

Regulations
of
ASIAN RUGBY FOOTBALL UNION LIMITED



REGULATIONS

1 REGULATION 1 - DEFINITIONS

Unless otherwise defined all terms in these Regulations will have the same meaning as defined in the Articles of Association of Asian Rugby Football Union Limited (“ARFU”).

The following terms shall have the same meaning as defined in World Rugby Regulations Relating to the Game from time to time:

Club;
Game;
Laws of the Game;
Match and Match
Official; Person; and
Rugby Body.

2 REGULATION 2 - EXCO

2.1 Election and Terms of Office

- (a) Exco shall be elected in accordance with the Regulations and shall comprise at least five (5) members and no more than thirteen (13) members. The membership of Exco shall comprise the Office Bearers who shall be ex-officio members and no more than eight (8) Other Exco Members who shall be Officers of the Voting Members and shall each be elected at an annual general meeting for a term of four (4) years. The membership of Exco shall include at least two (2) male members and at least two (2) female members. World Rugby may nominate one or more representatives who shall be entitled to attend all meetings of Exco as observer(s) but who are not entitled to vote. No employee or contractor of a union can be elected to Exco.
- (b) The Office Bearers of ARFU will be Exco members ex officio. All Other Exco Members will be elected in annual general meetings by Voting Members as follows:
 - (i) a request for candidate nominations shall be issued by the Company to Voting Members not less than thirty (30) days prior to the date of the annual general meeting referred to in

Regulation 2.1(a). Subject to Article 14.8, Voting Members shall only nominate their own Officers as candidates for election to Exco. Nominations (together with details of the proposer and seconder) must be received by the Company not less than ten (10) days before the relevant annual general meeting. Nominations received out of time will be void;

- (ii) existing Exco members must declare no less than thirty (30) days before the relevant annual general meeting whether or not they intend to stand for re-election to Exco;
 - (iii) in the event that more than one (1) candidate is proposed for any available Office Bearer position or more candidates than the number of other Exco positions remain to be filled, the Voting Members shall in the annual general meeting vote by secret ballot. The candidate(s) with the highest number of votes shall be appointed. In the event of a tie in respect of any Exco positions, this procedure will be repeated by the Voting Members, in respect of the candidates who have tied until all positions on Exco have been filled. Where the vote is tied for a second time, under the same set of circumstances, then the chairman appointed in accordance with Article 16.1 shall exercise a second or casting vote.
- (c) Office Bearers shall serve in Exco for their term of appointment as provided in Article 6.2. An Other Exco Member shall serve as an Exco member for an initial term of four (4) years and shall be eligible for re-election for a subsequent two (2), four (4) year terms in accordance with Regulation 2.1(b).
- (d) Should a casual vacancy occur in Exco, Exco may appoint a replacement member on an interim basis until the position can be formally filled at the next annual general meeting. The person filling the casual vacancy shall be an Exco member until his or her replacement is appointed and may himself or herself stand for election in accordance with Regulation 2.1(b).
- (e) An Exco member shall automatically and immediately cease to be an Exco member if:
- (i) he or she ceases to be an Office Bearer or an Officer of a Voting Member, unless otherwise agreed by at least 75% of the other Exco members; or
 - (ii) his or her removal is recommended in writing by at least 75% of the other Exco members and the recommended removal is approved by a simple majority of the Voting Members present at a general meeting; or
 - (iii) he or she absents himself or herself from 2 Exco meetings during the tenure of his or her appointment without obtaining prior leave of absence specially granted by Exco.

- (f) Each Exco member shall be entitled to exercise one (1) vote in relation to each matter to be transacted at an Exco meeting. In case of any equality of votes the chairman as appointed under Regulation 2.1(g) shall have a second or casting vote.

