



CHRISTCHURCH
NETBALL CENTRE

Pūtahi Poitarawhiti ki Ōtautahi

Christchurch Netball Centre (CNC) REGULATIONS

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Notes:

Where any incompatibility is identified between the CNC Centre regulations then NNZ regulations will prevail.

Should any certain matters not be covered by the CNC Centre regulations then the Centre will default to the NNZ regulations.

The CNC Centre regulations may not contravene or be incompatible with NNZ regulations.

GENERAL REGULATIONS

1. GENERAL REGULATIONS

1.1. DEFINITIONS

1.1.1. The words and phrases used in these Regulations shall have the same meaning as defined in the Constitution of CNC, unless otherwise specified in these Regulations.

1.1.2. In addition to Regulation 1.1.1, the following words and phrases used in these Regulations shall mean as follows:

“Nettabury” means modified activities related to Netball played by players from aged 2-7 years.

“Future Ferns” means Netball played by players from aged 8 – 10 year olds as at 1 January in the year of competition.

“School Team” means a Netball team of up to 12 players in which the players are attending a school at year 7 – 13 levels as at 1 January in the year of competition.

“Senior Club/School Team” means a Netball team of up to 12 players in which the players are playing in a competition as at 1 January in the year of competition.

1.2. COMMENCEMENT OF REGULATIONS AND REVOCATION OF STANDING ORDERS

1.2.1. Under Rule 22.1 of the Constitution, the Board has determined that these General Regulations shall come into force on 13 August 2013.

1.3. PLACE OF CNC REGISTERED OFFICE

1.3.1. Under Rule 2 of the Constitution, the Board has determined that the place of the registered office of CNC shall be at the offices of CNC being 455 Hagley Avenue, Christchurch or such other place as is notified in writing to the affiliated clubs and Registrar of Incorporated Societies.

1.4. MEMBERSHIP

1.4.1. Under Part II of the Constitution, the Board has determined the categories of members are:

- (a) Individual members as described in Constitution Rule 6.
- (b) Member Clubs as described in Constitution Rules 7.1 and 7.2.
- (c) Life members: being persons who have been granted a Life Membership of CNC Under Constitution Rule 8.
- (d) Other membership category being any other category or categories of membership of CNC determined by the CNC Board from time to time.

1.4.2. Register of Members: Under Rule 11 of the Constitution the Board has determined that the following information shall be obtained and held on its register of members:

- (a) name of each Individual Member, each member of the Centre's Board and such other official position within the Centre as the Centre Board considers appropriate and the name of each School Team and Club.
- (b) the names of the members on the Netball Centre's board, and such other official positions as it considers appropriate eg Netball Manager and/or other staff members.
- (c) contact address and phone, email (if available), and facsimile (if available) for each of the members, board members 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, directors on the Centre's Board and other individuals who are members of the Centre, the occupations of each such person;
- (f) the date on which the member, director or official became a member of the Centre;
- (g) coaching and umpiring qualifications of officials (if applicable); and
- (h) date of birth for Individual Members who are players.

1.4.3. The Centre shall supply the information described in Regulation 1.4.2 to the Zone CEO on the following dates:

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

1.4.4. Other Information: In addition to the information for the Register of Members, the Centre shall supply to NNZ (and/or via the Zone) the following:

- (a) the names, addresses and contact details of the Board members, of the Centre by 31 March each year and within 20 days of any change to such details;
- (b) a copy of its annual report which includes the audited annual financial statements as required under the Incorporated Societies Act by 31 March each year;
- (c) if the Centre's 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;
- (d) number and type of teams i.e. Senior, Secondary, Future, Ferns, Nettlebury and other, as listed on the annual membership questionnaire by 30 June each year;
- (e) provide to NNZ the names of the Delegates which will represent the Centre at the NNZ Annual General Meeting by the due date as specified by the Chief Executive;
- (f) 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
- (g) any nominations for election of NNZ Elected Board Members by the due date as specified by the Chief Executive.

1.4.5. **Other Information:** In addition to the information for the Register of Members, CNC shall supply to the Zone CEO the following:

- (a) number and class of membership of teams as listed on the Annual Membership Questionnaire by 1 May each year.
- (b) a written report where any member of the CNC has its membership of the Netball Centre terminated for any reason. Such report to be provided within 7 days of such termination;

1.5. LIFE MEMBERSHIP AND SERVICE AWARDS

1.5.1. **CNC Awards Committee:** There shall be a CNC Awards Committee which functions are to:

- (a) consider nominations and make recommendations to the Board of persons it considers should be granted a CNC service award); and
- (b) consider nominations and make recommendations to the Board of persons it considers should be granted Life Membership of CNC; and
- (c) operate at all times within the Terms of Reference and appropriate policies and procedures set down for the Committee.

1.5.2. The CNC Awards Committee shall comprise of up to three appointed persons, plus the current Board Chair.

1.5.3. The Board may fill any vacancy in the CNC Awards Committee

1.5.4 The term of office for a member of the Awards Committee shall be three years, with eligibility to stand for election at the end of the 3 year term for a further 3 year period with a maximum period of service to be nine (9) years.
The Convenor of the Awards Committee shall be appointed by the CNC Board on an annual basis.

1.5.5 **Nomination Process for Service Award and/or Life Membership:** Under Rule 8 of the Constitution, a person shall be nominated for Service Award or Life Membership of CNC by either the Board, or a member club.

1.5.6 A person shall become a Service Award holder and/or Life Member of CNC by nomination, recommendation and then voted by two-thirds majority of those entitled to vote at a CNC Annual General Meeting.

1.5.7 A Service Award holder and Life Member shall have the same rights and obligations as all other Members, except s/he shall have no right to vote at a CNC Annual or Special General Meeting unless s/he is a Delegate.

1.5.8 To be eligible for nomination as a Service Award holder and/or Life Member, the nominee must fulfil the criteria outlined in the applicable nomination documentation.

1.5.9 Nominations must be received in writing by the Netball Manager by no later than the due date, in each year detailing all applicable information in full.

1.5.10 **Recommendation:** The Netball Manager shall forward all nominations for Life Membership and Service Awards to the Awards Committee. Following receipt of any such nominations, the Awards Committee shall consider the nominations and make any additional enquires it considers appropriate. It shall then forward any recommendation(s) for Service Award/Life Membership recognition to the Netball Manager for tabling to the Board by no later than the due date. There shall be no obligation on the Committee to make any recommendation(s).

1.6 CNC MEMBERSHIP FEES

1.6.1 **Membership Fees:** The membership fees and/or other fees payable by members to CNC are as determined on an annual basis by the Board. The due date for fees and the manner of payment for the fees are as advised by the Netball Manager to Clubs prior to commencement of each playing season. All fees include GST.

1.6.2 The fees in Regulation 1.6.1 shall be paid by cheque or direct credit to CNC upon receipt of a tax invoice from CNC.

1.6.3 Any fees which are not paid to CNC by 15 June each year will have a 10% penalty per month added to the total due. Failure to do so may invoke Rule 12.3 of the CNC constitution i.e. termination of membership.

1.7 COMMITTEES

1.7.1 In addition to the permanent management committees the Board may establish other sub-committees of the Board, or committees whether permanently or on an ad hoc basis, as it considers necessary.

1.7.2 The Board shall determine the Terms of Reference for each committee prior to its appointment.

1.7.3 Subject to any specific Regulations which committee shall be determined by the Board or person(s) delegated this responsibility on its behalf.

1.7.4 Unless the Regulations provide otherwise, for all appointments to committees the Board shall:

- (a) develop a Terms of Reference for committee, and make this available to potential committee members
- (b) determine the skills and competencies required for each committee and make this available to potential applicants;
- (c) invite applications for all committees by notifying as many other Members and interested people as possible.

1.7.5 Every appointment to a committee shall be for a term of office of three years from the commencement of the appointment, unless expressly stated otherwise. At the end of the three year period the person shall be deemed to

have retired but may be reappointed to the same, or any other position, on a committee up to a maximum of 3 terms (9 years in total)

- 1.7.6 The Board may revoke any appointment to any committee at any time upon written notice to the appointee.

1.8 FINANCE AND AUDIT COMMITTEE

- 1.8.1 **Committee:** There shall be a sub-committee of the Board known as the Finance and Audit Committee. The purpose of this committee is to assist the Board in carrying out its fiscal responsibilities. In particular this committee will assist the Board in discharging its duties relating to the safeguarding of assets, the operation of adequate systems and controls, and the preparation of annual financial statements.
- 1.8.2 **Composition:** The Finance and Audit Committee shall comprise of up to four (4) members with three (3) members being three (3) members appointed by the Board annually, the Financial Advisor (or other relevant position as determined by the Board) and the Netball Manager (in an ex-officio role). The Board shall appoint one of the Board appointees to be the Chairperson. The Board shall also fill any vacancy on the Committee. The Finance and Audit Committee shall have the right to co-opt other members to the Committee from time to time for the purpose of achieving specific objectives/projects.
- 1.8.3 **Powers:** The Finance and Audit Committee shall, in respect of the matters for which it has a function (as set out in Regulation 1.8.4), have the power to:
- (a) make enquiries on behalf of the Board including retaining advisors and experts to assist it in such enquiries;
 - (b) develop draft financial policies and procedures for approval by the Board;
 - (c) delegate its powers and functions to an individual or a working group;
 - (d) only incur any expense (eg advisors fees) which is approved by the Board;
 - (e) make recommendations to the Board.

