



**NEW ZEALAND RUGBY PLAYERS ASSOCIATION**

## **A Guide to Rugby Player Agents**

**This information is provided by the  
New Zealand Rugby Players' Association**

**BY THE PLAYERS  
FOR THE GAME.**

## Who is the NZRPA?

The New Zealand Rugby Players' Association (NZRPA) is the professional players' independent body. It is run by players for players, and was founded in 1999 by the professional rugby players of New Zealand. It represents players on all the important issues, provides rugby, contractual and personal development advice and support for players, and works hard with rugby's stakeholders to ensure that players and teams thrive on and off the field.

The NZRPA produces resources for young players including a Players' Handbook featuring many useful tips and lots of information from our members and experts on life and pursuing a career as a professional rugby player. The Players' Own Handbook is available at [www.nzrpa.co.nz/info-centre](http://www.nzrpa.co.nz/info-centre).

The NZRPA has also produced a catalogue of online video workshops called Life Lessons Through Sports. These videos feature NZRPA members and cover topics such as work ethic, character, mental wellbeing, resilience, enjoyment, perspective, advice for coaches and advice for parents.

## What is an agent?

In professional sport, an agent is a person authorised and legally empowered to act on behalf of a player in negotiating contracts and other relevant opportunities. The New Zealand Rugby Players' Association recommend that players use an NZRPA Accredited Agent (see Accredited Agents information below).

## Why is it important to get independent professional advice?

Independent professional advice means getting advice from someone who is not influenced by organisations or people who have something to gain from the player's choices.

It is important to ensure that the player is not taken advantage of by administrators who have more industry knowledge than the player, and to ensure a player's personal circumstances and aspirations are considered. To balance this, a player should get independent advice from people who have experience and knowledge relating to a player's career, including contract law, negotiation, the player market and commercial opportunities.

For a player and their support people, it is a case of you don't know what you don't know. This is why the New Zealand Rugby Players' Association established the NZRPA Agent Charter and encourages players to use NZRPA Accredited Agents.



## How does rugby contracting work in New Zealand?

When thinking about agents, it is useful to have some understanding of how contracting of professional rugby players in New Zealand works. In New Zealand, all high performance, academy, provincial, Super Rugby and international rugby players are employed by New Zealand Rugby, Super Rugby clubs and/or Provincial Unions under a Collective Employment Agreement, which has been negotiated and agreed with the New Zealand Rugby Players' Association (NZRPA).

Under the Collective Employment Agreement, there are at least eight different types of employment contracts covering male and female, sevens and fifteens, academy, high performance, provincial, Super Rugby and national teams, such as the All Blacks, Black Ferns, All Blacks Sevens, Black Ferns Sevens and Maori All Blacks.

- A Provincial Union contracts players to be a part of their high-performance academies and to play in the National Provincial Championship.
- All New Zealand Super Rugby players are contracted directly to New Zealand Rugby, which seconds the player to their agreed Super Rugby Club to take part in the Super Rugby competition.
- New Zealand Rugby contracts players for our national teams, including the All Blacks, the All Blacks Sevens, the Black Ferns Sevens and the Black Ferns.
- There are also New Zealand Rugby interim contracts for players who are used as replacement players in the event that an initial squad member sustains an injury, becomes ill or fails to achieve selection during a competition or season.

The Collective Employment Agreement sets out the standard terms and conditions of the player's employment and the specific employment agreement that is to be used. A player will negotiate and agree their individual terms within certain agreed boundaries of the Collective Employment Agreement. These terms include the length of the employment contract and the level of annual retainer to be paid by the province, Super Rugby club or New Zealand Rugby. A summary of the Collective Employment Agreement, contracting structure and payment information can be found in the information section on [www.nzrpa.co.nz/info-centre](http://www.nzrpa.co.nz/info-centre).

The rugby landscape is complex and decisions made about a player's employment are important therefore it is **strongly** advised that a player gets independent advice from either the NZRPA directly by ringing 0800 PLAYER, or through an **NZRPA Accredited Agent** [see information in the Agents section of this brochure].

