

RFU REGULATION 3 – MEMBERSHIP OF RFU

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3.1 Membership

3.1.1 The RFU Council has designated two categories of members:

- (a) voting members which are Clubs that are in membership of the RFU and therefore entitled to the privileges of membership of the RFU set out in the RFU's Rules;
- (b) non-voting members which are clubs not meeting the criteria for voting membership of the RFU but being clubs having separate status and identity and in membership and approved by its Constituent Body (eg casual clubs, work teams, some student clubs, some service clubs), schools, leisure rugby organisations and organisations such as the England Deaf Rugby Union and the Great Britain Wheelchair Rugby Union.

3.2 Clubs

3.2.1 Voting Members

Membership of the RFU is personal to the club in membership and cannot be transferred or assigned. Any applicant for membership must comply not only with RFU Rule 5.6 but also the criteria set out below.

3.3 Applications by New Clubs

Each application by a club applying for voting membership of the RFU must demonstrate the following matters:

- (a) the club has a written constitution acceptable to the RFU containing the provision that one of the main objects of the Club is the playing of Rugby Union Football in accordance with the Laws of the Game, the IRB Regulations relating to the Game, and the RFU Rules and Regulations;
- (b) the club has been a fully paid-up member of its Constituent Body for not less than one Season immediately prior to the date of the application and will remain so as a condition of being a Voting Member.
- (c) the club must be recommended for membership of the RFU by its Constituent Body;
- (d) the club must have a senior adult XV which takes part and plays in a league, operated by or on behalf of the RFU as their principal league system ('the RFU Leagues') or a merit table or other competition approved by the RFU on the basis of criteria set by the RFU's Governance Standing Committee or which has had and will have for its senior XV a fixture list for and has played no fewer than 12 matches against other at least four other Clubs in the Season immediately prior to the application;
- (e) the club must provide the previous year's financial statements, to its Constituent Body (or where requested to the RFU) and they must be acceptable to its Constituent Body (or the RFU as appropriate).
- (f) management and ownership of the club is acceptable to the RFU.

3.4 Incorporation of Existing Unincorporated Clubs

3.4.1 Any existing unincorporated Club, that incorporates shall automatically cease to be a member of the RFU. The new entity created shall be a member of the RFU in its place provided that: (a) all liabilities of the existing unincorporated Club are taken on by the new entity; (b) its membership is the same before and after the incorporation; and (c) the provisions of paragraphs (b), (d), and (e) of Regulation 3.2 were complied with by the previous unincorporated Club and the provisions of paragraphs (a), (c) and (f) of Regulation 3.2 have been complied with by that new entity.

3.4.2 If any Club that (a) incorporates but for which the membership of the Club is not the same before and after the incorporation; or (b) for any Club which does not take on all the liabilities of the previous Club on incorporation, in addition to the requirements set out in Regulation 3.3 above, the Club must satisfy the conditions set out below:

- (a) the Club is to provide at the same location the same facilities and similar playing level and range of rugby of the Old Club with a similar and in any event not lower number of teams;
- (b) the Old Club has agreed to cease to be a Member;
- (c) the grant of membership of the RFU to the Club is for the benefit of the members of the Old Club and for the purpose of promotion, encouragement and extension of the game of rugby football in the locality and generally;
- (d) the grant of the RFU membership to the Club is not to the detriment of other rugby clubs in the locality or playing in the same competition(s) or league as the Old Club;
- (e) the Club can and will as a continuing condition of membership of the RFU meet and discharge such additional terms and conditions as the RFU may in its absolute discretion impose upon the Club. For the avoidance of doubt such terms and conditions may include an obligation to discharge or guarantee all or part of the Old Club's liabilities and/or indemnify the RFU and such other persons as the RFU may decide against any claim by any third party arising from the grant of RFU membership and the Old Club ceasing to be an RFU member.

3.4.3 For any Club at Level 1 or Level 2 that incorporates or for which a new legal entity is created, the Club directors and any shadow directors and any person holding or controlling directly or indirectly 30% or more of the Club's shares for those must each supply a declaration to the RFU in the form of the declaration set out at Appendix 1 of RFU Regulation 5 before the entity shall be granted membership of the RFU. The RFU reserves the right to direct that a Club must not have as a director or member a person whose CRB check is not satisfactory to the RFU or any person who will not or cannot complete the required declaration. Any person who is found to have signed or submitted a declaration containing false information may be subject to such sanctions as the RFU's Disciplinary Officer may impose.