The Committee shall have no power to make decisions on behalf of the Board. It shall assist the Board as the governors of CNC and shall not be involved in the management of CNC, except to the extent it is directed to do so by the Board.

- 1.8.4 **Functions:** The functions of the Finance and Audit Committee are to:
- (a) prepare the annual financial statements and budget prior to approval by the Board;
 - (b) develop and ensure the effectiveness of CNC's systems of internal financial control;
 - (c) assess and review the quality of financial information produced;
 - (d) ensure all statutory requirements of CNC are complied with;
 - (e) recommend the terms of reference for the annual external audit; and
 - (f) develop financial information and systems related policies and procedures.

- (g) Maintain oversight and management of all assets including buildings, courts and other assets as recorded in Fixed Asset Register (see Terms of Reference of Committee).

1.8.5 **Procedures:** The Finance and Audit Committee shall meet at least once every quarter of the year and at such other times as are necessary to carry out its functions. Each member of the Committee is expected to attend every meeting (whether in person or by tele-conference). Each appointed member shall be entitled to one vote. Where there is any matter within its functions which may give rise to a conflict of interest, (eg, in relation to salaries of staff) the relevant member(s) of the Committee shall not be entitled to vote and shall declare their conflict of interest to the Board and the Committee. In this situation the Board may appoint person(s) to replace that Committee member in respect of the matter which gives rise to the conflict of interest.

1.9 OPERATIONAL COMMITTEES

1.9.1 There shall be 3 committees responsible to the Board known as the Game Development Committee, Competitions Committee and Game Officials Committee. The purpose of these committees is to assist the Board in the development of netball in CNC.

1.9.2 **Composition:** The Operational Committees shall comprise of up to six (6) members appointed by the Board one of which shall be the Convenor (as determined by the Board). The Board shall confirm any vacancy on the committees.

The Operational Committees shall have the right to co-opt other members to the committee from time to time for the purpose of achieving specific objectives/projects.

1.9.3 **Powers:** The Operational Committees shall, in respect of the matters for which it has a function) have the power to:

- (a) develop draft policies and procedures for approval by the Board;
- (b) make recommendations to the Board;
- (c) operate at all times within the Terms of Reference of each Committee.

The Committees shall have no power to make decisions on behalf of the Board. Each Committee shall assist the Board as the governors of CNC and shall not be involved in the management of CNC, except to the extent it is directed to do so by the Board.

1.9.4 **Functions:** The functions of the Operational Committees are to:

- (a) develop strategies for inclusion in the planning for CNC;
- (b) review and measure the progress of each committee against approved plans; and

- (c) review and make recommendations of programme/event initiatives to the Board.
- (d) review and make recommendations which may incur financial costs/responsibilities to the Board.

1.9.5 **Procedures:** The Operational Committees shall meet at least ten (10) times per year, and at such other times as are necessary to carry out its functions. Each member of the Committees is expected to attend every meeting (whether in person or by tele-conference). Each member shall be entitled to one vote. Where there is any matter within its functions which may give rise to a conflict of interest the relevant members of the committee shall not be entitled to vote and shall declare their conflict of interest to the Board and the committee.

1.10 FINANCIAL YEAR

1.10.1 Under clause 16.1 of the Constitution, the Board has determined that the financial year of CNC shall commence on the 1st of November and end on the 31st day of October in the next year.

1.11 COMMON SEAL

1.11.1 Under clause 18.2 of the Constitution, the Board has determined that the common seal of CNC shall be held in a secure place by the Netball Manager.

1.11.2 The common seal shall be used for execution of all deeds entered into by CNC. The seal need not be, but may be, used for any contracts or agreements entered into by CNC.

1.11.3 When the common seal is proposed to be used, the Netball Manager, shall obtain the Board's approval prior to execution.

1.12 JUDICIARY COMMITTEE

1.12.1 **Jurisdiction:** In the event that the Board refers an allegation, appeal or matter to the Judiciary Committee under clause 19.1 and 19.2 of the Constitution, the procedure set out in this Regulation shall apply.

1.12.2 **Procedures:** The Board shall clearly set out in writing the allegation, appeal or matter(s) required to be investigated or determined by the Judiciary Committee.

1.12.3 The Netball Manager shall determine the availability of the Judiciary Committee members and in consultation with the Chairperson determine a date, time and place for the investigation and/or hearing of the allegations.

1.12.4 All parties concerned shall be given at least 7 days notice of the hearing by the Judiciary Committee. The notice of the hearing shall:

- (a) Be in writing
- (b) State that the party or parties concerned are required to appear and in what capacity;

- i. State the nature and the matters or alleged offence(s) the subject of investigation or determination, the possible penalty or penalties and the date, place and time of the hearing; and
 - ii. be delivered personally, by post and/or by facsimile to the last known address or facsimile number of the party or parties concerned.
- 1.12.5 The hearing shall take place as soon as practicable. It may be held in person, by consideration of written submissions, by telephone or video conference, or any combination of the above or otherwise as determined by the Judiciary Committee.
- 1.12.6 Persons appearing before the Judiciary Committee shall be entitled to call witnesses but must present their case in person unless the Judiciary Committee permits presentation through an advocate or legal representative. All parties and their witnesses shall be given a full opportunity to be heard and the Judiciary Committee shall comply with the principles natural justice.
- 1.12.7 If the person against whom the allegation is made is absent or fails to make any written submissions, or their witness is absent, a decision may be made by the Judiciary Committee in their absence. Before making such a decision the Judiciary Committee must satisfy itself that the person concerned was aware of the time, date and place of hearing and had been requested to participate in accordance with these Regulations.
- 1.12.8 If the hearing is in person, the Chairperson shall announce the opening of the hearing, stating the Judiciary's Committee's authority, jurisdiction, composition and the nature and purpose(s) of the hearing.
- 1.12.9 The procedure to be followed at a hearing shall be clearly explained by the Chairperson. The Chairperson shall determine who is entitled to be present throughout hearing during evidence and submissions and whether or not the proceedings are to be confidential.
- 1.12.10 The matter(s) which are the subject of hearing shall then be read to the person(s) concerned. The body or person reporting the matter(s) which is the subject of the hearing shall be given the opportunity to report the circumstances of those matter(s). The person(s) concerned will be given the opportunity to respond to this report and present evidence submissions as to their view of the circumstances of those matter(s). Any witnesses called by either the reporting body or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence. Evidence and/or submissions may be given in writing.
- 1.12.11 The Judiciary Committee will consider the evidence presented. The Judiciary Committee may adjourn the hearing if necessary to do so. No other person shall be present or partake in any discussion with the Judiciary Committee at this time.
- 1.12.12 The Chairperson shall, if necessary, make orders as to the direction of the hearing.

- 1.12.13 A member of the Judiciary Committee shall act as the Committee Secretary and keep records of all investigations, the hearing and decisions.
- 1.12.14 The Judiciary Committee shall have the power to require attendance of any Member or their representative at any proceedings before it. Where a person who is required to attend, fails to attend without reasonable excuse, the Judiciary Committee may draw inferences from that failure to attend.
- 1.12.15 If the Judiciary Committee finds an offence has not been committed, or the appeal is not successful, it will advise the Board as soon as possible, and dismiss the matter, accordingly.
- 1.12.16 If the Judiciary Committee finds an offence has been committed or an appeal is successful, it may impose, in its discretion, an appropriate penalty or penalties set out in Regulation 1.12.22 to 1.12.24.
- 1.12.17 Further, or in the alternative to imposing any penalty, the Judiciary Committee may, report its findings to the Board with such recommendations as it considers appropriate.
- 1.12.18 If a decision cannot be given by the Judiciary Committee immediately after the hearing, the relevant party or parties must be advised of the date by which the decision will be given. The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing to the parties, and the Board, signed by the Chairperson.
- 1.12.19 Every decision of the Judiciary Committee under this Regulation shall be conveyed in writing to the parties concerned.
- 1.12.20 Each party and person involved in any proceedings under these Regulations shall bear their own costs. The Judiciary Committee has no right to award costs.
- 1.12.21 **Recommendations and Penalties:** If the Judiciary Committee finds that an offence under clause 19.1 (a) and (b) of the Constitution has been committed, it may make recommendations to the Board and/or impose any one or more of the following penalties:
- (a) a reprimand;
 - (b) suspension from such activities of CNC and/or its Members, including competitions, events, meetings or other activities, on such terms and for such period as it thinks fit;
 - (c) exclusion from a particular competition, activity, meeting, event or events of CNC and/or its Members;
 - (d) suspension or termination of membership of CNC;
 - (e) fines, imposed in such manner and in such amount as the Judiciary Committee thinks fit;
 - (f) any other penalty specified in the Regulation, policy, resolution or determination which the person has breached, failed, refused or neglected to comply with;
 - (g) such other penalty as the Judiciary Committee considers commensurate with the offence; and/or
 - (h) such combination of any of the above penalties as the Judiciary Committee thinks fit;

- (i) the Judiciary Committee is guided by the Penalties for offences schedule as set by the CNC Board outlined in the Rules for Judicial Hearings.

1.12.22 After hearing an appeal under Rule 19.3.1 of the Constitution, the Netball Mainland Zone Inc Judiciary Committee may make recommendations to the Board and/or impose make the following orders:

- (a) allow the appeal;
- (b) dismiss the appeal;
- (c) refer the matter back to the Zone or Netball Centre to re-hear the matter, with any such directions as it considers fit.

1.12.23 During any proceedings under this Regulation, the persons against whom an allegation or about whom an appeal is made may be suspended, on such terms and for such period as the Judiciary Committee thinks fit, and shall remain under suspension unless the Judiciary Committee decides otherwise.