Players who are offered a rugby contract in New Zealand may also be talented in other sports like rugby league, basketball, cricket or AFL. These contracting environments are also complex therefore it is important you get good, independent advice if considering offers from other sports. The NZRPA is always happy to help a young player access quality independent advice, so don't hesitate to contact us.





## What services do agents provide?

An agent generally acts on behalf of the player in negotiating playing contracts in New Zealand or overseas, and often in dealing with any issues that arise under those contracts. For some players, they also assist with personal sponsorship and endorsement opportunities, and legal and financial matters.

## Who needs an agent?

If any player is considering a rugby playing contract, academy agreement or any other contract, they should get independent professional advice. This includes school students considering any contracts.

If you've got questions about whether you need an agent or at what point in your career you need to appoint one, the New Zealand Rugby Players' Association (NZRPA) can help you work out the answers.

Access to quality independent professional advice from someone who has the right knowledge and expertise is crucial. Choosing a good agent is a critical career decision for an aspiring professional player.

The NZRPA assists players and their support people with these decisions through various means, including providing a list of **NZRPA Accredited Agents** on [www.nzrpa.co.nz/our-people](http://www.nzrpa.co.nz/our-people) and providing free advice regarding agents and the rugby contract process. For more information, call 0800 PLAYER.

## What value can an agent provide?

Negotiating rugby-playing contracts is a skill, so the experience and knowledge of an agent can play a large part in ensuring your contract works for you. In addition to ensuring the contract is fair, there are finer details and initiatives that can be incorporated – or need to be avoided – in a contract in order to protect both the player's rugby and financial interests. An **NZRPA Accredited Agent** will be aware of these

details and will be able to help draw up the contract up in a way that aligns with the player's goals and objectives both on and off the field. For example, overseas contracts can be very complex with regard to playing, living, image rights, and financial and tax perspectives, therefore professional/specialist advice is a necessity.

Specialist advice is also necessary when a player is considering an endorsement or sponsorship opportunity, which may be offered if a player becomes well established and performs well.

Not all agents have the experience and knowledge to be able to negotiate overseas contracts and endorsement or sponsorship opportunities. It's important to take this into consideration when appointing an agent, and to ensure that the terms of appointment don't prevent the player from seeking specialist knowledge from others if their agent lacks these skills.

It's also important that any potential agent understands the value of aligning the rugby player's commitments with their chosen course of study or work. With the U19 and New Zealand U20's, Rugby World Cups and Mitre 10 Cup a lot of planning is done to help the young players navigate the challenges of balancing rugby with study or work. An agent should help make the player aware of the demands ahead of them in rugby and what those timeframes and commitments look like.

## Can an agent help me in other areas?

Some agents will offer financial, legal, investment, career development and educational services to players. The agent's suitability to provide these services should be assessed on an individual case-by-case basis. It is important to take into account the qualifications and experience individuals have in these areas when you are selecting an agent.





## What is the NZRPA Agent Charter and what is an NZRPA Accredited Agent?

The New Zealand Rugby Players' Association Agent Charter is a document that sets out certain standards of industry knowledge, integrity, competence and professionalism, which those agents accredited by the NZRPA (called **NZRPA Accredited Agents**) agree to work by. The purpose of the charter is to ensure advice and support is given in a way that the NZRPA believes protects the interests of players and is fair and reasonable to those wishing to provide such services to players.

An individual who wishes to represent players may apply to the NZRPA to become an **NZRPA Accredited Agent**. The individual must be able to demonstrate to NZRPA and New Zealand Rugby that they have the knowledge, integrity, competence and professionalism to justify being classified as an Accredited Agent, and they must agree in writing to maintain these standards at all times.

Those who become accredited are then subject to rules and regulations under the **NZRPA Agent Charter** relating to conduct, confidentiality, knowledge, information disclosure, independence and undue influence, record keeping, fees, dealing with players under 21, complaints and penalties, and dispute resolution.

