an application only if the Athletics WA Board reasonably considers that it is in the best interests of the Athletics WA Competitions to do so; and
- (e) as soon as practicable after the Athletics WA Board has approved an application for registration, the Registrar shall enter the name of the athlete, official or coach on the particular register maintained for that purpose by the Registrar.

7.2 Should the Athletics WA Board refuse an application, that refusal may be disputed in accordance with Rule 18.

7.3 An athlete, official or coach will not be considered to be a registered athlete, registered official or registered coach until the name of the athlete, official or coach is entered upon the respective register maintained by the Registrar for that purpose.

8. **TIME AND PERIOD OF REGISTRATION OF AN ATHLETE, OFFICIAL OR COACH**

8.1 An athlete, official or coach may be registered in the Athletics WA Competitions at any time, and, in respect of any athlete, a proportional registration fee may be payable, at the discretion of the Athletics WA Board, having regard to the date of registration and the expiry of that registration.

8.2 The registration of a registered athlete, registered official and registered coach shall expire on 30 September of each year.

9. **REGISTRATION FEE**

The Athletics WA Board may set different registration fees having regard to whether the applicant for registration is an athlete, an athlete of a second claim Club, the age of an athlete, the cost of providing any public liability insurance cover, and such other matters as the Athletics WA Board considers fit.

10. **MINIMUM MEMBERSHIP FEE**

10.1 A Club shall charge athletes seeking registration in the Athletics WA Competitions a minimum annual membership fee, such fee to be determined by the Athletics WA Board from time to time ("**minimum fee**").

10.2 The minimum fee may, at the discretion of a Club, include the registration fee.

10.3 If a member of a Club intends to seek registration in the Athletics WA Competitions as an athlete, but has paid less than the minimum fee, the difference must be paid to the Club prior to that member seeking registration.

11. CANCELLATION OF REGISTRATION

- 11.1 The Athletics WA Board may cancel the registration of any registered athlete, registered official or registered coach if the registered athlete, registered official or registered coach contravenes these Rules and Regulations, the By-Laws of Athletics Australia or the Rules of the IAAF, or if the Athletics WA Board reasonably considers that the conduct or the course of conduct of the registered athlete, registered official or registered coach has not been, or is not in the best interests of the Athletics WA Competition.
- 11.2 A registered athlete, registered official or registered coach may dispute the cancellation of her or his registration in accordance with Rule 18.

12. COMPETITION CALENDARS AND RULES

- 12.1 The Athletics WA Board shall prepare and sanction a calendar of Athletics WA Competitions which shall be conducted in accordance with the Rules of Athletics Australia and of the IAAF.
- 12.2 The Athletics WA Board shall prepare a calendar of Athletics WA Competitions, other than the sanctioned calendar of competitions.
- 12.3 The sanctioned calendar of Athletics WA Competitions shall be distributed to each Club prior to 1 October in each year.
- 12.4 The Athletics WA Board may alter the sanctioned calendar of Athletics West Competitions at any time notwithstanding its distribution to the Clubs.

13. ELIGIBILITY TO COMPETE

- 13.1 Subject to Rules 13.2 and 14, only eligible athletes may compete in a sanctioned Athletics WA Competition.
- 13.2 Prior to competing in a sanctioned Athletics WA Competition, an eligible athlete shall submit their name, club and registration number and shall pay the entry fee.
- 13.3 The entry fee shall be in such amount as is determined by the Athletics WA Board from time to time.

14. **GUEST ATHLETES**

- 14.1 Notwithstanding anything to the contrary in these Rules and Regulations, a guest athlete may compete in one sanctioned Athletics WA Competition per year on payment of the entry fee, and on duly completing an entry form in relation to the guest athlete's participation in the Competition.
- 14.2 The entry form shall be in such amount as is determined by the Athletics WA Board from time to time.
- 14.3 The entry fee shall be in such amount as is determined by the Athletics WA Board from time to time.
- 14.4 Any person who competes in two or more sanctioned Athletics WA Competitions while that person is not a registered athlete, may be prohibited by the Athletics WA Board from competing in any further sanctioned Athletics WA Competitions.