1- REGULATION 2 – EXCO

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(b) The Office Bearers of ARFU will be Exco members ex officio. All Other Exco Members will be elected in annual general meetings by Voting Members as follows:

(i) a request for candidate nominations shall be issued by the Company to Voting Members not less than thirty (30) days prior to the date of the annual general meeting referred to in Regulation 2.1(a). Subject to Article 14.8, Voting Members shall only nominate their own Officers as candidates for election to Exco. Nominations (together with details of the proposer and seconder) must be received by the Company not less than ten(10) days before the relevant annual general meeting. Nominations received out of time will be void;

(ii) existing Exco members must declare no less than thirty (30) days before the relevant annual general meeting whether or not they intend to stand for re-election to Exco;

(iii) in the event that more than one (1) candidate is proposed for any available Office Bearer position or more candidates than the number of other Exco positions remain to be filled, the Voting Members shall in the annual general meeting vote by secret ballot. The candidate(s) with the highest number of votes shall be appointed. In the event of a tie in respect of any Exco positions, this procedure will be repeated by the Voting Members, in respect of the candidates who have tied until all positions on Exco have been filled. Where the vote is tied for a second time, under the same set of circumstances, then the chairman appointed in accordance with Article **16.1 shall exercise a second or casting** vote.

(c) Office Bearers shall serve in Exco for their term of appointment as provided in Article 6.2. An Other Exco Member shall serve as an Exco member for an initial term of four (4) years and shall be eligible for re-election for a subsequent two (2), four (4) year terms in accordance with Regulation 2.1(b).

(d) Should a casual vacancy occur in Exco, Exco may appoint a replacement member on an interim basis until the position can be formally filled at the next annual general meeting. The person filling the casual vacancy shall be an Exco member until his or her replacement is appointed and may himself or herself stand for election in accordance with Regulation 2.1(b).

(e) An Exco member shall automatically and immediately cease to be an Exco member if:

(i) he or she ceases to be an Office Bearer or an Officer of a Voting Member, unless otherwise agreed by at least 75% of the other Exco members; or

(ii) his or her removal is recommended in writing by at least 75% of the other Exco members and the recommended removal is approved by a simple majority of the Voting Members present at a general meeting; or

(iii) he or she absents himself or herself from 2 Exco meetings during the tenure of his or her appointment without obtaining prior leave of absence specially granted by Exco.

(f) Each Exco member shall be entitled to exercise one (1) vote in relation to each matter to be transacted at an Exco meeting. In case of any equality of votes the chairman as appointed under Regulation 2.1(g) shall have a second or casting vote.

(g) Subject to requirements set out in this Regulation 2.1(g), the President shall preside as chairman at an Exco meeting, provided he or she is willing to do so. If the President is not present within fifteen (15) minutes after the time appointed for holding the Exco meeting or is not willing to preside as chairman at the Exco meeting but the Deputy President is present, the Deputy president will preside as chairman. If neither the President nor the Deputy President is not present within fifteen (15) minutes after the time appointed for holding the Exco meeting or is not willing to preside as chairman at the Exco meeting, then the three (3) Vice Presidents shall decide amongst themselves as to which of them shall chair the Exco meeting. If only two (2) of the three (3) Vice Presidents are present at the Exco meeting within fifteen (15) minutes after the time appointed for holding the Exco meeting, such Vice Presidents shall among themselves who will preside as chairman at the Exco meeting, provided he or she is willing to do so. If only one (1) of the three (3) Vice Presidents is present at the Exco meeting within fifteen (15) minutes after the time appointed for holding the Exco meeting, such Vice President shall preside as chairman at the Exco meeting, provided he or she is willing to do so. If neither the President, Deputy President nor the three (3) Vice Presidents is present within fifteen (15) minutes after the time appointed for holding the Exco meeting or willing to preside as chairman or can agree as to whom should preside as chairman (as the case may be), the Exco members present shall elect one of their number present to be chairman at the Exco meeting by a simple majority of their votes and, if, amongst the Exco members present, only one (1) of them is willing to act as chairman, he or she shall be chairman at the Exco meeting.

(h) Any Exco member who is a candidate in an election to be re-elected as an Exco member at the relevant annual general meeting shall not be entitled to chair the relevant annual general meeting. In the event that all Exco members run for election to be re-elected as Exco members at the next general meeting, none shall be eligible to act as chairman of the general meeting and the mechanism for appointment of a chairman of a general meeting stipulated in Article 16.1 shall apply.