The **NZRPA Agent Charter** is comprehensive and provides

a strong level of protection for players choosing to use an **NZRPA Accredited Agent**. Due to the high standards that the NZRPA sets for agent accreditation, a number of people have failed to be accredited because they lacked the market knowledge and experience or could not commit to the standards required.

You can find a copy of the **NZRPA Agent Charter** and a list of **NZRPA Accredited Agents** at [www.nzrpa.co.nz/ourpeople](http://www.nzrpa.co.nz/ourpeople).

## How should a player choose an agent?

The New Zealand Rugby Players' Association recommend that players use an **NZRPA Accredited Agent**. These agents have been approved by the NZRPA and New Zealand Rugby through the Agent Charter and have shown they have the knowledge and skillset to support players by using the best practice in their rugby careers.

It is important to consider whether the person handling your contract has a comprehensive knowledge of how the rugby system in New Zealand works, including player contracting, world rugby eligibility and international release provisions, taxation obligations, payment structures and incentives, misconduct provisions, the player savings scheme and the Collective Employment Agreement.

You can find a list of accredited agents at [www.nzrpa.co.nz/our-people](http://www.nzrpa.co.nz/our-people).





## If you are 19 or younger

Players who are 19 or younger cannot be offered a playing contract by New Zealand Rugby, a Super Rugby Club or Provincial Union unless they have an **NZRPA Accredited Agent**. If they do not have an NZRPA Accredited agent, the player will be referred to the NZRPA in order to help them secure the services of an accredited agent or to obtain an Agent Waiver.

## The Agent Waiver

The purpose of the Agent Waiver is to ensure players who are 19 or under receive advice and assistance from the New Zealand Rugby Players' Association prior to signing a playing contract if they do not have an **NZRPA Accredited Agent**. The process involves New Zealand Rugby, the Super Rugby club or Provincial Union providing the player with the NZRPA's contact details and advising the player that they must seek an Agent Waiver from the NZRPA before a contract can be signed. By working with the player and their support people, the NZRPA will ensure an understanding of the contracting environment and what needs to be considered is gained and also talk through the contents of this brochure.

## If you are under the age of 21

No player should sign an agency agreement or agree to have someone act as their agent without first getting independent advice. Under the NZRPA Agent Charter any **NZRPA Accredited Agent** wishing to represent a player under the age of 21 and/or have them sign an agency agreement must ensure they have been referred to the NZRPA beforehand. This is so the NZRPA can ensure the player (and their support people) are educated on the matters contained in this guide and have had the opportunity to access independent advice.

## What is the risk of not having an accredited agent?

If a player engages the services of someone who is not properly equipped to act as an agent and/or provide advice regarding the employment environment within rugby, they are opening themselves up to significant risk. If the agent doesn't know what they're doing, this could have serious implications for a player and their family. This has proven to be the case particularly with overseas contracts that have been done by someone who does not have the appropriate knowledge. If someone acting as an agent conducts themselves in a way that contradicts the way the NZRPA believes agents should act and/or provides poor advice, it is difficult to address the situation and fix issues that may occur.

## What a player should do if they get approached by an agent?

An agent might proactively approach a player wanting to represent them before the player has even considered using an agent. This is not unusual. What is crucial is how the player handles any approach.

One of the most important things an agent has to have is a good knowledge of the market and contracting environment. Just because an agent may be right for one player, it does not mean they will be right for every player – individual preference is important.

- Do not agree to anything, be polite and if they offer you a card or contact details simply accept them.
- Let your parents/guardian, a trusted teacher, employer or advisor know and seek their support.
- Contact the NZRPA on 0800 PLAYER, and visit our website to see if the agent is a **NZRPA Accredited Agent**.
- Remember there are good and bad agents and it is a highly competitive market. Some prospective agents will not hesitate to stretch the truth and will even act aggressively in order to secure a player. A good agent will not pressure you, and if you are at school or young, they will not approach you directly. They should approach you through your parents, guardian or a trusted adult.