15. **FUNCTIONS OF OFFICIALS**

The registered officials provided by a Club on the request of the Athletics WA Board for any Athletics WA Competition, and any other registered officials who volunteer their services, shall perform such duties and functions at an Athletics WA Competition as they are directed to perform by the Athletics WA Board.

16. **AWARDS**

The Athletics WA Board shall determine the recipients of awards in an Athletics WA Competition.

17. **RECORDS**

- 17.1 State records shall be granted by the Athletics WA Board on application by an eligible athlete in the form approved for that purpose by the Athletics WA Board from time to time.
- 17.2 Records shall be granted only if the event has been conducted in accordance with the Rules of Athletics Australia and of the IAAF.
- 17.3 A Western Australian All Comers record is one made in Western Australia by an eligible athlete in her or his respective age group.
- 17.4 A Western Australian record is one made by a registered athlete who is an Australian citizen or holds permanent resident status in her or his respective age group.
- 17.5 The Registrar, on instruction by the Athletics WA Board, shall submit applications for Australia or World records to Athletics Australia.
- 17.6 State records previously recognised by the Athletics Association of Western Australia (Inc) shall be referred to by the Athletics WA Board in determining whether an application for a State record should be granted.

18. COMPLAINTS AND APPEALS

- 18.1 Should there be a dispute eligible athletes, registered officials, registered coaches, the WAAC or the Clubs, or any combination thereof (the parties to a dispute to be known as the (“**Aggrieved Parties**”), in respect of any matter concerning an Athletics WA Competition, the interpretation, application or contravention of the By-Laws of Athletics Australia or the Rules of the IAAF in relation to an Athletics WA Competition, the interpretation, application or contravention of these Rules and Regulations, or any other matter arising in relation to any of the above matters whether arising out of a competition or not, then an Aggrieved Party may lodge a complaint with the Registrar and the complaint shall be heard and determined, in the first instance, by a person who is not concerned in the matter of the complaint to be known as the “Adjudicator”.
- 18.2 If the Aggrieved Parties consent, the Registrar shall nominate the Adjudicator, but in the absence of consent, the Adjudicator shall be nominated by the Athletics WA Board, and the Registrar shall notify the Aggrieved Parties of the date fixed for the hearing of the complaint.
- 18.3 The Adjudicator:
- (a) shall conduct the hearing of the complaint so as to allow each Aggrieved Party an opportunity to present her, his or its case and an opportunity to rebut their case of each other party;
 - (b) shall give a decision as soon as practicable after the hearing of the complaint; and
 - (c) may give reasons for her or his decision.
- 18.4 Should an Aggrieved Party be dissatisfied with the decision of the Adjudicator, the decision may be appealed by notifying the Registrar of that party's intention to appeal within seven days of the date on which the party is notified of the decision.
- 18.5 Where the Registrar is notified of an Aggrieved Party's intention to appeal, the Registrar shall convene a tribunal to be constituted by three persons nominated by the Athletics WA Board.
- 18.6 The Athletics WA Board shall ensure that at least one of the persons nominated in accordance with rule 18.5, has expertise in the matter of the complaint.
- 18.7 The Registrar shall notify the parties to the appeal of the date of the hearing of the appeal, and the parties to the appeal shall lodge an outline of their case with the Registrar at least two days prior to the date fixed for the hearing of the appeal.
- 18.8 At the hearing of a complaint, and on any appeal, a party may be represented by a solicitor or barrister or agent.
- 18.9 On the hearing of any appeal, the tribunal shall act according to the substantial merits of the case, shall not be bound by the rules of evidence, and may inform itself of any matter in any manner it sees fit.
- 18.10 The tribunal may give reasons for its decision.
- 18.11 The decision of the tribunal shall be final and shall bind the parties to appeal.

