



## Membership of the Scottish Rugby Union and Policy on Club and Team Names

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## FOREWORD

The attached Policy and the associated Regulation (*SDR 2 : Membership of the SRU and Policy on Club and Team Names*) sets out the basis on which clubs and teams playing rugby football in Scotland are able to gain membership of the Scottish Rugby Union. In doing so it reflects the Articles of Association which underpin the SRU.

This Policy and the Regulation also regulate the names by which clubs ~~and~~ teams can be known and can play under, and the ability of a club or team to change its name once approved.

To support this Policy and Regulation, Scottish Rugby will provide advice and guidance to member clubs, and those who aspire to membership of our Union. We will also monitor best practice in this area and will, where necessary and appropriate, update our Policy and Regulation accordingly.

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## POLICY STATEMENT

Teams and other groups of individuals participating in rugby union in Scotland on a regular basis should aspire to membership of the Scottish Rugby Union. The pathway to membership should be clear, and should not put unnecessary burdens or barriers in their way. That pathway should also encourage aspirant clubs to seek Full Membership status within the Union as the club itself develops.

All those under the jurisdiction of Scottish Rugby must comply with *SDR 2 : Membership of the SRU and Policy on Club and Team Names*.

### Key principles:

- Scottish Rugby will provide a clear, straightforward and understandable membership application mechanism for any team or other body wishing to join our Union as an Associate Member club.

- A pathway will be provided whereby Associate Member clubs may seek to achieve Full Membership of our Union. The steps requiring to be achieved by aspirant Full Membership shall be clear and shall be in accordance with the underlying constitutional documents of our Union.

- Clubs seeking to join the Union, and any team participating for that club in any match, may only do so where the club and / or team name has been approved by Scottish Rugby's Club Rugby Board.

- Scottish Rugby has adopted a Regulation (*SDR 2 : Membership of the SRU and Policy on Club and Team Names*) in relation to the above. The Policy and associated Regulation shall be reviewed on a regular basis. Names which are confusing, offensive or liable to bring the Game into disrepute will not be permitted.

- The constitutional basis underpinning membership of the Union is set out in Scottish Rugby Union's Articles of Association. Should there be any conflict between this Policy / Regulation and the Articles of Association, the Articles of Association shall prevail.

## **SCOTTISH RUGBY CORE VALUES**

Scottish Rugby is the Governing Body of the sport of Rugby Union in Scotland and promotes these core values from our National Teams through to grassroots rugby.

Our core values are:

# **LEADERSHIP**

# **ENGAGEMENT**

# **ACHIEVEMENT**

# **ENJOYMENT**

# **RESPECT**

## ROLES AND RESPONSIBILITIES

To ensure an environment in which all participants can enjoy their rugby, everyone involved in our game must work together. It is **EVERYONE'S** responsibility to contribute to fair play and to comply with all relevant Regulations.

### SCOTTISH RUGBY WILL:

- Develop and publish a regulation in relation to the process by which clubs are able to join our Union and thereafter progress to Full Membership status, *SDR 2 : Membership of the SRU and Policy on Club and Team Names*, and will ensure that the Regulation and any associated guidance is regularly reviewed and updated.
- Require that member clubs comply with the Regulation.
- Provide education materials, advice and assistance in relation to the Regulation to players and their clubs.
- Manage and respond to queries and concerns in an efficient and fair manner.
- Take disciplinary action against those who breach the Regulation.

### MEMBER CLUBS WILL:

- Ensure that their players, coaches, officers and other club officials are aware of Scottish Rugby's Regulation *SDR 2 : Membership of the SRU and Policy on Club and Team Names*.
- Ensure that all of the club, its players and its club officials comply with the terms of the Regulation and any associated guidance.
- Report any suspected breaches of the Regulation.

### PLAYERS, COACHES AND TEAM OFFICIALS WILL:

- Abide by the terms of Scottish Rugby's *SDR 2 : Membership of the SRU and Policy on Club and Team Names* and any associated guidance.
- Ensure that the game is played in accordance with Scottish Rugby's Core Values.

## DEFINITIONS

### DISCIPLINE MANAGER

Means the person, having appropriate knowledge and expertise, who is appointed by Scottish Rugby to act on its behalf in this capacity in matters arising under this Regulation.

### DISCIPLINARY RULES

Means the Scottish Rugby Disciplinary Rules, as issued from time to time by Scottish Rugby.

### MISCONDUCT

Shall have the meaning ascribed to it in the Scottish Rugby Disciplinary Rules.

