



Scottish Volleyball Association Byelaws

SCOTTISH VOLLEYBALL ASSOCIATION BYELAWS (REVISED MAY 2005)

In order to ensure the smooth running of the business of the Association, the following bylaws are to take effect from the dates as noted.

Bylaw 1: Starting Membership of the Association

- 1.1 Any individual or group may make application in writing at any time for membership of the Association. Such application should be accompanied by the appropriate fee. In the event of the Board refusing the application of membership, the fee will be returned.

Bylaw 2: Ceasing Membership of the Association

- 2.1 Any member of the Association will be deemed to have ceased membership of the Association if one or more of the following prevail -
- (a) Membership is cancelled as a result of disciplinary action by the Board against the member. Such cancellation will take effect fifteen days after notification of cancellation of membership is issued to the member.
 - (b) The annual affiliation subscription is not paid within twenty-eight days following a final demand. Such final demand should indicate that unless the affiliation subscription is paid within twenty eight days from the issue of the demand, membership will be cancelled.
 - (c) A letter is received from the member, or in the case of a club, from the Club Administrator, advising the Association that the member wishes to cancel membership. Such a cancellation may only take effect if all monies due to the Association or any of its members have been paid.

Bylaw 3: Player Registration

- 3.1 The Board has the power to require that any player participating in a match, competition or tournament organised by the National or District Association must have registered with the National Association through a member club of the Association.
- 3.2 The process of registration will be as follows:
- (a) The Team Secretary will submit to the Association a schedule of proposed registered players on the SVA standard registration form.
 - (b) The appropriate registration fees will accompany the form.

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- (c) The Board reserves the right to refuse registration to any person it deems unsuitable. In that event, the relevant fee will be returned.
- (d) Player registration cards will be issued by the Association to each Team Secretary in respect of all registered players for the club. The registration card will show the date until which the registration is valid.
- (e) By signing the player registration card, the player agrees to be bound by the Memorandum of Agreement, Bylaws and Statutes of the Association.

3.3 Article 4.3 of the Rules of Competition notwithstanding, a registered player may only play in official competition for the club through which he/she is registered, or for a representative team recognised by the Association.

Bylaw 4: Player Transfer

- 4.1 A player has the right to be released from a club of which he/she is a registered member and thereafter to transfer to another club.
- 4.2 The procedure for this is as follows:
 - (a) A player wishing to be released from the club of which he or she is a member must write to the SVA requesting to be released.
 - (b) On receipt of this written request the SVA will send a Player Transfer Form to the player's club for completion and return by the Club Administrator.
 - (c)
 - (i) The Club Administrator must complete and return the Player Transfer Form to the SVA within 28 days of the date on which the SVA received the written request to be released from the player.
 - (ii) If the SVA are not in receipt of the completed Player Transfer Form within 28 days the player will automatically be released from the club concerned and will be informed that he/she is free to transfer to and register for another club.
 - (iii) In such cases the club will be subject to a fine of £25.00 for failing to comply with Bylaw 6.4.
 - (d) The Club Administrator must indicate on the Player Transfer Form that the club (i) approved the release of the player or (ii) refuses to release the player stating reasons for this.

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- (e) If the club approves the release of the player, the Club Administrator should return the player's registration card to the SVA along with the Player Transfer Form. The player will be informed by the SVA that he or she has been released and is free to transfer to, and register for, another club.
 - (f) If the club refuses to release the player the reasons for this must be indicated on the Player Transfer Form. Clubs may refuse to release a player only on the grounds that (i) the player owes the club money or (ii) the player owes the club goods such as team strip, tracksuit, balls, etc.
 - (g) In such cases, the player's request to be released will be considered by a Player Transfer Subcommittee formed by the Competitions Commission plus a Director of the SVA and this group will then decide on this matter.
 - (i) Should the player's request to be released be upheld, the club will be informed, as will the player who will then be free to transfer to, and register for, another club.
 - (ii) Should the club's decision to refuse to release the player be upheld this will be communicated to the club and the player who will also be informed of the reasons why release from the club has been refused.
 - (h) No request for a transfer made by a club or a player will be granted by the SVA if either club or player are at the time of the transfer request, the subject of any disciplinary proceedings by the SVA. The transfer request will be suspended until such time as said disciplinary proceedings, and any appeal relative to said proceedings, have been completed.
- 4.3 Having been released a player is free to transfer to and register for another club.
- (a) The Club Administrator of the club to which the player is transferring should draft a letter to the effect that the player concerned is now a playing member of that club and send this to the SVA along with the appropriate registration and administration fee which are indicated in Bylaw 4.5.
 - (b) On receipt of the letter and the appropriate registration and transfer fee, the SVA will process the new registration, thereby verifying that the player has transferred to, and is now a playing member, of the club concerned.