1.12.24 A decision of the Judiciary Committee may be appealed in accordance with Rule 19.3 of the Constitution.

1.13 COLOURS & LOGOS

1.13.1 Under Rule 25.1 of the Constitution, the colours of CNC and any representative Netball team are red and black in combinations deemed appropriate at the time uniforms are approved for purchase.

1.13.2 CNC owns a number of trademarks, logos and brands including the following

- (a) Nettarebury
- (b) Christchurch Netball Centre Junior Netball Academy
- (c) Christchurch Netball Centre

1.13.3 No Zone, Netball Centre or Member of NNZ may use any of CNC's trademarks, logos and brands, whether or not they are registered trademarks, without first obtaining the prior written permission of the Netball Manager.

1.14 COMPETITION REGULATIONS

Competitions Policies are reviewed on an annual basis and supplied to Clubs and members of CNC no later than 2 weeks following the Annual General Meeting held each year.

Competition Policies include but are not limited to:

- (a) Registration of Players
- (b) Local rules for playing netball
- (c) Umpiring commitments
- (d) Uniform
- (e) Health & Safety
- (f) Membership/Financial Policies & Annual subscriptions
- (g) Guidelines to Complaints Procedure
- (h) Draws format and flow charts
- (i) Appendices

ANTI-DOPING REGULATIONS

ANTI-DOPING REGULATIONS

2.1 WHAT IS NETBALL NEW ZEALAND'S POSITION ON DOPING?

Netball New Zealand condemns the use of performance enhancing drugs and doping practices in sport. The use of performance enhancing drugs and doping practices is contrary to the ethics of sport and potentially harmful to the health of athletes.

2.1.1 Netball New Zealand aims to stop doping practices in sport by:

- (a) imposing sanctions on persons who commit doping offences (as defined in clause 2.7;
- (b) educating and informing persons about drugs in sport issues, and
- (c) supporting the drug testing programmes and education initiatives of NZSDA and other drug testing authorities.

2.1.2 CNC via NNZ will:

- (a) use its best endeavours to give NZSDA timely and accurate player contact information;
- (b) support and assist NZSDA and any other drug testing authorities to conduct doping control;
- (c) make these Regulations available to its members, players, coaches, officials, and administrators and its medical and health practitioners;
- (d) develop and implement, in co-operation with NZSDA and IFNA, drug education and information programs for members, players, coaches, officials, and administrators and its medical and health practitioners; and
- (e) support the initiatives of the Sport NZ, INFA, the IOC and WADA to stop doping in sport.

2.1.3 *Players and other persons (under clause 1.4) are bound by these Regulations and may be subject to investigation and disciplined under them.*

2.1.4 *Players must give the Netball New Zealand timely and accurate contact information about them on request so it can provide such information to the NZSDA.*

2.1.5 *Netball New Zealand and/or CNC, including any coach, official and administrator, shall not disclose or use information about a person who has, or may have, committed a doping offence except (for a purpose under these Regulations) to:*

- (a) the Sport NZ
- (b) another person

until after disciplinary proceedings have been completed unless the person has agreed or otherwise authorised the release of the information or the information is made public other than by Netball New Zealand. Breach of this clause is a doping offence under these Regulations.

2.2 WHO DO THESE REGULATIONS APPLY TO?

2.2.1 These Regulations apply to:

- (a) all those persons including, in particular, all players (as defined in clause 1.4) who are members of Netball New Zealand or who are bound by the Rules and Regulations of Netball New Zealand;
- (b) employees and contractors of Netball New Zealand; and
- (c) coaches, officials, administrators or any other persons involved with the sport who are bound by the Rules and Regulations of Netball New Zealand.

2.2.2 Notwithstanding the application of these Regulations to the persons described in clause 1.4 all coaches, officials, administrators and any other persons in clause 1.4 who are not members of the Netball New Zealand shall complete and sign the form in Annexure A acknowledging the application of these Regulations.

2.3 WHAT IS A DOPING OFFENCE?

2.3.1 Subject to clause 2.4 (Therapeutic Purpose), a doping offence occurs if either:

- (a) A player has been notified that:
 - (i.) there is a determination made under section 16B of the NZSDA Act that the player has committed a doping infraction, or
 - (ii.) there is a determination made under section 14 of the NZSDA Act that the player did not have reasonable cause to fail to comply with a request to provide a sample, or
 - (iii.) there is a report to Netball New Zealand by a drug testing authority other than NZSDA that the player has taken a prohibited substance or used a prohibited method or there is an exceeding of any permitted level of a substance (as set out in the NZSDA Schedule), or
 - (iv.) there is a report to Netball New Zealand by a drug testing authority other than NZSDA that the player has refused to provide a sample or failed to comply with a request to provide a sample when requested to do so by that drug testing authority, or
 - (v.) there is use of an expedient (substance or method) harmful to the *player's* health and/or capable of enhancing performance;or
- (b) A person (including a *player*):
 - (i.) is knowingly involved in or has admitted trafficking of "drugs" (as defined in the NZSDA Act), or
 - (ii.) knowingly assists, or is knowingly involved in the commission of any activity as listed in clause 2.3 by another person.

- (c) A player is absolutely responsible for any prohibited substance found to be present in her body. It is the player's responsibility to ensure that no prohibited substance enters her body and that prohibited methods are not used. It is not necessary that intent or fault on the part of the player be shown in order for a doping offence to be committed under these Regulations.

2.4 THERAPEUTIC PURPOSE

- 2.4.1 A person uses a prohibited substance or prohibited method for a therapeutic purpose if:
 - (a) The person had written approval prior to testing from a *recognised medical authority* for the therapeutic use of the *prohibited substance or prohibited method*;
 - (b) The level of the *prohibited substance or prohibited method* in the sample is consistent with the approved therapeutic use; and
 - (c) The therapeutic use of the *prohibited substance or prohibited method* is not inconsistent with IFNA rules.
- 2.4.2 Subject to compliance with clause 2.4.1, use of a prohibited substance or prohibited method for a therapeutic purpose as described in clause 2.4.1 is not a doping offence.
- 2.4.3 In addition to clause 2.4.1, a *player* who is the subject of a drug test and who is taking any medication shall declare such fact at the time of the drug test on the sample collection form or other form presented to the *player* together with a description of the medication taken and all relevant facts concerning the medication and the reason for taking it. A *player* who has failed to declare the use of a *prohibited substance* which is allowed under the Olympic Movement Anti-Doping Code, and under the circumstances, conditions and restrictions allowed under that Code will have committed a *doping offence* and will be subject to sanctions under these Regulations.

2.5 REFERRAL OF A DOPING OFFENCE TO HEARING

- 2.5.1 Subject to clause 2.5.4, where *Netball New Zealand* receives information that a person has or may have committed a *doping offence* it shall refer the matter to a hearing under clause 2.5.2.
- 2.5.2 When *Netball New Zealand* refers the matter to a hearing, the Chief Executive will send the person a letter which:
 - (a) sets out the nature and details of the *doping offence*;
 - (b) says that *Netball New Zealand* will refer the matter to a hearing within 14 days; and
 - (c) encloses a copy of these Regulations.

2.5.3 Netball New Zealand will wait 14 days (or a shorter period agreed between Netball New Zealand and the person) after sending a letter under clause 2.5.2 and then will:

- (a) refer the matter to, or appoint, a Tribunal established in accordance with its rules and/or the rules of the *IFNA* to conduct a hearing; or
- (b) refer the matter to or appoint any other Tribunal recognised by the Netball New Zealand and the HC for the purposes of hearing doping related cases.

2.5.4 At any time prior to the commencement of the hearing the person to whom the notices have been sent may acknowledge in writing to *Netball New Zealand* that:

- (a) they have committed the doping offence; and
- (b) they accept the sanction as set out in clauses 2.7.1.

If such acknowledgement is made there shall be no hearing and Netball New Zealand shall notify the person of the sanction imposed.

2.5.5 Netball New Zealand may, in accordance with its Rules:

- (a) suspend financial or other assistance to the person, and/or
 - (b) suspend the person from competition in events and competitions conducted by or under the auspices of *Netball New Zealand*
- until the determination of the hearing.

2.5.6 The Tribunal will determine:

- (a) whether or not a *doping offence* has been committed, (subject to Clause 2.6.1); and if so
- (b) what sanction will apply (subject to Clause 2.7.1); and
- (c) how long any sanction will apply (subject to Clause 2.8).

2.5.7 If any other recognised sports organisation in New Zealand notifies *Netball New Zealand* that the person who is alleged to have committed a *doping offence* under these Regulations, may have also committed a *doping offence* under its Rules, then *Netball New Zealand* may agree to prosecute the alleged doping offences jointly. If this occurs the reference to the Tribunal in these Regulations shall mean the joint tribunal determined by *Netball New Zealand* and the other recognised sports organisation.

2.6 HOW ARE HEARINGS CONDUCTED?

2.6.1 The Tribunal will accept as a proven fact the result of a test conducted by a drug testing authority and/or a determination of a doping infraction under section 16(B) of the NZSDA Act or a

determination under section 14 of the NZSDA Act made by the New Zealand Sports Drug Agency.