### SCOTTISH RUGBY

Means the Scottish Rugby Union, a company incorporated in Scotland with registered number SC748672 and Scottish Rugby Limited, a company incorporated in Scotland with registered number SC132061, and their successors from time to time.

### WORLD RUGBY

The international governing body for the sport of Rugby Union.

### WORLD RUGBY REGULATIONS

Means the World Rugby Regulations Relating to the Game, as issued from time to time by World Rugby.

# SCOTTISH DOMESTIC REGULATION 2: Membership of the Scottish Rugby Union and Club and Team Names

## 1. Membership of the Union

1.1 In order to play rugby union in Scotland each team participating in the match must either:

- (a) belong to a Club in membership of the Scottish Rugby Union; or
- (b) belong to a school affiliated to the Scottish Rugby Union; or
- (c) hold equivalent status with another national rugby union and have received permission to Tour Scotland from both Unions.

1.2 The Scottish Rugby Union operates two categories of club membership:

- (a) **Full Membership** : comprising full voting member clubs admitted in accordance with the provisions of the Scottish Rugby Union's Articles of Association.<sup>(Note 1)</sup>; and
- (b) **Associate Membership** : being such other member clubs as may be admitted from time to time in accordance with the provisions of the Scottish Rugby Union's Articles of Association.<sup>(Note 2)</sup>

## 2. Membership Rights

2.1 Membership of the Union shall be personal to the Club in membership and cannot be transferred or assigned. The only exception to this is set out in section 8 below.

## 3. Applications for Associate Membership

3.1 In order to apply for Associate Membership, the prospective member Club is required to supply the following information:

- (a) The name under which the Club wishes to be known (see also section 10 below);
- (b) Full contact details for at least three club officials. The Club's primary contact for correspondence with the Union should be designated as being the 'Club Secretary';
- (c) A copy of the Club's constitution<sup>(Note 3)</sup>;
- (d) A completed Club Accident Insurance Proposal Form;<sup>(Notes 4 and 5)</sup>
- (e) Letters of support signed by an office bearer from two Full Member clubs in the same geographical Forum Area as the new Club.

3.2 The pro-forma Membership Application Form available from the Scottish Rugby website may be used to apply for Associate Membership.

3.3 Associate Membership applications shall be considered by the Scottish Rugby's Club Rugby Board. The decision of the Club Rugby Board will be notified to the applicant in writing.

## 4. Applications for Full Membership

4.1 In order to qualify for Full Membership of the Union an Associate Member Club must meet the following criteria:

- (a) Unbroken Associate Membership of the Union for a period of not less than three years prior to the application;
- (b) Ownership of, or satisfactory tenure/the right to use, a ground with adequate facilities for changing, and for training and playing rugby;
- (c) An average club membership of not less than fifty individuals for the immediately preceding three years; and
- (d) The Club must have played for three full seasons in the preceding 5 year period, disregarding any season declared null and void, in a league which is designated a qualifying league by the Club Rugby Board.

4.2 Applications for Full Membership must be proposed and seconded by Full Member clubs from the same Forum area as the relevant Associate Member club.



4.3 Admissions to Full Membership shall be initially be considered by Club Rugby Board and, if approved to progress, shall become effective following formal ratification by a vote of the membership (as an ordinary resolution) at next Annual General Meeting.

## 5. Applications from Clubs Outwith Scotland

5.1 An application for Full or Associate membership by a club whose home ground is situated outside Scotland may be countersigned by an office-bearer of any two Full Member clubs.

## 6. Failure to Maintain Full Membership Criteria

6.1 In the event of a Full Member club failing to maintain the Full Membership criteria for a continuous period of three years the Club Rugby Board may resolve, having first provided the Member club an opportunity to be heard on the matter, to reduce the club to Associate Member status.

## 7. Termination of Membership

7.1 A Member club may withdraw from membership of the Union by giving seven days' notice in writing.

7.2 A club's membership of the Union shall terminate if the entity in membership is wound up or otherwise dissolved.

7.3 A club's membership of the Union may be terminated or suspended (for such period as may be determined) by the Club Rugby Board where the member club is considered, through any act or omission, to have done anything prejudicial to the interests of the Union and the club has first been given written notice and afforded the opportunity to be heard on the matter by the Club Rugby Board.

## 8. Transfer of Membership to new Legal Entity

8.1 Should a member club wish to transfer its membership to a different legal entity for the purposes of re-structuring, re-organisation or, for instance, to obtain the benefit of limited liability, it should apply to the Secretary of the Union in writing setting out the nature of the proposal. Such requests shall be considered by the Club Rugby Board.