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- 4.4 Date of Release - this is determined by one of the following:
- (i) 28 days after the date on which the SVA received the request to be released from the player, should there be no reply from the Club Administrator. [4.2c(ii)].
 - (ii) The date of receipt by the SVA of the completed Player Transfer Form indicating that the player has been released. (4.2e).
 - (iii) The date on which the player's request to be released is upheld by the Player Transfer Subcommittee [4.2g(i)].
- (a) If the date of release falls between May 1 and December 31 inclusive, the player is eligible to register and play for another club immediately without penalty.
- (b) Players released between January 1 and April 30 inclusive will not be allowed to transfer registration to, and play for, another club except in exceptional circumstances. The Board of the SVA reserves the right to grant such exceptional circumstance transfers. .

4.5 Date of Transfer

This is the date on which the SVA receives the letter from the Club Administrator of the club to which the player is transferring, indicating that the player is now a playing member of that club, and the appropriate registration and admission fee.

The appropriate administration fee, payable to the SVA, will be determined by the date of transfer as follows:

May 1 to December 31 inclusive - Normal registration fee only.
January 1 to April 30 inclusive - Normal registration fee plus £10.00.

The Board reserves the right to refuse any transfer it considers may not be in the interest of the Association. In that event the relevant fees would be returned.

- 4.6 A club seeking to obtain the service of a player from another club may approach the Club Administrator of that club in writing, requesting the release of the player. If the player is willing to transfer to this other club he/she should follow the procedures outlined in Bylaw 4.2.

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- 4.7 (a) If a player is subjected to repeated approaches by players, officials or office bearers of another club to join that club, the player should report the matter to their Club Administrator who shall seek clarification from the club concerned.
- (b) If the Club Administrator fails to resolve the situation the matter should be referred to the Board for deliberation under Bylaw 10, Disciplinary Action.
- 4.8 Any player transfer request involving the transfer of a player to or from any club outwith Scotland shall be governed by the rules and regulations for transfers as laid down by the FIVB and the British Volleyball Federation.

Bylaw 5: Club Administrator

- 5.1 Each member club of the Association shall have a Club Administrator who shall be responsible for all correspondence with the Association.
- 5.2 The name, address and telephone number of the proposed Club Administrator must be advised to the Association in writing no later than July 1 each year. The period of office will be to June 30 the following year.
- 5.3 The Board has the right to reject any nomination that it deems unsuitable.
- 5.4 A change of Club Administrator may be requested in writing at any time following the usual nomination procedure and payment of a charge of £5. The new Club Administrator will hold office for the balance of the period appropriate to his/her predecessor.

Bylaw 6: Responsibilities of Member Clubs

- 6.1 To pay all affiliation, registration and other fees due by the club and its members to the Association.

