

SCOTTISH RUGBY UNION

**RULES FOR ELECTION
OF
REPRESENTATIVES TO THE CLUB RUGBY BOARD**

APPROVED : 23 OCTOBER 2023

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1. DEFINITIONS AND INTERPRETATION

1.1. The words and phrases below, where used in these Rules, shall have the following meanings:

“Articles”	means the Articles of Association of SRU.
“Associate Member Club”	means a rugby union club admitted under the Articles as an associate member of SRU.
“CRB”	means the standing committee of SRU responsible for the strategic vision, mission, and development of the club game in Scotland and constituted via a delegated authority under the Articles.
“CRB Criteria”	means the criteria for good standing and skillsets desired of members of the CRB, as published by the Union from time to time, and included as an appendix to these Rules.
“Election Meeting”	means a meeting of a Forum conducted under paragraphs 8.5.2 or 8.5.3
“Fora”	means the fora set out in Article 13.6 of the Articles and responsible for nominating members of the CRB. “Forum” shall be construed accordingly.
“Forum Representative “	means a person elected by a Forum under these Rules and holding office as a member of the CRB.
“Forum Secretary”	mean the person appointed by a Forum to act as its secretary and conduct the procedures set out in these Rules on behalf of that Forum.
“Forum Representative “	means a person elected by a Forum under these Rules and holding office as a member of the CRB.
“Full Member Club “	means a rugby union club admitted under the Articles as a full voting member of SRU.
“Nominations Committee”	means the nominations sub-committee of SRU.

“Qualifying Club”	means a Full Member Club or Associate Member Club in a Regional Area except a club which, at the time of nomination and election or re-election, is in the Premier or National Leagues and has played more than five XV-a-side fixtures during the preceding season.
“Regional Area”	means any of the Edinburgh, Glasgow North, Glasgow South, Midlands, North and Borders areas.
“Rules”	means these rules, as changed from time to time.
“Scottish Rugby Affiliated School”	means a rugby playing school in Scotland admitted under the Articles as an affiliate member of SRU.
“SRU”	means Scottish Rugby Union, a company limited by guarantee with registered number SC748672 and having its registered office at Murrayfield Stadium, Edinburgh, EH12 5PJ and its successors.
“SRU Board”	means the board of directors of SRU, from time to time.

1.2. When interpreting these Rules:

- 1.2.1. the singular shall include the plural;
- 1.2.2. any gender used shall include all genders; and
- 1.2.3. if there is any ambiguity or difference in opinion over the meaning of these Rules, the Nominations Committee’s interpretation shall be final.

2. AUTHORITY FOR RULES AND EFFECTIVE DATE

These Rules:

- 2.1. have been approved by the Nominations Committee under the authority delegated by Article 13.5 of the Articles; and
- 2.2. shall take effect on 23 October 2023.

3. CRB MEMBERSHIP

The membership of the CRB is set out in the Articles.

4. RIGHT TO NOMINATE FORUM REPRESENTATIVES

Each Forum shall be entitled to nominate 1 person as its Forum Representative, subject to these Rules.

5. ELIGIBILITY TO NOMINATE CANDIDATES FOR ELECTION OR RE-ELECTION AS A FORUM REPRESENTATIVE

5.1. A candidate for election or re-election as a Forum Representative must be nominated by a proposer and a seconder.

5.2. For:

5.2.1. the Premier Forum, each of the National League 1, 2 & 3 Fora and the Women's Forum, the proposer and seconder of a candidate must be clubs which are members of the relevant Forum at the date of the nomination and the election or re-election;

5.2.2. each of the Regional Area Fora, the proposer and seconder of a candidate must be Qualifying Clubs in the relevant Regional Area at the date of nomination and the election or re-election;

5.2.3. the Match Officials Forum, the proposer and seconder of a candidate must be members of the Scottish Rugby Referees' Association at the date of nomination and the election or re-election; and

5.2.4. the Schools & Youth Forum, the proposer and seconder of a candidate must be permanent members of staff at a Scottish Rugby Affiliated School at the date of nomination and the election or re-election.

5.3. If a club or Qualifying Club or, in the case of the Match Officials Forum or Schools & Youth Forum, an individual, proposing or seconding a candidate ceases to be eligible to propose or second the candidate's nomination before the election or re-election process is completed, that nomination shall be treated as void.

5.4. By proposing and seconding a candidate, the clubs, Qualifying Clubs or individuals proposing and seconding represent that they are satisfied that the candidate meets the CRB Criteria.

5.5. Membership of a Forum at the time of nomination and election or re-election shall be determined in accordance with the rules of that Forum but in the absence of any Forum rules, for the purposes of eligibility to nominate a candidate or elect or re-elect a Forum Representative, if the nomination, election or re-election occurs after a league competition has been completed but before the start of the following season, the eligible clubs will be those at the level they will play in that following season.