18.12 Notwithstanding anything herein contained to the contrary, disputes falling within the ambit of Rule 147 of the IAAF, shall be dealt with in the manner stipulated by the said rule.

19. **REGISTRAR**

19.1 The Athletics WA Board shall appoint a person as the "Registrar", and that appointment may be made and terminated in the absolute discretion of the Athletics WA Board.

19.2 The Registrar shall perform the functions conferred upon that position by these Rules and Regulations, and for that purpose he or she may delegate the performance of some of those functions from time to time, with the approval of the Athletics WA Board, to any person or persons.

19.3 In the event of the Registrar's inability to perform her or his functions for any reason whatsoever, the Athletics WA Board may appoint a person for the period of that inability to perform those functions.

19.4 The Registrar shall liaise with the secretary of each Club in performing her or his functions.

20. **MEDIATOR**

20.1 The Athletics WA Board shall appoint persons as Mediators, which appointments may be made or terminated at any time in the absolute discretion of the Athletics WA Board.

20.2 On receipt of a notice from a Club requiring the provisions of a Mediator pursuant to the Provisions of its Licence, the Athletics WA Board shall nominate the Mediator who is to conduct the mediation.

21. **STATE SELECTION**

21.1 State selectors shall select the State teams in the sport of athletics which teams are to compete under the auspices of the WAAC but only for competitions sanctioned approved or organised by Athletics Australia.

21.2 State selectors shall be appointed by the Athletics WA Board in such number and on such terms as the Athletics WA Board considers fit, including, but not limited to, the duration of the appointment, the athletics meet or the events for which the selectors are to make the selections, and the period for which an athlete's selection is to be effective.

21.3 The Athletics WA Board shall make such appointments as are necessary, on the recommendation of the State selectors, in respect of the coaching and management of State teams.

22. LIFE MEMBERS

From time to time the Athletics WA Board may nominate for the consideration of the Board, persons for appointment as life members of the WAAC whose contributions or achievements in the sport of athletics are outstanding or are otherwise deserving of such recognition.

23. MERIT AWARDS

From time to time the Athletics WA Board may nominate for the consideration of the Board, persons to receive merit awards in respect of their meritorious contributions or achievements in the sport of athletics.

24. NOTICES

Any notice or other communication which must be given, served or made under or in connection with these Rules and Regulations by a person or party:

- (a) must be in writing in order to be valid;
- (b) is sufficient if executed by the person to party giving, serving or making the notice or on its behalf by any attorney, director, secretary, other duly authorised officer or solicitor or agent of such person or party;
- (c) will be deemed to have been duly served, given or made in relation to a person or party if it is delivered or posted by prepaid post to the address, or sent by facsimile to the number of that person or party as is notified in writing by that person or party to the Registrar from time to time; and
- (d) will be deemed to be served, given or made:
 - (i) (in case of prepaid post) on the second business day after the date of posting;
 - (ii) (in the case of facsimile) on receipt of a transmission report confirming successful transmission; and
 - (iii) (in the case of delivery by hand) on delivery.

25. COPY OF RULES AND REGULATIONS

The Registrar shall provide, upon the request of a Club or any eligible athlete, registered official, or registered coach, a copy of these Rules and Regulations to that Club, eligible athlete, registered official or registered coach.

26. **AMENDMENT OF RULES AND REGULATIONS**

- 26.1 Subject to the approval of the amendment by the Board, the Athletics WA Board may amend these Rules and Regulations from time to time.
- 26.2 Unless the Board indicates otherwise, an amendment shall be effective on and from the date upon which a member of the Board endorses the approval of the Board on the text of the amendment, or on a copy of the Rules and Regulations which incorporates the amendment.
- 26.3 As soon as practicable after an amendment to these Rules and Regulations has been approved by the Board, the Registrar shall provide each Club with the text of the amendment and the date of its effect.