

NOTICE OF FILING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 19/03/2019 3:21:48 PM AEDT and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
File Number: NSD309/2019
File Title: JACK DE BELIN v AUSTRALIAN RUGBY LEAGUE COMMISSION
LTD ACN 003 107 293 & ANOR
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF
AUSTRALIA



A handwritten signature in blue ink that reads 'Warwick Soden'.

Dated: 19/03/2019 3:21:53 PM AEDT

Registrar

Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Form 59
Rule 29.02(1)

AFFIDAVIT

No. NSD 309 of 2019

Federal Court of Australia
District Registry: New South Wales
Division: General

Jack de Belin

Applicant

Australian Rugby League Commission Limited (ACN 003 107 293)

First Respondent

National Rugby League Limited (ACN 082 088 962)

Second Respondent

Affidavit of: **Stephen Joseph Gillis**
Address: 114 Holmes Street, Maroubra NSW 2035
Occupation: Player Management Agent
Date: 19 March 2019

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Filed on behalf of (name & role of party) Applicant

Prepared by (name of person/lawyer) Robert Tassell

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I, STEPHEN JOSEPH GILLIS, of 114 Holmes Street, Maroubra NSW 2035, Player Management Agent, say on oath:

1. I am a principal and a director of Gillis Schifcofske Sports Management Pty Ltd (**GSSM**). The Applicant, Jack de Belin (**Mr de Belin**), has retained GSSM as his manager since 26 November 2016.

Professional background

2. I have been involved in rugby league for over 35 years. After I completed high school in 1980 I obtained a cadetship with News Limited, which I completed over four years. I was graded into sports reporting. I worked as a sports reporter with the *Daily Telegraph* and the *Daily Mirror* newspapers for 13 years.
3. I also worked as a journalist with *Rugby League Week* magazine in 1993 and 1994.
4. I appeared on radio stations 2UE and 2GB in the 1980s and early 1990s where I was a member of the "Continuous Call Team" commentating and commenting on first grade matches in the NRL (and its predecessor the Australian Rugby League).
5. In about 1994 I started a sports management business, which was carried on by my company Steve Gillis Sports Management Pty Ltd. I continued as the principal of that business until 2011 when I joined with one of my former clients, the rugby league football player Clinton Schifcofske and together we launched GSSM and have traded in that business since 2011.
6. The focus of my management work since 1994 has been rugby league players although my clients and GSSM's clients include rugby union players.
7. Management of the careers of rugby league players playing at the NRL level involves contract negotiations between the player and clubs, sourcing and negotiating contracts with sponsors for the players and player welfare.



The Applicant, Jack de Belin

8. I first met Mr de Belin in October 2016. From 26 November 2016, he became a management client of GSSM. I have worked closely with him in managing and promoting his playing career in the NRL since that time. I also observed his rugby league career prior to his signing with GSSM.
9. From my association with Mr de Belin and my management of his career I am aware of the following background facts concerning Mr de Belin:
 - (a) he was born on 17 March 1991 in Cootamundra and is presently 28 years of age;
 - (b) he is currently a professional footballer contracted to the St George Illawarra Rugby League Football Club (**the Club**) and has played for the Club in the NRL competition since 2011;
 - (c) in 2018, he played in the for the NSW State of Origin side in all three games has the playing ability to qualify for selection again NSW in the State of Origin in 2019.
10. Mr de Belin is currently in the second season of a three year contract with the Club (**the playing contract**). The current 2019 football season is year two of the playing contract. The playing contract provides a base wage which can be improved upon by payment of a one-off bonus upon selection for representative football, as set out in clause (described as "Section") 30 at page 35 of the playing contract (which appears at page 81 of Exhibit "RT-3" to the affidavit of Robert John Tassell sworn 8 March 2019 in these proceedings). Mr de Belin has been paid by SGTI his bonus for playing for NSW in the State of Origin in 2018 but has not yet played for the Australian Kangaroos and if he is able to do so during the term of the playing contract he will be entitled to a bonus, payable by the Club, of \$30,000. In addition to the bonus paid by the Club on its player's State of Origin selection, Mr de Belin received from the NSW Rugby League payments totalling approximately \$90,000 for his playing for the state team in 2018. He could expect an equivalent or greater sum if selected in 2019.




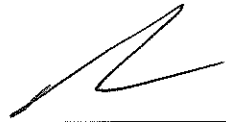
11. Mr de Belin will be 29 years of age when the playing contract ends.
12. Mr de Belin has been a very successful NRL player. He has improved his performances every year since he commenced in the NRL and is now generally considered an elite or "marquee" player. In my experience, he is in the top players in the NRL as demonstrated by his selection for NSW in all 3 games in 2018. If his career trajectory were to continue the way it has, he could realistically expect to play for Australia.
13. Traditionally, and in my experience, NRL clubs and players commonly start negotiations for a new contract well before a current contract is due to expire. For example, a contract between a Club and one of its leading players would often be the subject of renegotiation about a year before the current contract concludes, say at the end of the football season before the final one. In Mr de Belin's case, I would have been expecting to commence such negotiations with the Club towards the end of this year and certainly before the beginning of the 2020 season. It is also common for successful rugby league players who are coming "off contract" (that is, whose contracts are due to expire in the following season) to receive offers for their services from other clubs.
14. In my experience, it is important for elite rugby league players to continue to play in order to maintain their skills, their profile and reputation and their career trajectory.
15. If Mr de Belin is unable to play NRL for a substantial portion of this year and/or into next year, it is extremely unlikely that he will have any chance of being selected for State of Origin or Australian representative duties. In addition, in my experience, his prospects of negotiating any further contract will be prejudiced, and certainly any increase in negotiating an increase in remuneration would be severely hampered by his non-participation in the NRL competition in 2019 and perhaps 2020.
16. If Mr de Belin is unable to play in 2019, and for any significant part of the 2020 season, in my experience, he would likely find it difficult to negotiate a new playing contract with the Club or any other club as he will have been out of



the NRL competition for a lengthy period. Even if he was able to obtain a new contract, in my estimation, he would likely suffer a substantial reduction in his contract remuneration, probably greater than 50%.

SWORN at MAROUBRA

Signature of deponent 

Signature of witness 

Name of witness ROBERT JOHN TASSEL

Address of witness 2150 KINGS ST SYDNEY NSW 2000

Capacity of witness POLICEMAN

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1. I saw the face of the deponent.
2. I have confirmed the deponent's identity using the following identification document:

Club photo ID
Identification document relied on
(may be original or certified copy)

Signature of witness: 