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- 6.2 To control the behaviour of their members. This responsibility is not restricted to the duration of an SVA organised match. It will, for example, extend to the period before and after the match and will also be in respect of matches not organised by the Association. It may extend entirely outwith the match situation if the behaviour is deemed by the Board to be against the interests of the Association.
- 6.3 To enforce all penalties and other disciplinary action required by the Board in respect of its members.
- 6.4 To supply any information requested by the Association.
- 6.5 To release any players required by representative team training or matches if requested to do so by the Association.
- 6.6 To submit a Constitution for approval by the Board. (A standard format can be provided by the SVA containing the required articles necessary for approval.)
- 6.7 To submit all proposed constitutional amendments, and any bylaws or other statutes that the club may wish to adopt for approval by the Board.
- 6.8 To keep a register of all members.
- 6.9 To submit on November 1 each year a schedule of all members (see 6.8) on an approved form if requested to do so. A fine of £10.00 for National League clubs and £5.00 for District League clubs will be applied for failure to submit this schedule. The same fines will be applied for each repeated request for this schedule.
- 6.10 (a) Any club already participating in or applying for entry to the National Leagues for the first time must maintain another group of players outwith the National Leagues, of the same sex as the first team, comprising of a minimum of eight people.
(b) This group of players must be affiliated to the SVA by November 1 each year and must be constitutionally part of the same volleyball club as the first team.
(c) The members of the second group of players must be included into the submission to the SVA each year of a schedule of all club members as outlined in Bylaw 6.9.

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- (b) Clubs participating in the National League who fail to maintain another group of players as described above will be subject to a £25.00 fine.

Bylaw 7: Matches not organised by the Association

- 7.1 Any member club or group wishing to organise a match, competition or tournament must seek the approval of the Association in writing no less than six weeks prior to the proposed date. Details of the proposed match, competition or tournament should be given, including the names of teams it is intended will participate. In exceptional circumstances, cases may be considered where less notice is given. Clubs who fail to obtain approval may be liable to disciplinary actions under byelaw 10.
- 7.2 Any member club wishing to participate in a match, competition or tournament which is not organised by the Association or by a member club of the Association must advise the Association no less than four weeks prior to the proposed date. In special circumstances, cases may be considered even though less notice is given.
- 7.3 The Board reserve the right to refuse permission for a member club to organise and/or participate in any match, competition or tournament that it feels may not be in the interests of the Association.
- 7.4 Member clubs who engage in any form of competition with teams from abroad should be aware of the FIVB Code of Discipline.

Bylaw 8: Change of Name

- 8.1 A member club may request in writing that its name or that of one or more of the teams which has entered an SVA organised competition be changed.
- 8.2 The Board has the power to refuse such a request if it feels that the change would not be in the interests of the Association.
- 8.3 If the request is approved, the Board has the power to levy such fees as it deems appropriate.

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Bylaw 9: Licensing of Officials and Coaches

- 9.1 Any SVA Qualified Official or Coach may apply to become a licensed official or a licensed Coach.
- 9.2 The process of licensing will be as follows:
- a) The official/coach will submit an application in writing using, if required by the Association, a standard form.
 - b) The appropriate licence fee will accompany the form.
 - c) The Board reserves the right to refuse a licence to any person it deems unsuitable. In that event, the relevant fee will be returned.
 - d) A licence card will be issued by the Association to each official/coach. The licence card will show the date until which the licence is valid.
 - e) By signing the officials/coach licence card, the official agrees to be bound by the Memorandum of Agreement and Bylaws of the Association.

Bylaw 10: Disciplinary Action

- 10.1 The Board has the power to investigate and take action against any of the following:
- (a) Any alleged or possible breach of the Association's Memorandum of Agreement or Bylaws.
 - (b) Any action, conduct or comments, whether written or verbal, by a member of the Association, that the Board considers is or may be injurious to the interest of the Association or volleyball in Scotland
- 10.2 If the Board is asked to investigate any matter to which Clause 10.1 applies, a suitable person will be appointed to carry out all necessary investigations.
- 10.3 Any matter referred to under 10.1 shall be investigated and dealt with as follows:
- (a) The Investigating Officer may seek such additional information as may be required to clearly establish the nature of any complaint to be investigated. In particular, the party making the complaint and/or witnesses referred to in the complaint shall be obliged to provide the Investigating Officer with such information as the may be required.

