

Open Letter to all College Sport Teachers/Coaches and Parents

It has now been 18 months since ASSHA introduced new By-laws aimed at regulating the transfer of sporting students between schools. This followed concerns around player poaching and similar activities that were undermining of secondary school competition. There was good support of the transfer regulations during 2009. This bodes well for 2010 and the importance of maintaining an even playing field for our competitions and giving greater opportunities for students through the promotion and training of players from within each school's existing roll.

College Sport wishes to maintain this momentum, and to ensure that we do not return to the problems of the past. The ASSHA Board would like to remind participants and in particular parents and supporters, that everybody must be vigilant and comply with the regulations around student transfers and recruitment. The rules extend to any parent or supporter who approaches a student in another team with a view to their recruitment and transfer. It is important that parents/supporters do not attempt to solicit or entice any student in another team to transfer across to another school in order to participate in a team which they are supporting or have some involvement with. Approaches of this nature may well breach the ASSHA By-laws and result in a challenge from the school concerned, in turn this will cause difficulties for all involved, including the student who is the subject of the transfer. This may involve the requirement for completion of the statutory declarations attached by Parents, Student and Principal.

If parents/supporters are unsure about the rules that regulate transfers or whether their actions could risk breaching the regulations, then they should discuss this with the team's coach, manager or the Principal of the school. It is our hope that the benefits from regulating recruitment and transfers can continue for the wider good of our sporting competitions and that all those involved in College Sport play their part in promoting the spirit of fair play and sportsmanship.

ASSHA Board

February 2010

STATUTORY DECLARATION FORMS 1, 2 and 3
(the layout of these forms maybe changed between August 2008 and Feb 2009)



The following form is to be completed by a transferring student for a Premier transfer where their previous school has required them to do so under By-Laws 10.8.3, 10.8.4, 10.8.5, 10.8.7, 10.8.8 or 10.8.9 and have indicated this on the official College Sport Premier Transfer form. This form along with Statutory Declaration Forms 2 and 3 must be completed and returned to both the College Sport office by fax (09 8458497) and Previous School (School of origin) by fax within 5 working days of receipt of the Premier Transfer Form indicating that the Statutory Declaration clauses are requested to be invoked. Failure to complete a requested Statutory Declaration will render a Premier Transfer invalid and an automatic season stand down will apply as per By-Law 10.8.4

FORM 1 – STATUTORY DECLARATION TO BE COMPLETED BY A TRANSFERRING STUDENT

Iof do solemnly and sincerely declare that:

- 1) The Principal of the receiving school, that is my new school, has carefully explained the College Sport Bylaws on transfers and recruitment to me (Bylaws 10.8. and 10.12.1 & 10.12.6). I have not been approached by any one asking me to leave my current school;
- 2) I honestly believe that my transfer has not breached the recruitment Bylaws;
- 3) No one has attempted to use influence to secure or attempt to secure my transfer to my new school. This includes coaches, sports directors or employees or volunteers of my new school.
- 4) I have not been offered any inducements to leave my current school including scholarships, fees reductions or other sponsorships, which are not available to all students.
- 5) The decision to leave has been a voluntary one and was because of:
.....
.....
.....
- 6) I have not been approached by a coach, a sports official, an employee, or anyone connected in any way with my current school asking me to attend my current school.
- 7) I have decided to go to my new school because
.....
.....
- 8) I am aware of the stand down provisions including the mandatory stand down for the entire season if poaching or breach of the recruitment By-Law is found by College Sport.
- 9) **I understand the penalties for a false declaration include a referral of the matter by College Sport to the Police, or other penalties being imposed against me under the Bylaws including expulsion or suspension from any College Sport sanctioned tournament or event.**

I make this declaration solemnly and sincerely believing the same to be true by virtue of the Oaths and Declaration Act 1957.