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The roles, powers and responsibilities of Exco shall be:

- (a) the formulation, in conjunction with management, of the strategic plan to achieve the vision, mission and goals of ARFU.
- (b) the approval of the annual business plan and budgets;
- (c) the monitoring of the implementation of the strategic plan and annual business plan, operational plan and budgets of ARFU and assessment of performance against key performance indicators;
- (d) the management, review and supervision of operational activities of ARFU including in relation to the hosting of tournaments and matches played;
- (e) advising and making recommendations to the Council with respect to the management and operation of ARFU;
- (f) the appointment and co-ordination of the work of any committees, advisory groups, working parties and service providers;
- (g) the formulation and implementation of good corporate governance principles and practices;
- (h) to ensure that ARFU operates as an effective business and member services organisation;
- (i) to recruit, appoint, remove, monitor and evaluate performance of the service providers to ARFU;
- (j) to determine delegations of authority and accountabilities of the service providers to ARFU;
- (k) to approve expenditure, contracts and commitments and to enter into such contracts and commitments on behalf of ARFU;
- (l) to open, close, operate and manage bank accounts in the name of ARFU;
- (m) to ensure that there is a sound system of internal control and risk management policy and process in place to identify and manage risk;
- (n) to propose and formulate appropriate standards, principles, strategies, policies, objectives, plans, projects, programs, practices, procedures and systems to promote effective governance of ARFU and ensure that these remain current and relevant. In particular, Exco shall prepare, review and update:
 - (i) the Regulations in accordance with Regulation 2.3;
 - (ii) the policies of ARFU;
 - (iii) strategic, business and annual operational plans;
 - (iv) standing orders and terms of reference for committees and advisory groups, working parties and service providers appointed by Exco to assist with its business;

- (v) clearly defined and delegated powers/limits of authority for decision making for the service providers;
 - (vi) risk and audit policies; and
 - (vii) standard operating policies and procedures;
- (o) In addition, Exco shall:
- (i) between Council meetings, deal with matters of an urgent nature that would ordinarily be dealt with by Council (unless otherwise prohibited by the Articles or these Regulations);
 - (ii) review the draft audited financial statements of ARFU and where appropriate, recommend their approval by Council;
 - (iii) assist in disciplinary proceedings in accordance with Regulation 5 or suspend a Member from membership of ARFU in accordance with Regulation 3;
 - (iv) enter into litigation or to settle or compromise any claim or action made by or against ARFU;
 - (v) do anything ancillary to the matters referred to above; and
 - (vi) adopt such other roles, powers and responsibilities as may be determined by the Council.

2.3 Specific Powers and Responsibilities of Exco in relation to the Regulations

- (a) Exco shall have the responsibility for periodically reviewing the Regulations to ensure that they promote efficient and effective governance of ARFU.
- (b) If Exco identifies any requirement to make, amend, supplement, modify, replace or rescind any part of the Regulations, it shall formulate a written proposal (“**Proposal**”) and circulate this in writing to all Members for their consideration and comment. Members shall be requested to provide comments or objections to the Proposal within thirty (30) days of the date of circulation of the Proposal (“**Consultation Period**”).
- (c) Any Proposal which receives objections from 25% or less of all Members within the Consultation Period shall be deemed approved by all Members and implemented upon approval by Exco following which the Regulations shall be deemed to have been revised accordingly.
- (d) If objections are received from more than 25% of all Members within the Consultation Period, Exco shall reconsider such Proposal and if it maintains its recommendation that the Proposal should be implemented, such Proposal shall be put to the Voting Members for their approval by way of vote and shall only be implemented by resolution of a simple majority of the Voting Members.

2.4 Exco Proceedings

(a) The quorum necessary for the transaction of business of the Exco shall be a simple majority of Exco members entitled to attend. An Exco meeting at

which a quorum is present may exercise all powers exercisable by the Exco.