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- (b) Within fourteen days of receipt of the complaint, the Investigating Officer shall intimate upon the Association member, who is the subject of the complaint, full details of the complaint to be investigated by sending a registered letter to the last known address of the member, player, official or coach. In the event that a complaint is made against a registered player or players, full details of the complaint shall also be intimated upon the Administrator of the Club which said player or players are members. If subsequent to such information, the Investigating Officer receives further details in respect of the nature of the complaint, such further details or information shall be intimated upon the member, player, official or coach forthwith.
- (c) The member, against whom the complaint is directed shall respond to the complaint in writing, addressed to the Investigating Officer, within fourteen days of the date on which the complaint is intimated upon him or her.
- (d) On receipt of a response from the member, complained against, the Investigating Officer shall, after any consultation or further investigation that is deemed appropriate, and within fourteen days of receipt of said response, dispose of the complaint by (a) dismissing the complaint or (b) by issuing a warning letter to the party complained against, or, (c) by referring the matter to a Disciplinary Committee, consisting of at least three members to carry out further investigation and to hold a hearing on the complaint.
- (e) If the matter is referred to a Disciplinary Committee as aforesaid, a hearing shall be assigned to take place no later than twenty-one days from the date of the decision of the Investigating Officer in terms of sub-clause (d) hereof. Intimation of the hearing shall be sent by registered letter to the last known address of the member, in question to arrive at least fourteen clear days prior to the date fixed for the hearing. Said intimation shall include an invitation to that member, player, official or coach to attend the hearing with any relevant witnesses he or she may wish to call. In the event that a player or players are requested to attend a hearing, intimation of the hearing shall also be sent by registered letter to the Administrator of the club of which said player or players are members.

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- (f) The Disciplinary Committee shall make such procedural provisions as shall be necessary for the just and efficient disposal of the hearing.
 - (g) Following its investigations, the Disciplinary Committee has the power to take such disciplinary action as it deems appropriate.
 - (h) The Disciplinary Committee shall, within seven days of the hearing, notify all relevant parties of its decision.
- 10.4 The Disciplinary Committee, in carrying out its investigations, may require any Association member, to give such information, verbal or written, as is deemed necessary for the purposes of the investigation. Failure by any such member to provide such information may be deemed a breach of the Association's Memorandum of Agreement and Bylaws which in itself may be the subject of further disciplinary action
- 10.5 Any Association member, against whom disciplinary action has been taken, may appeal against the decision of the Disciplinary Committee Any such appeal must be addressed in writing to the President of the SVA within 10 days of the decision being taken. A deposit of £35.00 must be lodged with each appeal and the grounds for the appeal clearly articulated. This deposit will be returned in the event that the appeal is upheld.
- 10.6 On receipt of any such appeal, the President of the SVA shall appoint a Disciplinary Appeals Committee consisting of at least three members of the SVA to hear the appeal. Only such persons who are not directly interested in the outcome of such appeal or who were not involved in any way in the original hearing referred to in clause 10.3(e) shall be entitled to consider the appeal. The Appeals Committee shall deal with the appeal as follows:
- (a) The President of the Disciplinary Appeals Committee may seek such additional information as may be required to clearly establish the grounds of the appeal to be considered.

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- (b) An appeals hearing shall be assigned to take place no later than 21 days from the date of receipt of the appeal in terms of Clause 10.5 hereof. Intimation of the date of the appeal shall be sent by Registered Letter to the party lodging the appeal to arrive at least fourteen clear days prior to the date fixed for the appeal. Said intimation shall include an invitation to the party lodging the appeal to attend the appeal hearing. In the event that an appeal is lodged by a club member, intimation of the date of the appeal hearing shall also be sent Registered Mail to the Administrator of the Club of which said persons are members.
 - (c) The Disciplinary Appeals Committee shall make such procedural provisions as shall be necessary for the just and efficient disposal of the appeal.
 - (d) Following an appeal hearing, the Disciplinary Appeals Committee may uphold the appeal and dismiss any action or penalty previously imposed by the Disciplinary Committee, or it may dismiss the appeal and uphold the decision of the Disciplinary Committee, either by re-affirming the disciplinary action or penalty imposed by the Disciplinary Committee or varying such action or penalty as the Disciplinary Appeals Committee considers fit.
 - (e) The party submitting the appeal shall be notified in writing by registered letter within seven days of the decision of the Disciplinary Appeals Committee, which decision shall be final and binding on all parties and there shall be no further right of appeal. In the case of an appeal by a player or players, notification of the Disciplinary Appeals Committee's decision shall also be made upon the Administrator of the Club of which said player or players are members.
- 10.7 Until such time as an investigation by the Disciplinary Committee and the Disciplinary Appeals Committee has been completed, any comments made to any branch of the news media by any member of the Association, about any matter relating to the investigation may be considered as being injurious to the interests of the Association or volleyball in Scotland and may in itself be the subject of further disciplinary proceedings.