- 2.6.2 Subject to clause 2.6.1, in all other cases where it is alleged that a doping offence has been committed, the onus is on Netball New Zealand, to prove to the Tribunal on the balance of probabilities, that the person has committed a doping offence.
- 2.6.3 A person who has committed or is alleged to have committed a doping offence has a right to a hearing.
- 2.6.4 Where a Tribunal conducts the hearing, the Tribunal:
 - (a) will conduct the hearing in accordance with *Netball New Zealand* Rules or in the absence of any such rules, in such manner as the Tribunal determines, provided that in every case the Tribunal shall comply with the principles of natural justice;
 - (b) may conduct the hearing by telephone or other conference facility;
 - (c) may ask questions of witnesses;
 - (d) may appoint a legal representative or other person to assist it; and
 - (e) may allow the person who has committed or is alleged to have committed a *doping offence* to be assisted by a legal representative or other person.
- 2.6.5 The Tribunal will give *Netball New Zealand* and the person who is alleged to have committed the *doping offence*, a written statement of:
 - (a) the findings of the hearing
 - (b) what sanction (if any) will apply, and
 - (c) how long the sanction (if any) will apply.

2.7 WHAT SANCTIONS APPLY?

- 2.7.1 If the Tribunal determines that a doping offence has been committed, it will apply one or more of the following sanctions:
 - (a) ban the person from selection to represent New Zealand in international competition;
 - (b) ban the person from competing in any events and competitions conducted by or under the auspices of Netball New Zealand;
 - (c) make the person ineligible to receive direct or indirect funding or assistance from Netball New Zealand;
 - (d) ban the person from holding any position within NNZ or being involved in any other way within NNZ.
 - (e) Require that the person remain on NZSDA's annual testing programme for the purpose of out-of-competition testing and be subject to the rules of NNZ.
 - (f) Recommend that:

- (i) Netball New Zealand
 - (ii) HC
- require the person to repay financial assistance given to the person from the date of the *doping offence*.
- (g) require the person go to counselling for a specified period;
 - (h) withdraw awards, placings and records won by the person or the person's team in events and competitions conducted by or under the auspices of from the date of the *doping offence*; and/or
 - (i) reprimand the person;
 - (j) fine the person or direct the person to pay costs;
 - (k) subject to the Rules of NNZ, suspend or recommend the suspension of, the person from membership of NNZ.

2.8 HOW LONG DO SANCTIONS APPLY?

2.8.1 Where the *doping offence* involves ephedrine, phenylpropanolamine, pseudoephedrine, caffeine, strychnine or related substances, as listed and defined as stimulants, class A, in the Olympic Movement Anti-Doping Code the following sanctions under Clauses 2.7.1 (a), (b), (c), (d), and (e) will apply for:

- (a) between one to six months for the first *doping offence* and/or a fine of up to US\$100,000;
- (b) between four years and life for second and subsequent *doping offences*.

2.8.2 Where the *doping offence* involves:

- (a) a prohibited substance other than one of those identified in Clause 8.1 above
- (b) a prohibited method
- (c) a refusal to provide a sample
- (d) trafficking
- (e) any other cases

sanctions under clauses 7.1 (a), (b), (c), (d) and (e) will apply for:

- (i) a minimum of two years and/or a fine of US\$100,000 for a first *doping offence*;
- (ii) life and/or a fine of US\$100,000 for second and subsequent *doping offences*.

2.8.3 The sanction will apply from the date of the *doping offence* and take account of any period of suspension unless the Tribunal decides otherwise.

2.8.4 A ban or suspension shall mean that the person found to have committed a *doping offence* shall not be entitled to play, train, umpire, coach, select, organise, administer, advise, provide medical assistance, or promote and act for IFNA or NNZ.

- 2.8.5 The Tribunal shall be entitled to reduce the sanctions sets out in clauses 2.8.1 and 2.8.2 (but not overturn the finding that a *doping offence* has been committed) only if the person found to have committed the *doping offence* establishes on the balance of probabilities that exceptional circumstances exist and as a result of those exceptional circumstances the sanctions set out in clause 2.8.1 and 2.8.2 should be reduced. For the purposes of this clause exceptional circumstances shall mean:
- (a) circumstances where the person found to have committed a *doping offence* did not know and could not with reasonable diligence have discovered that she had taken or been administered with the relevant substance provided that she acted reasonably in all the circumstances; or
 - (b) that the substance was administered as part of emergency medical treatment properly carried out by qualified medical practitioners.

2.9 HOW WILL NETBALL NEW ZEALAND ENFORCE SANCTIONS?

- 2.9.1 Netball New Zealand will enforce the sanction decided by the Tribunal if the sanction is consistent with these Regulations.
- 2.9.2 Netball New Zealand will recognise and enforce a sanction properly imposed on a person who has committed a doping offence under the anti-doping rules of:
- (a) IFNA
 - (b) the IOC; or
 - (c) another recognised national sports organisation, and Netball New Zealand will then apply an equivalent sanction under these Regulations.
- where the offence would be a *doping offence* under these Regulations.
- 2.9.3 Netball New Zealand will inform:
- (a) the person;
 - (b) any sports organisations as appropriate;
 - (c) the HC;
 - (d) NZSDA;
 - (e) IFNA.
- of the doping offence and the sanction applied by the Tribunal.
- Netball New Zealand may then inform other persons or organisations of any doping offence as it thinks appropriate.
- 2.9.4 *Netball New Zealand* may reinstate financial or other assistance to the person which it suspended under clause 2.5.5.

2.10 APPEALS

- 2.10.1 A person (including NNZ) aggrieved by a decision under these Regulations may appeal it to an Appeals Tribunal established in accordance with Netball New Zealand Rules and/or the rules of IFNA.
- 2.10.2 The decision of the Appeals Tribunal will be final and binding on the parties to the appeal.
- 2.10.3 Any sanction imposed by the Tribunal pursuant to clause 2.7.1 will remain in force during the appeal unless the Appeals Tribunal decides otherwise.

2.11 RETIREMENT AND COMEBACKS

(This section relates purely to retirements and comebacks for the purposes of these Regulations)

- 2.11.1 A person may retire from competition by notifying NNZ in writing.
- 2.11.2 The person's retirement date will be the date NNZ receives the notice.
- 2.11.3 Retirement does not:
 - (a) excuse the person from giving a *sample* requested before the retirement date
 - (b) prevent the analysis of a *sample* given by the person before their retirement date
 - (c) affect the results of *testing* under (a) or (b) above, or
 - (d) exempt the person from these Regulations in relation to a doping offence committed before their retirement date.
- 2.11.4 A person may make a written request to NNZ for reinstatement one year after their retirement date (unless otherwise provided for in NNZ rules). The request is taken to be made on the date NNZ receives the request.
- 2.11.5 Reinstatement will be at the discretion of NNZ.
- 2.11.6 These Regulations will apply to the person from the date of their reinstatement request.
- 2.11.7 During the six month period following the reinstatement request the person may be tested:
 - (a) as required by NNZ and IFNA rules; and
 - (b) at the discretion of NZSDA.

- 2.11.8 A retired person may not compete in competitions and events conducted by or under the auspices of NNZ until the following periods expire:

For international competitions and events

2 years from the date of the reinstatement request.

For domestic competitions and events

6 months from the date of the reinstatement request.

- 2.11.9 A person may apply to the Tribunal to be eligible to compete in international competitions and events before the period set out in clause 2.11.8 expires.
- 2.11.10 A person may apply to *Netball New Zealand* to be eligible to compete in domestic competitions and events before the period set out in clause 2.11.8 expires.

2.12 WHAT DO WORDS USED IN THESE REGULATIONS MEAN?

- 2.12.1 In these Regulations:

“coach, official and administrator” mean a person who administers, manages, assists or is otherwise involved in the sport of netball under the jurisdiction of NNZ other than as a player.

“Chief Executive” means the Chief Executive of NNZ.

“doping offence” means as defined in Clause 3

“drug testing authority” means:

- (a) NZSDA; or
- (b) an agency appointed or contracted by NZSDA, IFNA or NNZ or a national drug testing authority which:
 - (i.) operates under its own rules and regulations; and
 - (ii.) has samples analysed by an IFNA approved or an IOC/WADA accredited laboratory, or
- (c) an agency which conducts testing on players for the detection of prohibited substances where:
 - (i.) the methods of testing substantially accord with IFNA or IOC procedures; and
 - (ii.) the sample is analysed by an IFNA approved or an IOC accredited laboratory.

“HC” means the Hillary Commission established by the Sport and Fitness and Leisure Act 1987 and also includes any crown entity which is the successor of the Commission (now Sport New Zealand).

“IFNA” means the International Netball Federation Limited trading as International Federation of Netball Associations

“IOC” means the International Olympic Committee created by the Congress of Paris of 23 June 1894 which is entrusted with the control and development of the Modern Olympic Games pursuant to the Olympic Charter.

“Netball New Zealand” means Netball New Zealand Incorporated.

"NZSDA" means the New Zealand Sports and Drug Agency established by the New Zealand Sports Drug Agency Act 1994.

"Olympic Movement Anti-Doping Code" means the code issued by the IOC and amended from time to time.

"Player" means a "competitor" as defined under the New Zealand Sports Drug Agency Act 1994, namely:

"a person who is registered as an athlete with, or who participates as an athlete in any sporting event or activities of, or sanctioned by, an international sporting federation, a national sporting organisation, a regional sporting organisation, or an affiliate of those bodies, or an affiliated club, team, association, or league, and who—

- (a) Is a New Zealand citizen; or
- (b) Is present in New Zealand; or
- (c) Is competing for New Zealand; or
- (d) Consents to be tested at the request of the Agency:"

"positive test result" means a result of a test by a drug testing authority which shows the presence of a prohibited substance in a sample or the use of a prohibited method.