6. CANDIDATE ELIGIBILITY FOR NOMINATION AND ELECTION OR RE-ELECTION

- 6.1. A candidate nominated for election or re-election by the members of the Premier League Forum, National League 1,2 & 3 Fora, Regional Area Fora or Women's Forum must be a member of a club entitled to vote in the relevant election or re-election and must be such a member for the whole of the season for which the election or re-election takes place and for the immediately preceding season.
- 6.2. Candidates nominated for election or re-election by the Match Officials Forum or the Schools & Youth Forum must, as applicable, be a member of the Scottish Rugby Referees' Association or a local referees' society, or a current permanent member of staff of a Scottish Rugby Affiliated School, and must be such a member for the whole of the season for which the election or re-election takes place and for the immediately preceding season.
- 6.3. All candidates for election or re-election as a Forum Representative must meet the CRB Criteria at the time of nomination, election and (if applicable), re-election. The ultimate decision on whether a candidate meets the CRB Criteria is the responsibility of the SRU Board, on the recommendation of the Nominations Committee.

7. NOMINATION PROCESS

- 7.1. Except in the case of a vacancy, nominations of candidates for election or re-election as a Forum Representative shall be made to the relevant Forum Secretary by 1 May (or such other date as may be agreed by the relevant Forum) in the year in which an election or re-election is required.
- 7.2. Candidate nominations must be signed:
 - 7.2.1. in the case of the Premier, National 1, 2 and 3 Fora, Regional Area Fora, or Women's Forum, by the secretaries of the member clubs or Qualifying Clubs proposing and seconding; or
 - 7.2.2. in the case of the Match Officials' Forum, by the individuals proposing and seconding; or
 - 7.2.3. in the case of the Schools & Youth Forum, by duly authorised officials of the Scottish Rugby Affiliated Schools proposing and seconding.
- 7.3. Only one candidate nomination may be proposed or seconded by a club, Qualifying Club, individual or Scottish Rugby Affiliated School.
- 7.4. A nomination must be accompanied by a copy of the candidate's curriculum vitae (of not more than 350 words). All candidates must consent to the circulation of their CV to all members of the relevant Forum, the Nominations Committee and the SRU Board.
- 7.5. Immediately after 1 May (or the date agreed by the relevant Forum, if different), or in the case of a vacancy, within 7 days of receipt, the Forum Secretary shall advise the members of the relevant Forum and the Nominations Committee of all nominations received.

- 7.6. If a Forum does not have a Forum Secretary, the person appointed as Secretary to the CRB shall carry out the role of Forum Secretary for that Forum but solely for the purposes of nomination and election or re-election of a Forum Representative.

8. ELECTION MEETING AND VOTING

- 8.1. If only one candidate for election or re-election as a Forum's Representative has been nominated in accordance with these Rules and is eligible to be elected or re-elected, that candidate shall be declared by the Forum Secretary to be elected or re-elected without the need for that Forum to have an election or re-election, provided that the CRB Criteria have been met.
- 8.2. If more than one candidate has been nominated for election or re-election as a Forum's Representative in accordance with these Rules and they are each eligible to be elected, the Forum Secretary shall:
- 8.2.1. call an election;
 - 8.2.2. distribute the candidates' CVs and voting instructions to those eligible to vote and to the Nominations Committee; and
 - 8.2.3. seek confirmation from the SRU Board that the candidates meet the CRB Criteria.
- 8.3. An election or re-election of a Forum Representative at the scheduled expiry of a term of office shall be held not later than 1 June in that year, or in the case of an election to fill a vacancy, as soon as practicably possible after meeting the requirements of paragraph 8.4.
- 8.4. An election called to fill a vacancy which has occurred before the scheduled expiry of a Forum Representative's term of office shall be held as soon as practicably possible after it is known that the Forum Representative has ceased or will cease to hold office, and allowing at least 14 days for receipt of nominations and a further 7 days for circulation of nominations and CVs prior to the election and seeking confirmation from the SRU Board that the CRB Criteria have been satisfied.
- 8.5. If an election is called, it may be conducted:
- 8.5.1. by electronic voting by email or other electronic system; or
 - 8.5.2. at a scheduled Forum meeting, if the requirements of paragraph 8.6 are met; or
 - 8.5.3. at a separate meeting of the Forum called for that purpose, if at least one half of the members of that Forum have requested in writing that the election or re-election take place at a separate election meeting.
- 8.6. If election voting is conducted electronically, one half of the members of the Forum must participate in the voting (whether voting for, against or vote withheld) for the vote to be regarded as quorate.

