



KEY CHANGES TO RFU REGULATIONS SEASON 2020-21

The RFU Regulations for the 2020-21 season are now available to view online [here](#). To assist our members identify the most important changes from last season, we have prepared the following summary to highlight the key changes.

RFU Regulation 5 (Financial)

- An earlier insolvency notification obligation has been introduced such that Clubs experiencing a 'Notifiable Event' must notify the RFU within 24 hours. A Notifiable Event is the stage before a Club enters into a formal insolvency process, for example where a Club consults an insolvency practitioner to prepare a CVA proposal or where a Club receives notification of an application to the Court for an Administration Order against the Club.
- A discretion has been introduced to allow the RFU to grant relief from sanction where a Club suffers an Insolvency Event as a result of an event which was beyond the Club's control and without the fault or negligence of the Club.
- Clarification has been added that Insolvency Events which occur as a result of solvent corporate group restructurings are not caught by the insolvency regime. Where a Club intends to carry out such an exercise it should notify the RFU in advance to obtain clearance for the transaction.
- Following an Insolvency Event, a club's most senior first XV team will be temporarily suspended from playing in the RFU Leagues and Competitions until the Club either pays all of its rugby creditors or sets out a suitable payment plan.
- A Club that suffers an Insolvency Event and that wishes to continue operating as the same legal entity may now be placed under "Special Measures" by the RFU. Previously Special Measures only applied where an insolvent Club was being rescued by a "Phoenix Entity" i.e. where it was proposed that the insolvent Club should carry on but as a new legal entity.

RFU Regulation 7 (Players, Approaches, Contracts, Payments and Player Movement)

- A new provision has been introduced that emphasises that parties are under a duty not to allow the Game to be brought into disrepute and not to do anything that is prejudicial to the Game. Parties must also give their prompt, accurate and honest assistance and cooperation with any regulatory investigation.
- A new provision prohibits parties from taking any steps to induce or that are intended to induce or that facilitate another party breaching any rules or regulations of a Home

Union, for example any salary cap or player payment regulations, or the receipt of any Material Benefit by a Player which is not listed in a written contract and disclosed as required under Regulation 7.

- The prohibition against directly or indirectly approaching a contracted Player to induce or attempt to induce them to leave their Club (or Constituent Body or Union) has been widened by also proscribing acts that facilitate such a Player leaving their Club. The time period in which a legitimate approach can be made has also been amended: previously, an approach could only be made without the written consent of the Player's current Club etc if the approach was made in the final 6 months before the expiry of (or the next break clause in) the Player's contract. This time period has now been extended to 12 months before the expiry of the Player's contract.
- A provision has been added that clarifies that a contracted Player cannot approach or accept an approach (or allow such an approach to be made/accepted on their behalf) from another Club, Constituent Body or Union *unless* the prior written consent of the Club etc. with whom the Player is already contracted has been obtained, *or* the approach is made in the final 12 months before the expiry of (or the next break clause in) the Player's contract.

RFU Regulation 8 (Agents)

- The obligation on Agents to cooperate with regulatory investigations has been supplemented by more explicitly requiring Agents to provide assistance and cooperation to the relevant regulatory authority promptly, accurately and honestly, as well as providing requested information. The obligations also apply to those within an agency in addition to simply the Agent.
- The obligation on Agents to not facilitate breaches of regulations has been broadened, and the reporting obligation extended.
- In relation to Agents based outside of the Home Unions, Regulation 8.12 has been clarified and amended to make it clear that Clubs and Players can only perform contract negotiations with Agents registered in the Home Unions. Unregistered agents based abroad must either register in the relevant Home Union, or engage a registered Agent on their behalf in any contract negotiations. This amendment is designed to stop the practice of Clubs and Players using unregistered foreign Agents to carry out 99% of the work amounting to Agent Activity before using a registered Agent to bless the arrangement by stepping in at the end of the transaction to sign the relevant paperwork.

RFU Regulation 9 (Medical Safety)

- The key change here is the codification of the RFU's sports goggles trial into regulation. The trial has now ended and any Player wishing to wear sports goggles should refer to Regulation 9 (and Regulation 15 if they are an Age Grade Player).
- Players are now permitted to wear sport goggles in all forms of contact rugby *without* obtaining the RFU's prior consent where the conditions set out in Regulation 9 are met.

The additional requirement for Age Grade Players is that they must have the consent of their parent(s) or guardian.

- Players should note that the RFU's approach to sports goggles differs from that of World Rugby and the other Home Unions, so if a Player wishes to use sports goggles outside of England, they should consult the rules of the relevant Union.

RFU Regulation 10 (Cross-Union Matches and Sevens)

- The ability for Constituent Bodies to grant pre-approved consent to clubs for incoming and outgoing tours remains the same, however going forwards where Constituent Bodies grant such consent, they must keep a record of all such tours arranged by their clubs during the season.
- The information that should be recorded includes: (i) name of RFU Club; (ii) date of match; (iii) venue (home or away); (iv) name of opponent's Club and which Union it is a member of; (v) details of the teams involved (e.g. 1st XV men, 2nd XV women); and (vi) result.

RFU Regulation 11 (The Season)

- A new power has been included for the RFU Board of Directors to stop rugby activity in England (or any part of it) where the Board considers that it is in the best interests of the Game, for example as a result of governmental health guidance.