"prohibited method" means a method prohibited under the anti-doping Code of:

- (a) *IFNA*, or
- (b) if *IFNA* does not have an anti-doping Code, the *IOC* and includes a method contained in the *Schedule* of *NZSDA*.

"prohibited substance" means a substance prohibited under the doping regulations of:

- (a) *IFNA*; or
- (b) if *IFNA* does not have doping regulations, the *IOC*; or
- (c) or a substance contained in the *Schedule* of *NZSDA*.

"recognised medical authority" means:

- (a) The *NZSDA* medical advisory panel; or
- (b) An authority recognised by *IFNA* which may authorise the use of a *prohibited substance* or *prohibited method*.

"sample" means human biological fluid or tissue.

"Schedule" means the schedule of prohibited substances and prohibited doping methods published by the *NZSDA*.

"testing" means the requesting, collecting and analysing of a sample.

"trafficking" means:

- (a) manufacturing, extracting, transforming, preparing, storing, expediting, transporting, importing, transiting, offering, (whether subject to payment or free of charge), distributing, selling, exchanging, brokering, obtaining in any form, prescribing, commercialising, making over, accepting, possessing, holding, buying or acquiring in any manner a *prohibited substance*;
- (b) financing or serving as an intermediary for the finance of any of the activities in paragraph (a);
- (c) being knowingly concerned or involved in a *prohibited method*.

other than for personal use by a person who is not a *player*, for personal use by a *player* where the *player* has approval for therapeutic use, or in the course of the lawful exercise of professional medical, pharmaceutical or analogous activities.

“WADA” means World Anti Doping Agency.

2.12.2 Words in the singular include the plural and vice versa.

2.12.3 A person includes a body corporate.

APPENDIX A

ACKNOWLEDGEMENT OF ANTI- DOPING REGULATIONS

I, (full name)

of (address)

.....
(position with Netball New Zealand)

acknowledge and agree to be bound by the Anti-Doping Regulations of Netball New Zealand.

I acknowledge that if I commit a doping offence under the Anti-Doping Regulations, that I may be sanctioned in accordance with the Anti-Doping Regulations and the Constitution and any other applicable Regulations of Netball New Zealand.

.....
Signed

.....
Date

HARASSMENT FREE NETBALL REGULATIONS

HARASSMENT FREE NETBALL REGULATIONS

3.1 WHAT IS THE PURPOSE OF THESE REGULATIONS?

- 3.1.1 The purpose of these 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.
- 3.1.2 NNZ also seeks to provide a safe environment for those participating in the activities of NNZ and its Members.
- 3.1.3 These Regulations confirm that NNZ will not tolerate harassment, discrimination or abuse of those involved in its activities.
- 3.1.4 These 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.
- 3.1.5 NNZ believes everyone who participates in its activities has the right to be treated with respect and dignity. They also 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.
- 3.1.6 These Regulations also recognise that certain types of harassment and discrimination are unlawful and that the notification of abuse, in certain cases, is a legal requirement.

3.2 WHAT DO THESE REGULATIONS COVER?

- 3.2.1 These Regulations detail a number of ways in which NNZ seeks to fulfil the purposes set out in Part 3.1.
- 3.2.2 These include the following:
 - (a) it is an offence under these Regulations to engage in "Harassment", including engaging in abuse (see Parts 3.5 and 3.6);
 - (b) it is an offence under these Regulations to engage in "Discrimination" (see Part 3.6);
 - (c) all coaches, managers, administrators, other officials and players are bound by a Code of Conduct and Ethics (see Part 3.7 and attachments);
 - (d) NNZ has the right to undertake screening and to undergo a rigorous recruitment process for certain roles (see Part 3.8);

- (e) the requirement to notify abuse in certain situations (see Part 3.12);
- (f) a process for making a Complaint about a possible breach of these Regulations (see Part 3.10);
- (g) a process for investigating and hearing a matter (see Part 3.13);
- (h) a list of possible penalties which can be imposed (see Part 3.14); and
- (i) an appeal process (see Part 3.15).

3.3 WHO DO THESE REGULATIONS APPLY TO?

3.3.1 Subject to paragraph 3.3.2, these Regulations apply to Members of NNZ, as defined in the Constitution of NNZ, namely:

- (a) Zones;
- (b) Netball Centres;
- (c) Individual Members which include:
 - (i) persons who are members of a Club or a School Team eg players, and teachers;
 - (ii) the Patron and President of NNZ, each Zone and Netball centre (called "Officers");
 - (iii) individuals who are appointed to positions of responsibility within NNZ, a Zone or Netball Centre such as board members, national selectors and examiners (called "Appointed Personnel");
 - (iv) individuals who play, umpire, officiate, coach or manage a Netball Team competing in any Netball game held by or under the auspices of NNZ, a Zone, a Netball Centre or a Club, and who pay their membership fee;
- (d) Life Members of NNZ.

3.3.2. A Zone or Netball Centre may use their own Regulations if such Regulations;

- (a) make Harassment (as defined in NNZ Regulations) an offence;
- (b) set out a complaints procedure and impose sanctions consistent with these Regulations;
- (c) are otherwise consistent with NNZ regulations;
- (d) have been approved by NNZ.

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

3.4 WHAT IS THE STATUS OF THESE REGULATIONS?

3.4.1. These Regulations shall come into force on 1 April 2002.

3.4.2. These Regulations are issued by the Board of NNZ under Rule 25 of the NNZ Constitution.

3.4.3. Zones and Netball Centres are required to take reasonable steps to make their members aware of these Regulations by distributing them and/or making them accessible.

3.4.4. These Regulations may be changed from time to time by the Board of NNZ.

3.5 WHAT IS HARASSMENT?

3.5.1 Harassment is any behaviour by a person to whom these 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.

3.5.2 Whether or not the behaviour is "Harassment" is to be determined from the point of view of the person receiving the Harassment. The recipient must consider the behaviour to be unwelcome. It does not matter whether or not the person harassing intended to offend. The behaviour must also be assessed objectively in that it must be the type of behaviour which a reasonable person would find unwelcome.

3.5.3 Harassment can be expressed or implied, physical, verbal or non-verbal. Examples include, but are not limited to:

- (a) Abusive behaviour aimed at humiliating or intimidating;
- (b) Jokes or comments directed at a person's body, looks, age, race, religion, sexual orientation or disability (this may also be Discrimination);
- (c) Unwelcome remarks including teasing, name calling or insults (for example to judges or other officials);
- (d) Innuendoes or taunting;
- (e) Offensive emails, letters, notes;
- (f) Displaying offensive materials e.g. posters, computer screen savers;
- (g) Sexual propositions (see also Sexual Harassment).

3.5.4 Harassment includes:

- (a) Sexual Harassment (see paragraphs 3.5 to 3.7 below);
- (b) Discrimination (see Part 3.6), and
- (c) Abuse (see paragraphs 3.5.8 to 3.5.10 below).

3.5.5 Under these Regulations Sexual Harassment means:

- (a) an unwelcome sexual advance, or
- (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.

3.5.6 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.

3.5.7 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 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.

3.5.8 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 have any doubt that an offence may have been committed you should notify the Police.

3.5.9 Abuse is also Harassment. Under these Regulations it includes:

- (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 (c) 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.

3.5.10 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.

3.5.11 Some forms of abuse may constitute a criminal offence, for example assault. If you have any doubt that an offence may have been committed you should notify the Police.

3.5.12 Harassment is an offence under these Regulations (see Part 3.9) and will be dealt with in accordance with these Regulations (see Parts 3.10 to 3.15).

3.6 WHAT IS DISCRIMINATION?

3.6.1 Discrimination is 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 they have.

3.6.2 The attributes or characteristics are:

- (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 – this includes whether the person is with child, has the supposed signs or symptoms of pregnancy (e.g. large stomach, morning sickness);
- (h) Race;
- (i) Religious belief/activity;
- (j) Sex or gender;
- (k) Sexual orientation.

3.6.3 The areas of public life in which Discrimination under these Regulations are not permitted are in:

- (a) employment (including unpaid employment) by NNZ, a Zone or at CNC;
 - (b) the provision of goods and services by NNZ, a Zone or at CNC;
 - (c) the selection or otherwise of any person for competition (domestic or international) by or on behalf of NNZ, a Zone or at CNC;
 - (d) the entry or otherwise of any player or other person to any competition held by or under the auspices of NNZ, a Zone or a Netball Centre (note the exception in paragraph 3.6.9 below);
 - (e) membership (including the rights and privileges of membership) of NNZ, a Zone or CNC.
- 3.6.4 Not only is Discrimination unlawful, but NNZ also considers it is wrong. It denies people a chance by judging them on the basis of stereotypes or having assumptions about what they can or cannot achieve.
- 3.6.5 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.
- 3.6.6 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 Regulations.
- 3.6.7 Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination, is also Discrimination.
- 3.6.8 In addition to the description of Discrimination in paragraphs 3.6.1 to 3.6.7, any behaviour or conduct which is discrimination under the *Human Rights Act 1993* or the *Employment Relations Act 2000* is discrimination for the purposes of these Regulations.
- 3.6.9 Discrimination **is** permitted if one of the exemptions under the *Human Rights Act* applies. These include the following:
- (a) 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);
 - (b) 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).
- 3.6.10 Discrimination is an offence under these Regulations (see Part 3.8) and will be dealt with in accordance with these Regulations (see Parts 3.10 to 3.15).