- 8.7. If the election or re-election of a Forum Representative is held during a scheduled Forum meeting, the quorum set out in paragraph 8.9 must be achieved and maintained throughout that part of the Forum meeting devoted to the election or re-election.
- 8.8. If an Election Meeting is called but is then not quorate at the time designated for the election or re-election, the election or re-election will revert to being conducted by electronic voting by email or other electronic system.
- 8.9. One-half of the total number of Forum members eligible to vote shall form a quorum for an Election Meeting.
- 8.10. Confirmation from or on behalf of the SRU Board that the candidate(s) meet the CRB Criteria is required before the election can take place. The SRU Board may delegate the decision on whether the CRB Criteria have been satisfied to the Nominations Committee or other sub-committee of the SRU Board or Union.
- 8.11. If a decision on the request for confirmation that a candidate meets the CRB Criteria is delegated by the SRU Board and the request is declined, the candidate or the proposing club may appeal that decision to the SRU Board. Any such appeal must be submitted in writing to the SRU Board chair within 7 days of receipt of intimation of the original decision and state the grounds on which the appeal is made. The SRU Board shall have discretion on whether to consider the appeal based only on written submissions, including from the sub-committee, or to hear from the candidate and/or proposing club or chair of the sub-committee in person. The decision of the SRU Board on the appeal shall be final.
- 8.12. Only one representative of a club, Qualifying Club, or Scottish Rugby Affiliated School may vote in an election or re-election of a Forum Representative, even if the club, Qualifying Club, or Scottish Rugby Affiliated School is entitled under the rules of that Forum to have more than one representative at a Forum meeting.
- 8.13. No person may represent more than one Forum member at an election or re-election or have more than one vote.
- 8.14. Voting at an election or re-election shall be conducted in accordance with these Rules and decided by a simple majority of those voting.
- 8.15. No proxies shall be allowed at Election Meetings or for electronic votes.
- 8.16. The Forum Secretary, or if there is no Forum Secretary, the members of that Forum by a simple majority vote, shall choose whether candidates shall be asked to make presentations to any Election Meeting.
- 8.17. If there are more than 2 candidates in an election or re-election, preliminary voting rounds shall be held until the number of candidates is reduced to 2. The candidate receiving the least number of votes in a voting round shall drop out.

- 8.18. If there is a tie in any preliminary voting round, the Forum members will vote as between the tied candidates, with the candidate receiving the least votes dropping out. If a tie still occurs at this stage, the tied candidates shall draw cards with the candidate drawing the card with the lowest value (ignoring aces) dropping out.
- 8.19. If there is a tie in the final voting round, reference shall be made to the votes obtained by the two final candidates in the first voting round, with the winner being the candidate receiving more votes in the first round. If these are equal, the candidates shall continue to draw cards, with the winner being the candidate drawing the card with higher value.

9. TERM

A Forum Representative shall ordinarily hold office for a term of three years from and including 1 July in a year, unless requiring to resign earlier, save that:

- 9.1. as a transitional measure, the term of office of Forum Representatives elected or re-elected in Season 2023/24 onwards shall run from the date of the SRU 2023 AGM until 30 June 2026; and
- 9.2. the term of office of a Forum Representative elected to fill a vacancy shall run from the date of the new Forum Representative being elected until the scheduled expiry of the original Forum Representative's term of office.

10. RE-ELECTION

- 10.1. A Forum Representative is eligible for re-election following an initial term of appointment.
- 10.2. The rules for eligibility to nominate, be nominated and to be elected as a Forum Representative shall also apply to re-election.
- 10.3. A Forum Representative:
- 10.3.1. may be re-elected by the relevant Forum for a period shorter than 3 years but cannot be re-elected for a period longer than 3 years at a time; and
- 10.3.2. cannot be re-appointed as a Forum Representative after serving six years on the CRB (irrespective of Forum) in any capacity (other than as Vice-President), whether continuously or as the aggregate of a series of shorter periods, without the expiry of a period of three years.
- 10.4. Prior years' service will continue to count towards the maximum period of six years until a six-year period out of office has elapsed since the most recent of those prior years.

11. RESIGNATION/ REAFFIRMATION

- 11.1. A Forum Representative may resign at any time and with immediate effect, by notice in writing to the relevant Forum Secretary, and copied to the Chair of the CRB.
- 11.2. Subject to paragraph 11.4, if a Forum Representative's own club ceases to be entitled to vote in its Forum election or re-election, the Forum Representative shall require to resign:

- 11.2.1. with effect on 30 June, if the event triggering cessation is the promotion or relegation of the club confirmed prior to 30 June; or
- 11.2.2. immediately, if the event triggering cessation is the promotion or relegation of the club confirmed on or after 1 July, or any other event.
- 11.3. If the Forum Representative ceases at any time during their term of office to be a member of, as applicable:
 - 11.3.1. a club or Qualifying Club in the relevant Forum; or
 - 11.3.2. the Scottish Rugby Referees' Association; or
 - 11.3.3. a permanent member of staff of a Scottish Rugby Affiliated School,the Forum Representative shall be required to resign immediately.
- 11.4. A Forum Representative, who would otherwise be required to resign due to the promotion or relegation of their club, may be reaffirmed by the members of the Forum as their Forum Representative if the Representative's reaffirmation is proposed, seconded and approved by the remaining members of the Forum in accordance with these Rules as if an election had been held.

