

Appeals Procedure

Board of Directors NSW Basketball Association



REVISED: March '06

Appeals Procedure for Any Athlete Who Disputes the Decision of the Selectors and/or Basketball NSW

1. Any athlete who disputes the selectors' decision may appeal to Basketball NSW in writing within 7 days of the decision being notified to them. Any appeal lodged after the 7 days period **will not** be considered.
2. In the first instance, Basketball NSW will request that the selectors review their own decision.
3. If the selectors choose not to change their decision, this will be communicated to the athlete.
4. If the athlete disputes the result of this first appeal they may lodge a second appeal to Basketball NSW in writing within 7 days of the first appeal decision being notified to them. Any second appeal lodged after the 7 day period **will not** be considered.
5. Basketball NSW will convene an appropriate panel to review the case. The decision of this panel will be final from the Basketball NSW point of view.
6. Athletes who remain in dispute with the decision of Basketball NSW following the process in points 1 to 5 above, may choose to appeal to The National Sports Dispute Centre.

Release of Athletes from NSW State Team Squad and Team Training Commitments

1. Athletes who are in Basketball Australia programs or are scholarship holders at the Australian Institute of Sport or the New South Wales Institute of Sport will give priority of commitments to these programs when they clash with the NSW State Team Program training. The Head Coaches of these identified programs may agree to release their athletes to the State Team Program if they are approached. State Team Head Coaches should negotiate as early as possible with the Head Coaches of the identified programs to ensure maximum availability of athletes in these programs for training with the State Team program.

2. Athletes who have written, paid contracts with NBL, WNBL or ABA teams must meet their contract obligations to that team as a first priority when their team commitments clash with the NSW State Team Program training. The Head Coaches of these identified teams may agree to release their athletes to the State Team Program if they are approached. State Team Head Coaches should negotiate as early as possible with the Head Coaches of the identified teams to ensure maximum availability of athletes in these programs for training with the State Team program.
3. Release from NSW State Team training of athletes who are involved in the following **senior** competitions, will be at the **discretion** of the NSW State team **Head Coach** but only under the Basketball NSW specified **special condition(s)** which follow:

Special Condition(s)

The following special condition, **which MUST be followed by the NSW State Team Head Coach**, will apply. If **any one** athlete is released to play under this Clause 3, then **all other** athletes in the team or squad who comply with the circumstances set out in this clause, and who apply for release, **MUST** also be released.

Senior competitions to which Clause 3 applies:

- ABA teams (where athlete does **not** have a written, paid contract with their team), playing in an ABA competition match.
- Division 1 Senior NSW State League Team, playing in NSW Senior State League competition match.
- The **highest level senior** team fielded by their home association, playing in a NSW Senior State League competition match or equivalent interstate senior state league competition match.

Use of this clause by the Head Coach must be carefully considered. Circumstances will be different from year to year and team to team. A decision to allow release under this clause may be affected by the number of athletes in the team who are automatically entitled to be released under Clauses 1 & 2. In addition, dates in the Basketball NSW Calendar which have been set for U/18 and U/16 State Team training cannot be altered. Hence, alternative training weekends cannot be substituted for these State Teams, just to suit the release of athletes.

Consequently, Head Coaches **MUST** decide on their policy under this Clause 3 **before** training starts, communicate it to their athletes and apply it consistently throughout the training period. Head Coaches should give **careful thought** to releasing athletes under this Clause 3 **before** agreeing to do so. Releasing a significant number of athletes under this clause could have considerable effects on the preparation of the team. Ultimately, the Head Coach will have to be responsible for any subsequent disruption to their team's preparation if they allow athlete release under this particular Clause 3.