## Schools and agents

If you're a school principal or a school rugby coach, and an agent offers to come to your school, you need to decide if you are going to provide an introduction between students and prospective agents or not.

We recommend you:

- only offer to pass on the prospective agent's details to the student's parents and/or guardian, and not to the student themselves
- only deal with **NZRPA Accredited Agents**
- use this brochure to help educate players who are considering pursuing professional rugby, their guardians and others about the role of agents and our accredited agent scheme

If you would like some assistance in dealing with approaches by agents then please contact the New Zealand Rugby Players' Association on 0800 PLAYER.

## Agency agreements

An agency agreement is the agreement you sign to join a player agency. The New Zealand Rugby Players' Association expect an agency agreement to be consistent with the standard agency agreement template in the **NZRPA Agent Charter**.

Too often, players have signed agency arrangements that are unsuitable for them or end up having issues with their agent. They then seek advice on how they can get out of their agreement.

If a player is presented with an agency agreement to sign, the most important thing is to get advice on what is in the agreement. A good agent will encourage the player to do this – if the agent does not or tries to talk the player into signing an agreement immediately, the player should be highly suspicious and refuse to sign.

There are a number of factors that should be discussed between the player and any prospective agent before any agreement is reached.

If an agreement is reached, then it should be set out in writing and signed by both parties – but not before the player has received independent advice. (See the back page for some ideas on what should be included in an agency agreement). Once again, you are encouraged to contact the NZRPA on 0800 PLAYER for independent advice or if you have any questions regarding an agreement.

## TIP: NEVER SIGN ANYTHING UNTIL YOU KNOW WHAT YOUR AGENT'S FEES ARE

### What to include in any agency agreement

Before you sign an agency agreement, it is a good idea to get independent advice. However, an agency agreement should cover:

- the services provided by the agent
- the agent's fee, and how it will be charged and paid
- the term of the agreement
- a dispute resolution procedure
- any exclusivity period
- any other specific obligations
- your termination rights
- the confidential treatment of your information

### What fees do agents charge?

In New Zealand, the fees charged depend on who the agent is. However, there is one consistent rule – if a person works as an agent for a living, they will require the player to pay for the services they provide. In most cases, if you want good advice then you will have to pay for it. The key is to make sure that the fees you end up paying are reasonable and are known in advance.

There are a number of ways an agent can charge you:

1. A percentage – a percentage of the value of the contract
2. Time – an hourly rate
3. Flat fee – an agreed one-off fee per year or per contract or negotiation [always check exactly what this covers]
4. A combination of the above methods

# Questions to ask a potential agent

1. Is the agent an Accredited Agent under the NZRPA Agent Charter?
2. What is the agent's background, education, qualifications and training?
3. In what areas does the agent represent players and in what areas do they want to represent the player? What is the agent's experience in these areas:
  - a. New Zealand Rugby contracts
  - b. overseas rugby contracts
  - c. other sporting contracts
  - d. personal promotions and endorsements
  - e. other services
4. How long has the agent represented players?
5. How many professional players does the agent currently represent?
6. How many professional players in your position does the agent represent?
7. What is the agent's relationships like with the New Zealand Rugby, Super Rugby clubs and Provincial Unions?
8. Which other players can the player talk to about the agent's services?
9. How much will the agent charge and when will the player have to pay?
10. How long does the agent want to represent the player?
11. If there is a dispute, how will it be resolved?
12. What will the player be responsible for in the relationship?
13. How often will the agent and player speak or be in contact?
14. Does the agent have professional indemnity insurance?
15. If the agent gets outside advice, such as legal or financial advice relating to the services they provided (e.g. taxation advice on an overseas contract), who pays for this advice?
16. Does the agent have an agency contract for the player to consider and get advice on? (The NZRPA Charter provides a standard contract template.)

**If you have any questions about any of the information included here, please contact**

**0800 PLAYER**

**For a list of Accredited Agents, visit**

**[www.nzrpa.co.nz/our-people](http://www.nzrpa.co.nz/our-people)**  
**and scroll down to AGENTS**

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