8.2 In granting the transfer of membership rights the Club Rugby Board may impose such conditions as it deems appropriate.

## 9. Ownership of Clubs

9.1 No legal entity (including but not limited to an individual, body corporate, unincorporated body, partnership or trust) may own or control more than one member club whether acting on its own or in concert with any other entity or entities.

## 10. Club Names

10.1 A club cannot be accepted into membership of the Union until its name has been approved in writing by the Club Rugby Board.

10.2 A Club may not change its name without the consent of the Club Rugby Board.

10.3 Where two or more clubs merge the name of the merged club shall require to be approved by the Club Rugby Board.

10.4 Any application for the approval of a club name or change of name must be made in writing to the Secretary of the Union. Approval of such applications shall not be unreasonably withheld or delayed but the Club Rugby Board shall have the power to reject any name it believes to be confusing, offensive or liable to bring the Game into disrepute.

10.5 The Club Rugby Board shall have the right to determine the date that any name change shall become effective.

10.6 Other than in exceptional circumstances a Club shall not be allowed to change its name with an effective date outwith Close Time.

## 11. Team Names

11.1 Without the prior written consent of the Club Rugby Board a Club may not change the name of its First XV (or that of any of its other teams) if the team participates in a League.

- 11.2 Any application for the approval of a change of Team Name must be made in writing to the Secretary of the Union. Approval of such application shall not be unreasonably withheld or delayed but the Club Rugby Board shall have the power to reject any name it believes to be confusing, offensive, liable to bring the Game into disrepute or is commercially prejudicial to the interests of the Union.
- 11.3 The Club Rugby Board shall have the right to determine the date that any name change shall become effective.
- 11.4 Other than in exceptional circumstances a Club shall not be allowed to change any Team Name with an effective date outwith Close Time.

## 12. Sanctions

- 12.1 Failure to comply with this Regulation shall constitute an act of Misconduct under the Scottish Rugby Disciplinary Rules. Such Misconduct proceeding shall be separate and in addition to any process conducted in respect of the National Competition Rules.
- 12.2 The Discipline Manager (or his nominee) shall investigate potential breaches of the Regulation and, where they determine that there is a case to answer, may either:
- 12.2.1 refer the matter to a Scottish Rugby Discipline Committee; or
- 12.2.2 request that World Rugby appoint a Disciplinary Committee to consider the matter.
- 12.3 *Additional Offences* - Notwithstanding anything else in this Regulation, a failure by any member Club or person to comply with any requirement or sanction noted in this Regulation shall be deemed to constitute a separate and additional act of Misconduct for the purposes of this Regulation.
- 12.4 *Appeals* - The terms of any sanction imposed in consequence of this Regulation, may be appealed in accordance with the Appeal provisions of the Disciplinary Rules

### Notes

1. The **Full Member** category is designed primarily for those clubs participating in Scottish Rugby's league pyramid structure.
2. The **Associate Member** category is designed primarily for social, works, or armed services clubs; clubs which only play on an occasional basis; or clubs playing a specialist form of the game (such as Golden Oldie only, age grade only, sevens only, wheelchair rugby, etc.).
3. Advice on forming a club and a model Club constitution is available from the sportscotland website ([sportscotland.org.uk](http://sportscotland.org.uk)).
4. All clubs are required to be insured prior to playing. A basic level of catastrophic injury cover is available for free through the Club's membership of the Union. A copy of the Proposal Form is available [through Scottish Rugby's SCRUMS registration system at this link](#).
5. Clubs whose home ground is located outside Scotland and not competing in Scottish Rugby's league pyramid must insure through the Union within which the club's home ground is situated.

## CONTACT US

Advice and further information with regard to SDR 2 : Membership of the Scottish Rugby Union and Policy on Club and Team Names may be requested from:

### GRAHAM IRELAND

#### Head of Regulation

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E: [graham.Ireland@sru.org.uk](mailto:graham.Ireland@sru.org.uk)

### RICHARD MCGHEE

#### Discipline Manager

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## RAISING A CONCERN

Where a concern arises in the relation to a potential breach of SDR 23, or where there is concern that best practice is not being followed, the matter may be referred in confidence to Scottish Rugby's Discipline Manager.

## POLICY AMENDMENT PROCESS

Changes to this policy and SDR 2 shall be approved by Scottish Rugby's Club Rugby Board.



**SCOTTISH RUGBY**

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