3.5 Suspension and Termination

In addition to the RFU's powers under Rule 5.12, a Club shall be liable to suspension or termination of its membership or privileges as the RFU Governance

Committee may determine if it shall fail to satisfy the criteria and conditions of membership set out in Regulation 3.3, or fails to provide evidence to the satisfaction of the RFU Governance Committee that it meets the criteria and conditions of membership set out in Regulation 3.3(d) above, save that for the purposes of Regulation 3.3(d) for existing voting members of the RFU, the liability to suspension or termination of membership shall only apply if they fail to fulfil the criteria set out in that Regulation for two consecutive seasons. A club aggrieved by a decision or suspension or removal of membership by the RFU Governance Committee may appeal to the RFU Council pursuant to RFU Rule 5.11.

3.6 Subscriptions

The annual subscription determined by the RFU Council under Rule 22 is £20.00 inclusive of VAT.

3.7 Club Names and Team Names

Club Names

- 3.7.1 A Club cannot be accepted into membership of the RFU until its name has been approved in writing by the RFU.
- 3.7.2 A Club may not change its name without the prior written consent of the RFU to the new name.
- 3.7.3 Where two or more Clubs are proposing to merge to form a new Club, the name of the Club must be approved in writing by the RFU before the new Club can be accepted into membership of the RFU.
- 3.7.4 Any application for the approval for a Club name, or change of Club name, must be made in writing to the RFU Chief Executive and must be supported, in the case of Premiership Clubs by Premier Rugby Limited and for all other Clubs by the Club's Constituent Body.
- 3.7.5 Whilst an application for approval for a Club's name shall not be unreasonably withheld or delayed, the RFU shall have power to reject any name that is confusing, offensive or liable to bring the Game into disrepute.
- 3.7.6 The RFU shall have the right to determine the date that the name change becomes effective.
- 3.7.7 A Club shall not be allowed to change its name between 1st September and 31st May, except in exceptional circumstances.
- 3.7.8 A Club must apply to change its name by 31st May for the following season, so as to ensure that the application can be considered and the new name, if approved, included in the following season's published fixture lists and other documentation.
- 3.7.9 The Club shall be notified in writing of the decision of the RFU
- 3.7.10 If the application to change its name is refused the Club will be notified in writing of the reason(s) for the refusal and shall have the right to appeal to the RFU Governance Committee. Such appeal must be submitted in writing to the RFU Chief Executive within 21 days of the date of the notification of the rejection of the application.

Team Names

- 3.7.11 A Club may not change the name of its First XV or that of any of its other teams if they participate in the League without the prior written consent of the RFU to the new name,
- 3.7.12 Any application for the approval to change the name of a team must be in writing and sent to the RFU Chief Executive and must be supported, in the case of Premiership Clubs by Premier Rugby Limited and for all other Clubs by the Club's Constituent Body.
- 3.7.13 Whilst an application for approval to change the name of a Club's First XV name (or any of its teams covered by Regulation 3.7.11) shall not be unreasonably withheld or delayed, the RFU shall have power to reject any name that is likely to cause confusion, prejudice or embarrassment to the RFU.
- 3.7.14 A Club shall not be allowed to change the name of its First XV (or any of its teams covered by Regulation 3.7.11) between 1st September and 31st May except in exceptional circumstances.
- 3.7.15 A Club must apply to change the name of its First XV (or any of its teams covered by Regulation 3.7.11) by 31st May for the following season, so as to ensure that the application can be considered and the new name, if approved, included in the following season's published fixture lists and other documentation.
- 3.7.16 The Club shall be notified in writing of the decision of the RFU
- 3.7.17 If the application to change the name of its First XV is refused the Club will be notified in writing of the reason(s) for the refusal and shall have the right to appeal to the RFU. Such appeal must be submitted to the RFU Chairman of the Governance Committee within 21 days of the date of the notification of the rejection of the application.
- 3.7.18 Clubs are allowed to change the names of their lower sides (mens, ladies, youth & mini), which do not participate in the League, without seeking the approval of the RFU, but power to require a Club to change an unsuitable name shall be delegated to the Club's Constituent Body. The Club shall have the right of appeal to the RFU Governance Committee if it believes that the Club's Constituent Body has acted unreasonably.

Commercial Agreements

- 3.7.19 The RFU shall be permitted to enter into contracts, which may restrict the names that a Club/Clubs may use. If such a contract exists approval for a name change may be refused even though the proposed name is not offensive, confusing or liable to bring the game into disrepute. For the avoidance of doubt the RFU shall have no power to force a Club to change a name from that in use before the contract came into effect.

Overriding Power

- 3.7.20 The RFU Board of Directors may upon receipt of a recommendation from the RFU Governance Committee, and having regard to any representations from the Club, may require a Club to change the name of its Club or its First XV notwithstanding that approval for the name being used had been previously applied for and granted, but shall not have the power to impose a new name on the Club or on any of its teams.