3.7 NNZ'S CODES OF CONDUCT & ETHICS

- 3.7.1 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 Code of Conduct and Ethics. It is attached to these Regulations, and forms a part of them.
- 3.7.2 The NNZ Code of Conduct and Ethics applies to the same people to whom these Regulations apply.
- 3.7.3 The Code of Conduct and Ethics 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.
- 3.7.4 Part of the Code of Conduct & Ethics deals with specific standards and requirements for administrators, coaches and players. These are called the "Administrators Code of Conduct and Ethics", the "Coaches Code of Conduct and Ethics", the "Players Code of Conduct and Ethics", and the "Parents & Spectators Code of Conduct & Ethics", respectively (see attached to these Regulations). These are in addition to the general Code of Conduct & Ethics.
- 3.7.5 Although already binding under these Regulations, every coach must sign the Coaches Code of Conduct and Ethics form attached to these Regulations.
- 3.7.6 Breach of the Code of Conduct and Ethics, including any of the specific parts of it which apply to administrators, coaches or players, is an offence under these Regulations (see Part 3.9) and will be dealt with in accordance with these Regulations (see Parts 3.10 to 3.15).

3.8 SCREENING

- 3.8.1 Another way in which NNZ seeks to protect the health, safety and well being of all the people participating in the activities of NNZ and its Members, is to screen preferred applicants for certain roles.
- 3.8.2 Screening (as set out in paragraph 3.8.3) is mandatory for preferred applicants in the following types of roles:
 - (a) coaches who are employed or contracted by NNZ for reward or on a voluntary basis.
 - (b) persons appointed by NNZ to a role in which that person is likely to have individual and unsupervised contact with players under 18 years of age.
 - (c) any person appointed by NNZ, Zones or Netball Centres to a role where that person has been the subject of rumour, suspicion or complaints regarding harassment or abuse.
- 3.8.3 Screening is highly recommended, but not mandatory, for those persons seeking appointment in the following types of roles:

- (a) coaches who are employed or contracted by Zones and Netball Centres for reward.
- (b) volunteer coaches appointed by Zones or Netball Centres who are likely to travel away from their usual residence with teams of players under 18 years of age;
- (c) persons appointed by Zones or Netball Centres to a role in which that person is likely to have individual and unsupervised contact with players under 18 years of age;
- (d) volunteer coaches appointed by NNZ, Zones or Netball Centres who are likely to travel away with teams of players over 18 years of age;
- (e) persons appointed by NNZ, Zones or Netball Centres to a role in which that person is likely to have contact with players under 18 years of age but where such contact is supervised at all times by another adult.

3.8.4 For the purposes of these Regulations, screening shall include:

- (a) Checking the applicant's referees;
- (b) Interviewing the applicant; and
- (c) Obtaining a Police Check of the applicant.

3.8.5 The purpose of a Police Check is to see whether the person has any previous criminal convictions. If the person has committed offences then the following requirements apply:

- (a) If the offence (whenever it occurred) is one involving dishonesty, drugs, violence, an offence against a person (e.g. sex offences, assault) or an offence which in any way involved persons under 18 years of age, then they must not be appointed to the role. If that person is appointed to a role then this is an offence under these Regulations (see Part 9) and the Member concerned will be dealt with in accordance with these regulations (see Parts 10 to 15);
- (b) If the offence is other than those in (a), such as an offence to property or a minor traffic offence, then the person may be appointed, subject to satisfaction of other criteria for the role.

3.8.6 All persons to whom these Regulations apply must agree to NNZ or the relevant Zones or Netball Centres obtaining a Police Check of them from the NZ Police and/or relevant overseas authorities if they apply for a role of the type set out in paragraph 3.8.2. (A form is attached for this purpose).

3.8.7 If a preferred applicant is not willing to agree to the Police Check, then neither NNZ, any Zone or Netball Centre shall appoint that person to such role. Breach of this requirement by NNZ or a Zone or a Netball Centres is an offence under these Regulations (see Part 3.9) and will be dealt with in accordance with these Regulations (see Parts 3.10 to 3.15).

3.8.8 All information obtained during the course of screening (including any Police Check) 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 the role must be returned to the applicant and not retained by NNZ, the Zone or Netball Centre, unless the applicant agrees for them to do so.

- 3.8.9 In addition to obtaining Police Checks for preferred applicants, NNZ, Zones and Netball Centres are highly recommended to also consider obtaining the consent of existing appointees (whether paid or unpaid) in roles of the type set out in paragraph 3.8.2 within NNZ, Zones and Netball Centres. This check should be done every 2 to 5 years or if there is cause for concern about a particular person. This is not however a mandatory requirement. If the check reveals an offence of the type set out in paragraph 3.8.5(a) then steps should be taken to end the appointment. Note: Legal advice should be sought before such termination occurs.

3.9 WHAT IS AN OFFENCE UNDER THESE REGULATIONS?

- 3.9.1 It is an offence under these Regulations for any person to whom these Regulations applies to:
- (a) 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;
 - (b) Engage in Discrimination against a person/s as set out in the Human Rights Act and/or on the grounds set out in paragraph 3.6.2 and in the areas set out in paragraph 3.6.3, 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;
 - (c) 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;
 - (d) Breach any part of the NNZ Code of Conduct and Ethics including any part of the Administrators Code of Conduct and Ethics, the Coaches Code of Conduct and Ethics or the Players Code of Conduct and Ethics;
 - (e) Employ or appoint a person to a role of the type to which paragraph 3.8.2 refers:
 - (i) without first obtaining undertaking screening (as per paragraph 3.8.4); and
 - (ii) where the Police Check reveals the person has committed an offence of the type set out in paragraph 3.8.5(a).
 - (f) for a person listed in paragraph 3.10.3 to fail to comply with the procedures in these Regulations for dealing with a Complaint;
 - (g) make a frivolous, vexatious or malicious Complaint under Part 3.10; or
 - (h) fail to enforce a penalty imposed by the Judiciary Committee under Part 3.13.

- 3.9.2 Any circumstances which may be an offence may be the subject of a Complaint (under Part 3.10) and/or be investigated and referred to a hearing under Part 3.12 of these Regulations.

3.10 HOW DO YOU MAKE A COMPLAINT?

- 3.10.1 Any person may make a complaint about a person to whom these Regulations applies if they consider that person has, or may have, committed an offence and/or breached any part of these Regulations (a "Complaint")
- 3.10.2 A Complaint may be made in writing or verbally.
- 3.10.3 A Complaint may be made to any one of the following people within NNZ, a Zone or a Netball Centre:
- (a) the NNZ Harassment Free Officer;
 - (b) any person who is an employee, an appointed representative or an official of NNZ, a Zone or a Netball Centre;
 - (c) a coach, manager or other person appointed by NNZ, a Zone or a Netball Centre.
- 3.10.4 Making a frivolous, vexatious or malicious Complaint is an offence under these Regulations and will be dealt with as set out in Part 3.14.

3.11 WHAT IS THE PROCESS IF YOU MAKE A COMPLAINT?

- 3.11.1 If a person listed in paragraph 3.10.3 receives a Complaint of Harassment, Discrimination or Abuse s/he must ask whether the complainant wishes them to:
- (a) simply listen and advise the complainant about what their options are and what the complainant might do;
 - (b) act as a mediator between the complainant and the alleged offender to try and resolve the Complaint; or
 - (c) report the Complaint to the relevant Harassment Free Officer of NNZ, the Zone or Netball Centre for further investigation.
- 3.11.2 Having determined the complainant's wishes in paragraph 3.11.1, the person listed in paragraph 3.10.3, must:
- (a) act in accordance with the complainants wishes as set out in paragraph 3.11.1 (a), (b) or (c); and
 - (b) keep the matter confidential and only discuss it with those people whom the complainant has agreed should be spoken to about the Complaint.
- 3.11.3 If a person listed in paragraph 3.10.3 receives a Complaint which may be:
- (a) in breach of the NNZ Code of Ethics and Conduct, or
 - (b) an offence under these Regulations as set out in Part 3.9;

- (c) where the complainant has requested their Complaint of Harassment, Discrimination or Abuse (in paragraph 3.11.2) be reported to a Harassment Free Officer, then the person must immediately report such Complaint to the relevant NNZ, or the Zone, or the Netball Centre Harassment Free Officer.

3.11.4 Upon a Harassment Free Officer receiving a Complaint under paragraph 3.11.3 s/he must:

- (a) request the complainant to record their Complaint in writing and forward it to them;
- (b) 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;
- (c) attempt to mediate a resolution of the Complaint between the complainant and the alleged offender; and
- (d) if the mediation does not resolve the Complaint, refer the matter to investigation and/or hearing under Part 3.14 of these Regulations. If the matter is resolved it shall go no further.

3.11.5 In any other case, upon a Harassment Free Officer receiving a Complaint under paragraph 3.11.4 the officer shall refer the matter for investigation and/or hearing under Part 3.13 of these Regulations.

3.12 WHEN AND TO WHO ARE YOU REQUIRED TO NOTIFY OF ABUSE?

3.12.1 Under the *Children Young Persons and Their Families Act 1989* any person who believes that a child (under 14 years) or an unmarried young person (under 17 years) has been or is likely to be harmed (whether physically, emotionally or sexually), ill treated, abused, neglected or deprived may report the matter to the Police or any Social Worker.

3.13 INVESTIGATION AND HEARINGS

3.13.1 Where NNZ, a Zone or a Netball Centre receives:

- (a) information from any source whatsoever (but which is not a Complaint), or
- (b) a Complaint which is reported by a Harassment Free Officer; an independent Harassment Free Officer 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 Part 3.13.

3.13.2 Upon receipt of the information or a Complaint in paragraph 3.13.1, an independent Harassment Free Officer 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 an offence under these Regulations may have been committed.