RFU Regulation 12 (Match Officials)

- A new obligation has been introduced in relation to young Match Officials which requires appointing bodies to arrange a chaperone to supervise any Match Official appointed for a match played in England who is under the age of 18. A chaperone can supervise more than one young Match Official per match.

RFU Regulation 14 (Adult Male Registration)

- England Academy Players are now permitted to simultaneously hold effective registration with up to four different clubs as follows: one Club at Level 1 (Premiership), two Clubs at Level 2 (Championship) where one of the Championship Clubs is also an Academy (otherwise just one Club at Level 2), one Club at Level 3, and (subject to Regulation 14.6.4(b)) one Club at Level 4, one Club at Level 5 or one Club at Level 6.
- The requirement to lodge the original registration form and other application documents has been relaxed for expedited Player registration requests to now only require copies of such documents to be provided to the Registrar.
- The previous requirement for all parties to sign a separate agent declaration form where a Player is contracted now only applies where an Agent has been acting for one of the parties to the agreement.

RFU Regulation 15 (Age Grade)

- As part of the continuing roll-out of annual Age Grade Player registration, the following Age Grades must be registered annually on the RFU's Game Management System (GMS): U7s, U8s, U9s, U10s, U13s, U14s, U15s, U16s, U17s and U18s.
- A new provision has been introduced requiring U16 Age Grade Players (including England Academy Players) to have the prior written approval of the RFU Head of Regional Academies in order to play in the U18 Academy Competition.
- Previously U12s and U13s were not permitted to participate in contact matches and competitions outside the Season; this has now been extended to also cover non-contact matches and competitions outside the Season.
- Age Grade Players can now wear sports goggles in all forms of contact rugby where the conditions set down in Regulation 15 are met. These are the same conditions as for Adult Players except for the additional requirement for parental/guardian consent.
- In relation to the Half Game Rule, the definition of 'Available Playing Time' has been amended to mean the total amount of time allocated to a particular match by RFU Regulations, any competition specific regulations or by the coaches of the playing teams (for shortened matches). Any stoppages that occur during a match are not to be taken into account when calculating the Available Playing Time.

RFU Regulation 16 (Adult Women Competitions)

- The major change is that the Women's Premier Second XV Competition is no longer running, and therefore Clubs with a 1st XV in the Women's Premier 15s Clubs are permitted to enter their 2nd XVs into the Women's Community Game.
- Players are now permitted to simultaneously hold Effective Registration with both a Premier 15s Club and another Club in Championship 1 or below, provided they comply with the RFU's process for the dual registration of players. A club is not permitted to have more than 10 Dual Registered Players at any one time and any such players will not be included in any registration cap applicable to the Premier 15s competition.
- All RFU Women's Leagues (Levels 2-5) and Cup matches will now be required to use Electronic Match Cards.
- Premier 15s Players can now be loaned down to a Club in Championship 1 (Level 2), Championship 2 (Level 3) or National Challenge 1 (Level 4).
- In respect of Loan Players loaned between Premier 15s Clubs and Championship 1 Clubs, a player may move freely between those Clubs until the Transfer Deadline but once the Transfer Deadline has passed a player may not hold Effective Registration with the same Club more than three (3) times.
- Changes to promotion and relegation principles are as follows:

- ❖ Championship 1 (North & South) – the top 2 Clubs from each of Championship 1 North & South will play in the Championship Playoff, the winners of which will go on to contest for the Championship Playoff Final. At the end of the league programme 2 teams will be relegated from each league.
- ❖ Championship 2, (North, Midlands, South East, South West) – at the end of the Season the winners of each league at this Level will be promoted whilst 2 teams will be relegated from each league.
- ❖ National Challenge 1 – the winners of each league will be promoted whilst a minimum of 1 side and a maximum of 2 will be relegated. The worst 7th placed teams may also be relegated.
- ❖ National Challenge 2 - the winners of each league will be promoted. Entry to and relegation from National Challenge 2 is as determined by the RFU.

RFU Regulation 19 (Discipline)

- A new power for the RFU Head of Discipline to dismiss club-initiated citings has been introduced where a club fails to respond to a request for further information in relation to the citing within 7 days of being notified.
- A sanction table has been added to Appendix 6 to Regulation 19 setting out the sanction entry point for breaches of the Half Game Rule.

RFU Regulation 21 (Safeguarding)

- The Club Safeguarding Audit deadline has been extended for the 2020-21 season to 30th November 2020.
- Any person aged 16 or over who is involved in any of the activities described as Regulated Activity but does not do so frequently enough to meet the definition of Regulated Activity is required to apply for an enhanced DBS disclosure without a Barred List check and comply with the other requirements in RFU Regulation 21.2.2.
- Prior to any DBS application, a person must complete the RFU's online safeguarding awareness training.
- In relation to the requirement for a person working with children to notify the RFU Safeguarding Team of any cautions or convictions they receive, this has now been extended to require Clubs, Constituent Bodies, Referee Societies and National Representative Bodies to inform the RFU if they become aware of any such cautions or convictions.
- Where there are safeguarding concerns at a Club that are not addressed, the RFU Safeguarding Team now has the ability to restrict that Club's ability to provide Age Grade rugby sessions.