12. DE-SELECTION

- 12.1. A vote to deselect an incumbent Forum Representative may be called at any time by petition on behalf of the majority of the members of the relevant Forum.
- 12.2. The quorum for the meeting at which a de-selection vote is to be held shall be the same as for an electronic election vote or Election Meeting.
- 12.3. A two-thirds majority in favour will be required to remove a Forum Representative from office.

13. VACANCIES

If a vacancy occurs during a Forum Representative's term of office, regardless of how that vacancy has arisen, the Forum Secretary shall call an Election Meeting or undertake an electronic voting process for a new Forum Representative in accordance with these Rules.

14. RUGBY REGULATIONS

These Rules shall be subject to the SRU Articles of Association, the SRU Code of Conduct, World Rugby Code of Conduct and Scottish Rugby Disciplinary Rules.

15. AMENDMENT

Changes to these Rules are subject to the approval of the Nominations Committee, which failing the SRU Board.

**APPROVED BY THE NOMINATIONS COMMITTEE
23 OCTOBER 2023**

APPENDIX CRB Criteria

Effective from 23 October 2023.

These criteria may be updated from time to time. If no alternative set of criteria has been published by the Union after the effective date stated above, the criteria set out below shall apply.

A. Skillset and Experience

The following are considered to be helpful or desirable qualities for members of the CRB but this is not a definitive or exhaustive list. Candidates for CRB membership would be expected to be able to demonstrate that they met some, but not necessarily all of these.

- An obvious passion and empathy for rugby and/or sport in Scotland, setting you up to be a great ambassador for Scottish Rugby and the club game in particular.
- Committed to driving inclusion and diversity and proactively seeking out opportunities to demonstrate this in your actions.
- Curiosity in approaching new people and situations.
- A ‘can-do’ mindset — where you do the right thing, not the easy thing.
- An ability to act selflessly, to think and act objectively and without conflict of interest .
- An open nature — questioning and keen to constructively challenge while supporting others as a critical friend.
- Confidence in constructing messaging and delivering presentations to a wide range of stakeholders — engaging hearts and minds and selling the Scottish club rugby story.
- Ability to articulate how your work and/or life experience gives you the skills, knowledge and behaviours required to be a great fit for the role of a CRB member.
- Some knowledge of or exposure to governance matters, in either a business, public sector, voluntary sector or sporting context.
- An understanding or previous experience of working in or with sports organisations or clubs and the challenges they face.
- Some previous relevant business or financial experience or relevant experience from working in a large or medium sized public-facing organisation.
- Some experience of communication with and influencing stakeholder audiences.

B. Good Standing

The SRU Board reserves discretion on whether a candidate is of good standing. The list below is an illustrative and not exhaustive list of matters which may lead to a negative conclusion on a candidate's standing. However, the existence of one or more of the parameters listed below shall not automatically prevent a candidate being considered to be of good standing and the SRU Board may take other facts, circumstances or factors into consideration before reaching a conclusion.

The candidate

- (a) is bankrupt or has made any arrangement or composition with their creditors generally;
- (b) is under or is pending suspension imposed or confirmed by Scottish Rugby or World Rugby;
- (c) is the subject of an endorsed Disclosure from Disclosure Scotland;
- (d) has within the last 5 years been:
 - (i) disqualified as a director pursuant to a disqualification order granted under the Company Directors' Disqualification Act 1986 or was serving a disqualification as a director pursuant to such Act at any time within the previous five years; or
 - (ii) disqualified from serving on a public body or holding public office; or
 - (iii) disqualified from or restricted in practising in a regulated profession or industry;
- (e) has been convicted within the last 10 years of
 - (i) an offence liable to imprisonment; or
 - (ii) corruption; or
 - (iii) fraud;
- (f) has been suspended or expelled by another national association from involvement in the administration of a club;
- (g) has been a director or officer of a club in membership of the Union or any other national association within the 5-year period preceding such club having undergone an insolvency event;
- (h) is under or is pending suspension imposed by or confirmed by Scottish Rugby or any other national association under anti-doping regulations; or
- (i) is or has been the subject of a disciplinary finding or sanction imposed by the Scottish Rugby Discipline Committee within the preceding 5 years.