3.13.3 An independent Harassment Free Officer appointed by NNZ and/or the President of the relevant Zone or Netball Centre, as the case may be, considers there is reasonable cause to suspect that an offence under

these 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.

3.13.4 The procedure following the referral in paragraph 3.13.3 shall be as set out in Rule 22.1 of the NNZ Constitution.

3.13.5 In addition, upon the referral to the Judiciary Committee under paragraph 3.13.3, 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, order that the alleged offender ("the defendant") be:

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

pending the determination of the hearing.

3.13.6 The defendant may appeal a decision of the NNZ Judiciary Committee to suspend under paragraph 3.13.5 in accordance with the Rule 22.3 of the NNZ Constitution.

3.14 WHAT PENALTIES MAY BE IMPOSED?

3.14.1 The penalties which may be imposed by the Judiciary Committee for an offence under these Regulations may include:

- (a) requiring the defendant to attend counselling to address their behaviour;
- (b) termination of the appointment from the role which the defendant holds with NNZ, a Zone and/or a Netball Centre;
- (c) the payment of compensation to the complainant and/or others who were subject to the behaviour committed by the defendant;
- (d) in the case of a Level 1, 2 or 3 Coach, the withdrawal of such accreditation for a period or indefinitely;
- (e) 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 offence was committed (as determined by the Judiciary Committee); and
- (f) 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 offence was committed (as determined by the Judiciary Committee).

3.14.2 If a penalty is imposed by the Judiciary Committee the Chief Executive Officer shall notify every Zone, Netball Centre and Club of such penalty.

- 3.14.3 Any penalty imposed under paragraph 3.14.2 shall be recognised and enforced by every Member of NNZ. The failure to do so is an offence under these Regulations and will be dealt with as set out in Part 3.14.

3.15 HOW CAN A PERSON APPEAL A DECISION?

- 3.15.1 The defendant or the complainant in proceedings held under Part 3.14 may appeal a decision of the Judiciary Committee made under Part 3.14 of these Regulations.
- 3.15.2 The process for such appeal is as set out in Rule 22.3 of the NNZ Constitution.

3.16 WHAT DO WORDS IN THESE REGULATIONS MEAN?

- 3.16.1 In these 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 form of Harassment and as more specifically set out in Part 3.5, paragraphs 3.5.9 to 3.5.11 of these Regulations.

“Complaint” means a complaint made under Part 3.10 of these Regulations.

“Discrimination” means a form of Harassment and as more specifically set out in Part 3.6 these Regulations.

“Harassment” has the meaning set out in Part 3.5 of these Regulations.

“Regulations” and **“these Regulations”** means these Harassment Free Regulations.

“Sexual Harassment” means a form of Harassment and as more specifically set out in Part 3.5, paragraphs 3.5.5 to 3.5.8 of these Regulations.

NNZ General Code of Conduct & Ethics

As a member of NNZ you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of NNZ, a Zone or a Netball Centre and in any role you hold within NNZ, a Zone or a Netball Centre:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealings with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age.
6. Be aware of, and maintain an uncompromising adherence to NNZ standards, rules regulations and policies.
7. Operate within the rules of netball including national and international guidelines which govern NNZ, the Zone and Netball Centres
8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Conduct & Ethics.
9. Do not use your involvement with NNZ, a Zone or Netball Centre to promote your own beliefs, behaviours or practices where these are inconsistent with those of NNZ, a Zone or a Netball Centre.
10. Wherever possible avoid unaccompanied and unobserved activities with persons under 18 years of age.
11. Refrain from any form of abuse towards others.
12. Refrain from any form of harassment towards, or discrimination of, others.
13. Provide a safe environment for the conduct of any netball or netball related activity.
14. Show concern and caution towards others who may be sick or injured.
15. Be a positive role model.

NNZ Administrators Code of Conduct & Ethics

As an administrator of NNZ, a Zone or a Netball Centre you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of NNZ, a Zone or a Netball Centre and in any role you hold within NNZ, a Zone or a Netball Centre:

1. Be fair, considerate and honest in all dealing with others.
2. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
3. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
4. Resolve conflicts fairly and promptly through established procedures.
5. Maintain strict impartiality.
6. Maintain a safe environment for you and others.
7. Be aware of your legal responsibilities.
8. Be a positive role model for others.

NNZ Coaches Code of Conduct & Ethics

As a coach appointed by NNZ, a Zone or a Netball Centre you must meet the following requirements in regard to your conduct as a coach and in any role you hold within NNZ, a Zone or a Netball Centre:

1. Respect the rights, dignity and worth of every human being.
 - Within the context of the activity, treat everyone equally regardless of sex, ethnicity, race, religion, or sexual orientation.
 - Always assume that there are lesbian, gay and bisexual people in teams and among the coaching and support staff, even if they have chosen not to identify themselves. Make it clear that you will not tolerate anti-gay prejudice or any prejudice based on sexual orientation.
2. Ensure the player's time spent with you is a positive experience
 - All players are deserving of equal attention and opportunities.
3. Treat each player as an individual.
 - Respect the talent, developmental stage and goals of each individual player.
 - Help each player reach their full potential.
4. Be fair, considerate and honest with players.
5. Be professional in and accept punctuality and responsibility for your actions.
 - Language, manner, preparation and presentation should reflect high standards.
 - Display control, respect, dignity and professionalism to all involved with the sport - this includes opponents, coaches, officials, administrators, the media, parents and spectators.
 - Encourage your players to demonstrate the same qualities.
6. Make a commitment to providing a quality service to your players.
 - Maintain or improve your current coaching accreditation.
 - Seek continual improvement through performance appraisal and ongoing coach education.
 - Provide a training program which is planned and sequential.
 - Maintain appropriate records.

Operate within the rules and spirit of your sport

- The rules and guidelines of IFNA should be followed.
 - The New Zealand Sports Drug Agency provides legislation to operate within.
7. Any physical contact with players should be appropriate to the situation and necessary for the player's skill development
- Be careful about which parts of the body are touched – different parts have varying social and sexual connotations. There is a difference between touching limbs and handling the torso. Touching areas close to erogenous zones is less acceptable than touching other parts of the body;
 - Be careful about which part of your body and how much of it is in contact with a player's body. The perception and experience of another person's touch and body warmth may become oppressive;
 - Be aware that the quality of the touch conveys different meanings through its duration and firmness. These meanings may or may not be intended;
 - Understand that your intentions and the players interpretations of touching will be influenced by cultural differences and religious implications; by the age, sex and sexual orientation of the player and coach and by their status as able bodied, sick or disabled;
 - Assure players that your actions are at all times unambiguously professional and appreciate the importance of seeking to defuse anxiety and apprehension before touching, by means of a verbal explanation of your intention;
 - Be sensitive to the impact of different degrees of interpersonal proximity and be aware that unnecessary touching may offend.
8. Refrain from any intimate relationship or affair with your players
- even if the relationship is with the consent of the player you should avoid them, regardless of their age;
 - be aware that players, particularly younger players, may not understand the implications of their behaviour and because of their attachment to you as their coach, may attempt to instigate an intimate relationship. It is important to actively discourage any intimate relationships with players. You are responsible for setting and maintaining appropriate boundaries between yourself and players.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible
- This includes not being alone in a room or vehicle with a player
10. Refrain from any form of personal abuse.
- This includes verbal, physical and emotional abuse;
 - Be alert to any forms of abuse directed towards your players from other sources whilst they are in your care.

11. Refrain from any form of sexual harassment towards your players
12. Provide a safe environment for training at facilities and in competition.
 - Ensure equipment and facilities meet safety standards.
 - Equipment, rules and the environment need to be appropriate for the age and ability of the players.
13. Show concern and caution towards sick and injured players
 - Provide a modified training program where appropriate.
 - Allow further participation in training and competition only when appropriate.
 - Seek medical advice when required.
 - Maintain the same interest and support towards sick and injured players.
14. Be a positive role model for netball and players

NNZ Players Code of Conduct & Ethics

As a player in any netball or netball related activity held by or under the auspices of NNZ, a Zone or a Netball Centre you must meet the following requirements in regard to your conduct during any such activity or event

1. Play equally hard for yourself and your team. Your team's performance will benefit, so will you.
2. Treat all players as you would like to be treated. Do not bully or take unfair advantage of another player.
3. Control your temper, any verbal abuse or deliberate contact. Abusive behaviour is unacceptable.
4. Play according to the rules of netball and the principles of fairplay.
5. Never argue with an umpire. If you are concerned, talk to your coach or captain.
6. Be a good sport, cheer all good play from both your team and the opposition.
7. Appreciate and co-operate with your coach, teammates and officials. There would be no game without them.
8. Take responsibility for your performance on and off the court.

NNZ Parents and Spectators Code of Conduct & Ethics

As a parent/guardian and spectator of netball or netball related activities held by or under the auspices of NNZ, a Zone or a Netball Centre you are encouraged to meet the following requirements in regard to your conduct during any such activity or event:

1. Support the removal of verbal and physical abuse from the game.
2. If you disagree with an official, raise the issue via appropriate channels rather than question the official's judgement and honesty in public.
3. Teach children that effort is as important as victory, so that the result of each game is accepted without undue disappointment.
4. If children are interested, encourage and support them to play. Avoid forcing children to play if reluctant.
5. Children learn by taking risks and making mistakes, encourage and support this.
6. Remember children are involved in netball for their enjoyment not yours.
7. Recognise and value the importance of coaches and other volunteers who give their time and resources to provide netball - they deserve your support.
8. Applaud good play by players on both teams.
9. Encourage children to play to the rules of the game and respect umpires' decisions.

