

REGULATION CHANGES BRIEFING NOTE – REGULATION CHANGES FOR 23-24 SEASON

1. For the 22-23 season the RFU put in place a regulation review strategy, the objective of which is to develop and implement regulations which: (a) are necessary, proportionate and pragmatic; (b) achieve the agreed upon objectives of the relevant regulation; (c) by adopting a structured, targeted and periodic review of regulations. This regulation review strategy is a rolling 3 year strategy to ensure the RFU plans its' meetings and focus accordingly, to ensure it identifies and prioritise certain regulations based on an ongoing assessment and allows sufficient planning and time within meetings to discuss the relevant regulations.
2. The table below sets out an executive summary of the key changes which have the more material impact on the Game and on volunteer burden. The below provides a summary but for more detail, please also refer to the full regulations which will be on the website from 1 August 2023: <https://www.englandrugby.com/governance/rules-and-regulations>

<p>Regulations 4 (Club Ownership, Mergers & Acquisitions).</p> <p>(to be renamed: “Club Ownership, Material Reorganisations and Owners’ and Directors’ Test”)</p>	<p>This Regulation had been due for a full review in season 22-23, which was timely given the insolvencies in the men’s professional game. This Regulation was wholly rewritten, and benefitted from discussions with other sports.</p> <p>A updated Owners’ & Directors’ test has been introduced at the professional level and will be at least as rigorous as other professional sports whilst there remains a much more simple test for clubs in the community game, and in particular members’ owned clubs, with routine reporting only required in specific circumstances. For the professional game, the principal changes are the introduction of a set of Disqualifying Conditions against which certain individuals must self-certify their compliance as part of their ownership or management of a club.</p> <p>A growing regulatory area is women’s teams moving as a whole between clubs, and therefore regulations around mergers and other reorganisations have been simplified to accommodate this. The events which would ordinarily have triggered regulatory approval under Regulation 4 have been widened to include material financial support and the incorporation of subsidiaries to hold Club assets, amongst other events, but otherwise remain largely unchanged from the current Regulation 4. All Clubs should still refer to Regulation 4 for the relevant regulations around merger, de-mergers, acquisitions and material re-organisations, all of which require the consent of the RFU.</p>
<p>Regulation 5 (Financial / Club Insolvency)</p>	<p>Following the insolvencies in the Premiership, this Regulation was reviewed as a “lessons learned” process. It operated effectively on the whole, but some clarification of existing principles has now been included. We have tightened the definition of Rugby Creditors (including defining the process, burden of</p>

	proof and timescale for the payment of Rugby Creditors so that this is enshrined in regulation), in order to protect those within the original definition who would ordinarily be most vulnerable on an insolvency, such as players and staff. We have also removed any duplication between the main regulation and its corresponding schedule in relation to the purchase of an insolvent club by a Phoenix Entity.
Regulation 6 (Adult Competitions)	<p>Floodlights:</p> <p>We have deregulated the provisions pertaining to lux levels of floodlights which has resulted in their removal from Regulation 6 for this season – this will instead be dealt with by way of guidance which will be available in due course.</p>
Regulation 9 (Player Safety)	<p>Mandatory pitch side care:</p> <p>As agreed last season, this regulation has been updated to make mandatory the RugbySafe First Aid and Immediate Care Provision Standards into the adult game for the 23-24 season. This regulation is supplemented by additional guidance and supporting materials which are available here: https://keepyourbootson.co.uk/rugbysafe/</p>
Regulation 15 (Age Grade Rugby)	<p>Tackle Height and Summer Framework changes</p> <p>The key changes relate to introduction of the Summer Activity Framework (similar to the one introduced during Covid) to allow for adjustment to the lower tackle height in the Age Grade Rules of Play.</p> <p>Regulation 15 is supplemented by additional guidance and supporting materials which are available here: https://www.englandrugby.com/participation/coaching/age-grade-rugby https://www.englandrugby.com/participation/coaching/age-grade-rugby/summer-activity Tackle Height Hub</p>
Regulation 19 (Discipline)	<p>Appeal Grounds</p> <p>There have been a number of competition appeals over the previous seasons on the grounds that sanctions are excessive. It is right that this appeal ability is retained in most cases but where there is already a fixed sanction in place for a regulatory breach, parties will no longer have the ability to appeal based on a sanction being excessive however the remaining appeal grounds would remain unchanged.</p>
Regulation 20	Illicit Drugs Policy

	<p>Whilst there are no changes to the regulation itself, a number of changes have been made to the Illicit Drugs policy, the most notable one being that ketamine is be added to the list of Prohibited Illicit Drugs listed in Schedule of the Policy.</p> <p>The revised policy will be available from 1 August here: https://www.englandrugby.com/governance/anti-doping-and-illicit-drugs/illicit-drugs-programme</p>
Regulation 21 (Safeguarding)	<p>Safeguarding Audit</p> <p>The deadline for clubs to complete the safeguarding audit has been changed from 31 December to 29 October. This is to enable ensure that clubs have in place the relevant safeguarding measures in place earlier in the season.</p> <p>This regulation is supplemented by additional guidance and supporting materials which are available here: Details on how to complete the Safeguarding Audit: https://help.rfu.com/support/solutions/articles/103000064031-how-to-complete-the-club-safeguarding-audit-in-gms-2023</p>
County Championship Regulations and Adult Male Cup Regulations	Any changes to these regulations will be presented to Governance and Council in the Autumn and will be communicated thereafter.
Women's Premier 15s Regulations	<p>Mandatory number of England Qualified Players</p> <p>A number of changes have been made to introduce the mandatory selection of a minimum number of England Qualified Players in a match day squad and the removal of the concept of Foreign Players (as defined in Regulation 1).</p> <p>Introduction of Premier Women's Rugby Limited</p> <p>Given that Premier Women's Rugby Limited has now been appointed as the organising committee for the competition and that certain delegated powers have been granted to them, a number of changes have been made to regulations to include greater specificity as to which decisions and powers rest with the RFU and which are delegated to Premier Women's Rugby Limited.</p>
Premiership/ Championship Cup	The key changes relate to the addition of Championship Clubs into the Premiership Cup for the 23-24 season. Some regulatory variations are required to cater for the variance in minimum standards between the Championship and Premiership clubs and this has resulted in an additional Appendix 7 setting out these variations. Save for this, the Premiership Cup Regulations largely remain unchanged.

Premiership League Regulations	<p>The key changes pertaining to the Premiership league competition are that the references to SRUK Panel within the regulations will now be replaced by the newly-constituted PRL Sporting Commission.</p> <p>The regulations have also been amended to reflect the play-off between the top placed team in the Championship (provided it meets the minimum standards criteria) and the last placed team in the Premiership at the end of the 23-24 season. This was part of the agreement when the moratorium from relegation was agreed by Council in June 2021. This change will also be reflected in the Championship league regulations.</p>
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