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Bylaw 11: Right of Appeal

- 11.1 Members of the Association have the right to appeal against decisions made by the Board, or by any other Committee or Commission appointed by the Board, or by any District Association, or by any full or part-time employee of the Association.
- 11.2 Appeals Procedures
- (a) National Competition Matters - procedures for appeals against decisions made by the Competitions Committee are set out in the Rules for National Competitions, Article 12.
 - (b) Disciplinary Matters - Procedures for appeals against decisions made by the Disciplinary Committee are set out in Bylaw 10. Any appeal relating to a decision on a disciplinary matter taken by a District Association shall be remitted to the President of the SVA to be dealt with in accordance with the provisions of Bylaw 10.
 - (c) All other appeals shall be considered by the Board. Appeals must be addressed in writing to the General Secretary of the Association and be accompanied by a £35.00 deposit. Decisions taken by the NEC concerning appeals shall be final and not subject to further debate or correspondence.
- 11.3 Until such time as an appeal is completed, any comments made to any branch of the news media by any member of the Association, about any matter relating to the appeal may be considered as being injurious to the interests of the Association or volleyball in Scotland and may in itself be the subject of further disciplinary proceedings under Bylaw 10.

Bylaw 12: District Associations

- 12.1 District Associations shall adopt the standard constitution provided by the SVA.
- 12.2 Any proposed constitutional amendments shall be submitted to the Board for approval.
- 12.3 District Organisers are required by the Board to implement those matters of policy pertaining to competitions, statutes, returns and records as approved or required.

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- 12.4 District Associations may receive such monies or loans from the SVA as the NEC deems appropriate for the efficient management of the District Association.
- 12.5 All member clubs of the SVA are automatically members of the District Association which the member club is allocated by the SVA. They are eligible to enter competitions or activities of that District on payment of the required entry fee to that Association, subject to the rules and regulations of that Association.

Bylaw 13: Doping Control

- 13.1 The Scottish Volleyball Association forbids doping.
- 13.2 Doping is the use by, or distribution to, a competitor of any substance defined by the World Anti-Doping Association (WADA) as a banned class.
- 13.3 The identification of a substance and/or its metabolites in a competitor's urine will constitute an offence. Evidence of blood doping, pharmacological, chemical or physical manipulation is also an offence which may be penalised.
- 13.4 The Scottish Volleyball Association reserves the right to initiate a programme of in and out of competition testing for drug misuse. No advance notice will be given as to when and where the drug testing will take place.
- 13.5 Any person assisting or inciting others in the contravention of doping regulations shall be considered as having committed an offence against these rules and may be penalised.
- 13.6 Doping control collection and testing procedures shall conform to the current guidelines laid down by the WADA, UK Sport and sportscotland.
- 13.7 Any person found guilty of a doping offence will be subject to disciplinary action which may result in a life ban.
- 13.8 Any person found guilty of a doping offence will have the right of appeal.

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- 13.9 It is an individual's duty to ensure that any medication used is not included in the list of substances banned by the WADA.
- 13.10 A full list of banned substances and regulations is available on the UK Sport website – www.uk sport.gov.uk
- 13.11 Refusal to submit to testing for drug misuse will be taken to be an indication that the person concerned has been taking banned substances with a view to improving performance. In such cases, disciplinary actions will be taken as outlined in 13.7.