NNZ Coaches Code of Conduct & Ethics Agreement Form

This form must be completed by any person seeking to be complete Starting Out in Coaching NNZ Coaching Course.

I,..... (print full name)

of

..... (street address)

..... (City)

wish to register/re-register (please circle) for the following Netball NZ coaching qualification

Starting out in Coaching (please circle)

Player Centred Coaching

Community Coach Award

I agree and declare that:

- 1 I have read the NNZ Harassment Free Regulations and in particular the NNZ Coaches Code of Conduct and Ethics and agree to comply with them.
- 2 I acknowledge that disciplinary action may be taken against me (including loss of my coaching accreditation) if I commit an offence under the Regulations which includes a breach of the Coaches Code of Conduct and Ethics.

Signature:

Date:

PLEASE RETURN THIS FORM ONCE SIGNED TO
Netball Director
Po Box 99-710
Newmarket, Auckland.

CONFIDENTIAL WHEN COMPLETED



The Privacy Assistant
Department for Courts
National Office
P O Box 2750
WELLINGTON

REQUEST FOR A COPY OF PERSONAL INFORMATION STORED ON THE WANGANUI
COMPUTER

**SECTION 1 AND SECTION 2 TO BE COMPLETED BY ALL APPLICANTS. SECTION 3 TO BE
COMPLETED IF NECESSARY.**

SECTION 1: APPLICANT DETAILS

Pursuant to the Privacy Act 1993, I hereby authorise the Privacy Officer, Department for Courts, to release all information about me held on the Wanganui computer which are held in the sub-systems administered by the Department for Courts relating to:

please tick ☒ appropriate box(es)

PLEASE PRINT IN PEN

- ☐ Criminal convictions
☐ All criminal history

- ☐ Details of my fines and enforcements

Surname or family names

First names

Date of birth

 / /19

Previous names - maiden name, aliases

Present residential address

Previous address(es) in last 3 years

Time lived there (approximately)

Time lived there (approximately)

Place of birth

Home phone number

 ()

Do you hold a New Zealand Drivers licence?

Yes ☐ No ☐

Drivers licence number

Registration plate numbers of ALL vehicles currently owned by applicant

Signature of applicant

 X

Date

 / /

Privacy Application Form

Form continues overleaf ➔

SECTION 2: PROOF OF IDENTITY

Ask someone who can confirm your identity to fill in this section

The person who identifies you, the applicant, must :

- have known you for more than 12 months
- be aged 18 years and over
- have a day time phone number
- not be a relative
- not live at the same address as you
- be contactable during normal business hours

Surname or family names of identifier

First names of identifier

Home address - street address NOT a P O Box no.

Home phone number

Work phone number

I DECLARE THAT I HAVE PERSONALLY KNOWN:

Surname or family name of applicant

First names of applicant

for years and vouch for his/her identity

Signature of identifier

To the best of my knowledge the information on this application form is true and the applicant is the person I have named.

THIS FORM MUST BE ACCOMPANIED BY A PHOTOCOPY OF THE APPLICANTS IDENTIFICATION

☐ Drivers Licence

OR

☐ Birth Certificate

OR

☐ Passport

If you are unable to provide one of the above identification OR complete section 2, you will be required to sign a Statutory Declaration.

ONLY COMPLETE IF YOU WISH TO APPOINT A PERSON OTHER THAN YOURSELF TO WHOM YOU WISH TO HAVE YOUR INFORMATION RELEASED

SECTION 3. APPLICANTS AUTHORITY TO RELEASE INFORMATION TO A THIRD PARTY

Please release to the undersigned:

Full name of third party

Address of third party

a copy of my personal information from the Department for Courts.

Full name and address of the person or agency the third party is acting for (if applicable):

Signature of third party

Signature of applicant

Subject to the *Part V, para. 40* of the *Privacy Act 1993* the Department for Courts will process this request as soon as is reasonably practicable, and in any case no later than 20 working days upon receipt of this application.

SPONSORSHIP REGULATIONS

4 SPONSORSHIP REGULATIONS

4.1 ZONE AND NETBALL CENTRE SPONSORS

- 4.1.1 Zones and Netball Centres are encouraged at all times to support NNZ Sponsors and Official Suppliers.
- 4.1.2 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.
- 4.1.3 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.
- 4.1.4 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.
- 4.1.5 Zones and Netball Centres must not, without the prior written approval of the Chief Executive, appoint a sponsor for their 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 Officer from time to time.

PRIVACY REGULATIONS

5 PRIVACY REGULATIONS

1. NNZ acknowledges the provisions of the Privacy Act 1993 and its amendments ("the Act").
2. In collecting personal information NNZ, Zones and Netball Centres must comply with the Act and these Regulations.
3. Personal information which is collected for the Register of Members must be collected on the prescribed membership form.
4. Where a person consents to receiving information from NNZ, a Zone and/or a Netball Centre then only those persons may be sent such information and no others.
5. Where a person consents to receiving information from a sponsor or other third party, then the following limitations apply to the supply of such information, unless otherwise approved in writing by the Board:
 - (a) NNZ = 3 mail outs each year
 - (b) Zones = 3 mail outs each year
 - (c) Netball Centres = 2 mail outs each year

(A "mail out" means information from one sponsor or third party and includes mail sent electronically eg by email or internet).

SOCIAL MEDIA

CNC Social Media Policy

Application

1. This policy applies to all staff, Board members, Committee members and participating volunteers involved with netball at Christchurch Netball Centre (CNC).

Purpose

2. The purpose of this policy is to
 - a. provide guidance to staff, board and committee members and participant volunteers with respect to both personal and official use of social media, and
 - b. ensure that the use of social media by staff, board and committee members and participant volunteers is consistent with the organisation's strategic goals.
3. This policy is broad in nature to accommodate the fast changing landscape of social media.

Related documents

4. The following documents must be read in conjunction with this policy
 - o CNC Code of Conduct
 - o CNC Current Policies and Regulations
 - o CNC Current Constitution
 - o Netball Mainland Zone Inc policies, regulations and constitutions
 - o Privacy Act 1993

Definitions

5. In this policy
 - o **social media** means a dialogue allowing people to socially interact with one another online; some examples of social media sites and applications include Facebook, YouTube, Twitter, blogs and other sites that have content based on user-participation and user-generated content

Principles

6. CNC supports the use of managed social media as a way of facilitating communication and dialogue between its various audiences e.g. staff, board and committee members and participant volunteers with the netball and wider community and business sectors, and media.
7. Staff, board and committee members, participant volunteers must always be alert to the fact that postings on social media sites can be immediate, public and permanent. Note: consequential actions to modify or delete content can aggravate and escalate situations.

Personal social media involvement

8. A staff member, board or committee member and/or participant volunteer using a social media site as a private individual
 - a. must not post confidential or proprietary information about CNC staff and board and committee members and participant volunteers.
 - b. when posting about the organisation, this must be done in a professional manner and must always consider how the post may reflect on CNC this is particularly relevant when the subject matter is controversial
 - c. must consider the privacy of staff, board and committee members and participant volunteers and must not post photos, videos, or details of internal conversations that may identify them without their permission
 - d. must not use the CNC logo, branding or other identification on personal social media pages
 - e. must not use the name of CNC logo or brand to promote a product, cause, political party, or national or local government candidate
 - f. must ensure that any information posted about CNC is factually correct.

Christchurch Netball Centre social media presence

9. A staff member who wishes to establish an official CNC social media presence must seek prior approval to do so from the Board via the Netball Manager.
10. Authority to approve the establishment of any CNC social media presence rests with the board as part of the approval, a staff member will be identified as having responsibility for maintaining the site.
11. Any staff member identified by the board as having responsibility for a CNC social media presence must ensure that the information posted on the site is
 - a. up to date and includes appropriate links to the CNC webpage
 - b. accurate and factually correct
 - c. professional in tone and style.
12. The Netball Manager has authority to moderate any CNC content on any social media site and to delete any posts that, in his or her opinion, pose a reputational risk to the organisation.
13. Staff who wish to have any social media site content relevant to CNC moderated may only do so in consultation with the Netball Manager.

Responsibility for monitoring compliance

14. The Netball Manager is responsible for monitoring compliance with this policy and reporting any breaches to the Board.
15. Breaches of this policy may result in disciplinary action under the Code of Conduct and may result in disciplinary action, warnings, suspension, termination of employment and/or civil or criminal prosecution.

Do's and Don'ts of Social Media Use

1. All participants in social media act ethically at all time and with integrity, mutual trust and respect for others.
2. The organisation needs to be confident that the online activities of staff, board and committee members and participant volunteers do not undermine the interests of CNC.
3. Contributions made on line should be in a manner which enhances the CNC reputation.
4. Any comments made should include a simple and visible disclaimer such as '*these are my personal views and not those of Christchurch Netball Centre*'.
5. Make sure that what you write about is accurate, truthful and is within your area of expertise.
6. Never comment on legal matters.
7. Never attack, defame, abuse, harass, stalk, threaten or otherwise violate the legal rights of players, clubs, employees, colleagues or external third parties via online activities.
8. Do not post, upload, distribute or disseminate any inappropriate, profane, defamatory, discriminatory, false, misleading, infringing, obscene, indecent or unlawful material or information.
9. Do not post any personal or sensitive details including but not limited to images where people can be identified without first having obtained permission to do so.
10. Do not give rise to rumours or comment on rumours in any way – also, do not deny or confirm them.