.....
Declared before me:

.....
**Barrister and Solicitor of the High Court of New Zealand
Justice of Peace**



The following form is to be completed by a Receiving School Principal for a Premier transfer where the school of Origin Principal has required them to do so under By-Laws 10.8.3, 10.8.4, 10.8.5, 10.8.7, 10.8.8 or 10.8.9 and have indicated this on the official College Sport Premier Transfer form. This form along with Statutory Declaration Forms 1 and 3 must be completed and returned to both the College Sport office by fax (09 8458497) and Previous School (School of origin) by fax within 5 working days of receipt of the Premier Transfer Form indicating that the Statutory Declaration clauses are requested to be invoked. Failure to complete a requested Statutory Declaration will render a Premier Transfer invalid and an automatic season stand down will apply as per By-Law 10.8.4

FORM 2 – STATUTORY DECLARATION TO BE COMPLETED BY A RECEIVING PRINCIPAL

Iof do solemnly and sincerely declare that:

1. I have carefully explained the College Sport Bylaws on transfers and recruitment to the student and their parents/guardian (Bylaws 10.8.1- 10.8.9 and 10.12.1 & 10.12.6).
2. I honestly believe that the transfer has not breached the recruitment Bylaws. I have spoken to
.....in arriving at that conclusion;
3. I honestly believe after full and thorough inquiries with
.....
..... that no one has attempted to use influence to secure or attempt to secure the transfer. This includes coaches, sports directors, employees or volunteers of our school.
4. The student has not been offered any inducements to leave their current school including scholarships, fees reductions or other sponsorships, which are not available to all students, and which were offered in breach of the recruitment provisions of the By Laws, at section 12.
5. I believe the decision to leave has been a voluntary one and was due to:.....
.....
6. I believe that the student and/or their parents/guardians have not been approached by a coach, a sports official, an employee, or volunteer connected in any way with our school asking that they attend our school
7. I understand the penalties for a false declaration include a referral of the matter by College Sport to the Police, or other penalties being imposed against me under the Bylaws including expulsion or suspension from ASSHA
8. I confirm that the transfer has not breached the current Ministry of Education’s zoning regulations or enrolment scheme regulations.

And I make this declaration solemnly and sincerely believing the same to be true by virtue of the Oaths and Declaration Act 1957.

.....
Declared before me :

.....
**Barrister and Solicitor of the High Court of New Zealand
Justice of the Peace**



The following form is to be completed by the parent or guardian of a transferring student for a Premier transfer where their previous school has required them to do so under By-Laws 10.8.3, 10.8.4, 10.8.5, 10.8.7, 10.8.8 or 10.8.9 and have indicated this on the official College Sport Premier Transfer form. This form along with Statutory Declaration Forms 1 and 2 must be completed and returned to both the College Sport office by fax (09 8458497) and Previous School (School of origin) by fax within 5 working days of receipt of the Premier Transfer Form indicating that the Statutory Declaration clauses are requested to be invoked. Failure to complete a requested Statutory Declaration will render a Premier Transfer invalid and an automatic season stand down will apply as per By-Law 10.8.4

FORM 3– STATUTORY DECLARATION FORM TO BE COMPLETED BY THE PARENT OR GUARDIAN OF A TRANSFERRING STUDENT

Iof do solemnly and sincerely declare

The Principal of the receiving school, that is our new school, has carefully explained the College Sport Bylaws on transfers and recruitment to me (Bylaws 10.8.1- 10.8.9 and 10.12.1 & 10.12.6). I have not been approached by any one asking me to enrol my student at their new school.

I honestly believe that the transfer has not breached the recruitment Bylaws.

No one has attempted to use influence to secure or attempt to secure the transfer of my child to their new school. This includes coaches, sports directors or employees or volunteers of their new school.

Neither we nor our child have been offered any inducements to leave our current school including scholarships, fees reductions or other sponsorships, not available to all students, and which were offered in breach of the recruitment By-Laws at section 12.

The decision to leave has been a voluntary one and was because of:
.....
.....

We have not been approached by a coach, a sports official, an employee, or volunteer connected in any way with the new school asking our child to attend the new school.

We have not breached the Ministry of Education’s zoning or enrolment scheme regulations.

We are aware of the stand down provisions including the mandatory stand down for the entire season if poaching or breach of the recruitment bylaw is found by College Sport.

We understand the penalties for a false declaration include a referral of the matter by College Sport to the Police, or other penalties being imposed against me under the Bylaws including expulsion or suspension from any College Sport sanctioned tournament or event.

I make this declaration solemnly and sincerely believing the same to be true by virtue of the Oaths and Declaration Act 1957.

.....
Declared before me :
.....

**Barrister and Solicitor of the High Court of New Zealand
Justice of the Peace**