(b) Subject to the Articles and these Regulations, Exco may regulate its own proceedings (including in respect of its meetings and decision making) as it thinks fit provided that the Council may require Exco to amend its proceedings or adopt different proceedings if it reasonably believes that the proceedings adopted by Exco are unfair or unreasonable and at least 75% of the Council members present in a Council meeting are in agreement.

(c) The decisions or minutes of Exco shall be submitted to the Council at or prior to the next Council meeting.

3. REGULATION 3 - MEMBERSHIP

(a) Membership of ARFU is open to national rugby unions based in a country where such unions are solely responsible for governing rugby's sporting, technical and general organisation and implementation of all rugby related matters.

(b) Unions must ensure that elections to their governing body(ies) take place pursuant to a free and independent democratic process which conforms with applicable national legislation.

(c) Exco may promulgate and amend from time to time membership criteria and obligations which must be complied with by prospective and existing Members. The current membership criteria are attached to these Regulations as Annexure 1.

(d) A Member may at any time resign as a Member provided that one (1) month's written notice is given to Exco or the Council. A Member shall cease to be a Member automatically on expiry of the one (1) month notice period.

(e) A Member shall cease to be a Member automatically if it ceases to exist or is liquidated or dissolved or disbands.

(f) A Member may be suspended (but not expelled) from ARFU membership or reverted to Associate membership status by Exco, for any reason that the Exco determines is just and appropriate, as an interim measure pending the first of either the next Council meeting and decision of Council or the decision of a Judicial Panel.

(g) In addition to any rights of expulsion under the Articles:

(i) a Member may be expelled or suspended from ARFU membership or reverted to Associate membership status for any reason and any specified period of time that Council determines to be just and appropriate provided that it is supported by at least 75% of the Council members present at the Council meeting;

- (ii) Member may be suspended or expelled from ARFU membership by the Council or Exco if state authorities interfere in its affairs in such a manner that:

it may no longer be considered as fully responsible for the organisation of rugby related matters in its territory; or

in the opinion of the Council or Exco, it is no longer in a position to perform its constitutional and regulatory tasks in an appropriate manner,

provided that it is supported by at least 75% of the Council members present at a Council meeting or the Exco members at an Exco meeting.

- (i) Any decision to suspend a Member or revert the membership of a Voting Member to Associate membership under Regulation 3(g)(ii) by the first of either the Council or Exco shall be final and effective.
- (j) Any decision to expel a Member by the first of either the Council or Exco shall be final and effective unless any Voting Member (other than the defaulting Member) notifies the Council or Exco not less than forty-five (45) days before the next annual general meeting to review such position at such annual general meeting. At such annual general meeting, if at least 75% of the Voting Members present consider it appropriate, the expelled Member may be reinstated to its original membership status with effect from such annual general meeting.

4. REGULATION 4 - CODE OF CONDUCT

All Members must comply and ensure that all of their members, representatives, Rugby Bodies, Clubs and other Persons under their control comply with the following:

- (a) ensure that the Game is played and conducted in accordance with disciplined and sporting behaviour and acknowledge that it is not sufficient to rely solely upon the Match Officials to maintain those principles;
- (b) shall co-operate in ensuring that the spirit of the Laws of the Game are upheld and refrain from selecting players guilty of foul play;
- (c) shall not repeatedly breach the Laws of the Game;
- (d) shall accept and observe the authority and decisions of referees, touch judges, Match Officials and all other rugby disciplinary bodies, subject to any appeals procedure established by World Rugby;
- (e) shall not publish or cause to be published criticism of the manner in which a referee or assistant referee handled a Match;