Bylaw 14: Sponsorship

- 14.1 In Bylaw 14 when the following terms are used their definition is as follows:
- (a) Advertising - all activities which aim to get a message across to the public in order to make them buy a product or service, or make them favourably disposed towards a firm, organisation or idea.
 - (b) Sponsoring - agreement in which one of the parties (the sponsor) provides the financial aids against which the other party (the club) provides the means of communication, resulting from practising its sport.
 - (c) Sponsor - natural or legal body who provides money or goods in consideration of which the club supplies the means of communication.
- 14.2 All clubs entering or re-negotiating sponsor/advertising agreements which involve change of name and/or advertising on club equipment (club strips or tracksuits) shall be required to produce the agreement in writing.
- 14.3 No club is permitted to enter into a new agreement which results in the club, or any individual club team, being known by a sponsors name alone, but the club or team shall require to retain as part of its new name part of the name used by it immediately prior to entering a change of name agreement with a sponsor.
- 14.4 All written agreements entered into as provided by Bylaw 14.2 shall run for a minimum of one year.

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- 14.5 No sponsorship/advertising agreement shall have any clauses inserted which are in conflict with:
- (a) The Regulations or Bylaws of the SVA and FIVB.
 - (b) The regulations of the club concerned.
 - (c) The smooth running of the SVA
- 14.6 Clubs are not allowed to enter into a sponsorship agreement within one year after this sponsor has terminated a sponsorship contract with another club. In special cases, the Executive Council can reduce this as it sees fit.
- 14.7 A club involved in a sponsorship/advertising agreement which involves the name of a sponsor or a sponsor's product for one of the teams should be required to pay an annual fee to the SVA as follows:

Men's First Division	£100
Women's First Division	£75
Men's Second Division	£50
Women's Second Division	£25
Men's Third Division	£25
Women's Third Division	£25
Men's Fourth Division	£25
District League	£25

In the event of a club entering into an agreement which results in the name of any sponsor or sponsor's product being used by more than one team in that club, the club shall be required to pay only a single fee under the above scale. The fee payable in such circumstances shall be the highest which any one of the individual teams now using the sponsor's name or product would otherwise be required to pay under the above scale.

- 14.8 A National League Club involved in an agreement which does not come under the terms of Bylaw 14.7 but which involves advertising on club tracksuits and strips (see Bylaw 14.2) shall pay an annual fee of £25 to the SVA irrespective of division. A District League team will fall under the terms of this Bylaw if it enters the National Cup.

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- 14.9 The sponsorship contract: the club is not obliged to draw up a contract in line with the SVA's standard model contract, but the use of that model contract is recommended. All sponsoring contracts must include in exact terms articles 1, 6, 8, 10, 11, 16, 20, 21 and 22 of the model contract and, in addition, clauses must be inserted dealing with the matters covered by articles 2, 3, 5, 9 and 12 of the model contract. Any contract submitted to the SVA differing from the SVA model will be liable to a scrutinising fee of £25.
- 14.10 Sums due under articles 14.7 and 14.8 shall be payable immediately the concluded agreement between the club and sponsor has been approved by the SVA as provided for in Article 14.11. In the case of agreements running for more than one year, payments other than the initial payments shall be due no later than April 1 each year. In the event of an Agreement being concluded between January 1 and April 1 the appropriate fee due to the SVA will cover the club until April 1 of the following year. Until payment is made, the club will not be entitled to be known by its new name (in the case of agreements involving name changes) nor to advertise the sponsor's name, products or services on club equipment. Failure to make a second or subsequent payment on time may result in the SVA refusing to carry the sponsor's name in the SVA handbook or other publicity material.
- 14.11 All sponsorship/advertising contracts shall be examined by the Sponsorship Committee and the signature of the President or designate of that committee shall be required on all concluded agreements.
- 14.12 No club entering or renewing a sponsorship agreement shall release details of that agreement to the Press or other agency without the contract being signed and approved by the SVA Sponsorship Committee.
- 14.13 Clubs with new contracts which have not been approved by the SVA Sponsorship Committee before the National League entry date will be given until July 20 of that year to have their contract approved. Failure to meet this date will invoke the terms of Bylaw 14.10.
- 14.14 Upon conclusion or termination of a sponsorship agreement, a club, or any individual club team should cease to use the name of the former sponsor and/or to advertise the name of the former sponsor on club equipment (club strips or tracksuits).