



18 October 2017

Ms Jeanette Radcliffe  
Secretary  
Standing Committee on Community Affairs References Committee

By Email: [Community.Affairs.Sen@aph.gov.au](mailto:Community.Affairs.Sen@aph.gov.au)

**RE: INQUIRY INTO THE FUTURE OF RUGBY UNION IN AUSTRALIA**

Dear Ms Radcliffe

Thank you for your letter of 12 October 2017 in relation to questions taken on notice by me, on behalf of The Rugby Union Players' Association at the second hearing of the Inquiry into the Future of Rugby Union in Australia by the Senate Standing Committee on Community Affairs References Committee on 11 October 2017.

In regard to **Question 18**, and the extent of negotiations conducted for a new Australian Rugby Collective Bargaining Agreement in 2017, please see below a full list of all meetings conducted between RUPA and ARU. These meetings include background and information gathering discussions, as well as two extended all-in negotiation sessions.

- |       |                   |   |
|-------|-------------------|---|
| i.    | 23 June 2016      | RUPA CBA Presentation to Australian Rugby Strategy Group    |
| ii.   | 28 July 2016      | RUPA included in ARU Professional Rugby Workshop            |
| iii.  | 1 August 2016     | RUPA Presentation to ARU Board HR Committee                 |
| iv.   | 2 August 2016     | RUPA Meeting with ARU: Financials & High Performance Models |
| v.    | 19 August 2016    | RUPA Meeting with ARU: Financials Follow-up                 |
| vi.   | 30 August 2016    | CBA Bargaining Session # 1                                  |
| vii.  | 8 September 2016  | RUPA Meeting with ARU – Sevens                              |
| viii. | 14 September 2016 | CBA Bargaining Session # 2                                  |
| ix.   | 27 September 2016 | RUPA Meeting with ARU – Action Items Follow Up              |
| x.    | 29 September 2016 | RUPA Meeting with ARU – Further Follow Up                   |
| xi.   | 6 October 2016    | RUPA Meeting with ARU – Agents & Medical Policies           |
| xii.  | 11 October 2016   | RUPA Meeting with ARU – Image Rights & Commercial           |
| xiii. | 25 October 2016   | RUPA & ARU CEOs Meeting                                     |
| xiv.  | 27 October 2016   | RUPA-ARU Joint Board Meeting                                |
| xv.   | 8 November 2016   | ARU "Stakeholder Summit Meeting"                            |
| xvi.  | 11 November 2016  | RUPA Meeting with ARU – CBA Next Steps                      |

Notwithstanding the effort and engagement between the Parties, to which the dates above are testimony, the growing uncertainty over the future of Super Rugby was ultimately too significant a de-stabilising influence on the negotiations; and the CBA still had some time until 31 December 2017 to run.

In regard to **Question 19**, I can confirm that RUPA was provided a copy of the Alliance Agreement by the ARU General Counsel, Richard Hawkins, via email on 15 June 2016.

A copy of this email is attached to this letter and you will see that the Agreement was provided strictly in confidence and in the good faith context of RUPA considering appropriate contracting processes and principles for Western Force players given the ARU having become the employer of all Western Force players in accordance with the Alliance.

Please feel free to contact me should you wish to discuss the contents of this letter further.

Kind Regards,

Ross Xenos  
**Chief Executive Officer**  
**RUPA**

## Ross Xenos

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**From:** Richard Hawkins [REDACTED]  
**Sent:** Wednesday, 15 June 2016 12:23 PM  
**To:** Ross Xenos; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Western Force - Contracting Principles.  
**Attachments:** Alliance Agreement ARU WARU Execution Version .pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Ross

Thanks for your comments.

We agree that an offer letter executed in accordance with the terms of Schedule 3 of the Player Contracting Rules will be legally binding on all parties - so hopefully this resolves that issue.

I have also attached as requested the final version of the Alliance Agreement between ARU and Rugby WA. I have copied in Mark who has agreed to this disclosure on behalf of Rugby WA provided that it does not go beyond you, Toby or FCB as your legal advisers, and provided that it is used solely for the purpose of RUPA considering appropriate contracting processes and principles for Western Force players going forwards.

AJ will be in touch shortly on the other points.

Best,  
Rich

**Richard Hawkins** | General Counsel | Australian Rugby Union Ltd  
ARU Headquarters | Ground Floor, 29-57 Christie St, St Leonards NSW 2065 (PO Box 115, ST LEONARDS NSW 1590)  
[REDACTED] | [REDACTED] | [REDACTED] | W [www.rugby.com.au](http://www.rugby.com.au)

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**From:** Ross Xenos [REDACTED]  
**Sent:** Wednesday, 15 June 2016 8:54 AM  
[REDACTED]  
[REDACTED]  
**Subject:** RE: Western Force - Contracting Principles.

Hi Rich

Thanks for the update. Please see our comments inserted into your email below in red.

Cheers

Ross

**Ross Xenos**  
Chief Executive Officer