- (f) shall not publish or cause to be published criticism of the manner in which World Rugby or ARFU or any other rugby disciplinary body handled or resolved any dispute or disciplinary matter resulting from a breach of their constitution or regulations, or Laws of the Game;
- (g) shall not engage in any conduct or any activity on or off the field that may impair public confidence in the honest and orderly conduct of a Match, tour, tournament or series of Matches (including, but not limited to, the supply of information in relation to the Game, directly or indirectly, to bookmakers) or in the integrity and good character of any Person;
- (h) shall promote the reputation of the Game and take all possible steps to prevent it from being brought into disrepute;
- (i) shall not commit an anti-doping rule violation as prescribed by World Rugby;
- (j) shall not abuse, threaten or intimidate a referee, touch judge or other Match Official, whether on or off the field of play;
- (k) shall not use crude or abusive language or gestures towards referees, touch judges or other Match Officials or spectators;
- (l) shall not do anything which is likely to intimidate, offend, insult, humiliate or discriminate against any other Persons on the ground of their race, colour, national or social origin, age, religion, caste, disability, political or other opinion, sexual orientation, gender identity, gender expression or other status;
- (m) shall not do anything which adversely affects the Game, World Rugby, ARFU, any other association or Member union or any commercial partner of the Game; and
- (n) adopt procedures to monitor compliance with and impose sanctions for breaches of this Regulation 4 by Persons under its jurisdiction.

5. REGULATION 5 - DISCIPLINARY AND JUDICIAL MATTERS

5.1 Offences

- (a) Without prejudice to and in addition to the rights of Exco and the Council pursuant to Regulation 3, a Member shall be subject to sanction by a Judicial Panel appointed by Exco if it is found to have:
 - (i) breached the Articles or these Regulations:
 - (ii) brought ARFU, World Rugby or the Game or any Person into disrepute;
 - (iii) engaged in conduct, behaviour or practices which may be prejudicial to the interests of ARFU, World Rugby or of the Game;

- (iv) disclosed any confidential information obtained through connection with ARFU, World Rugby or the Game; or
 - (v) breached any other policies, standards, codes, regulations, byelaws or guidelines promulgated by ARFU or World Rugby.
- (b) A Rugby Body, Club or Person that commits any of the acts referred to in Regulation 5.1(a) shall be subject to sanction by the Member having jurisdiction in respect thereof in accordance with the bye-laws regulations, code of conduct or other undertakings or agreements of that Member.

5.2 The Appointment of the Judicial Panel

- (a) Exco shall appoint a person to act as chairman of a judicial panel of individuals ("**Judicial Panel**"). The chairman of the Judicial Panel shall appoint such other persons as he or she considers appropriate to be members of the Judicial Panel provided that the number of additional members to be appointed shall be determined by Exco. The Judicial Panel shall be responsible for hearing, resolving and adjudicating on the following:
- (i) an alleged offence under Regulation 5.1(a);
 - (ii) disciplinary matters arising out of illegal and foul play; and
 - (iii) such other matters as Exco may from time to time refer to a Judicial Panel for adjudication.
- (b) Members of the Judicial Panel shall be appointed for an indefinite period provided that:
- (i) they may at any time resign on sixty (60) days' notice; and
 - (ii) Exco may, at any time and at its discretion, fill any casual vacancy, remove or replace any member (in consultation with the chairman of the Judicial Panel) or increase the number of members on the Judicial Panel.
- (c) Members of the Judicial Panel shall not have had any personal involvement with any case referred to them for adjudication or any connection of any significant material nature with any of the parties involved in such matter.
- (d) If a member of the Judicial Panel having been appointed to deal with a case is unable or unwilling to adjudicate then the chairman of the Judicial Panel may:
- (i) appoint another individual onto the Judicial Panel as a temporary replacement for adjudication on the aforementioned case only;

- (ii) allow the remaining Judicial Panel members to proceed and adjudicate on the case.
- (e) The chairman of the Judicial Panel shall have the power, exercisable in his or her discretion, to co-opt from time to time additional persons with specialist skills and experience to sit on the Judicial Panel to deal with cases that require such specialist skills and experience whether or not such persons are from within ARFU.

5.3 Disciplinary Procedures

- (a) A Member must, as soon as is reasonably practicable, investigate each and every alleged offence under Regulation 5.1(a) occurring or committed within or relating to its jurisdiction and of which it has knowledge. Following such investigation, it shall take such action as is appropriate and thereafter report its decision and the procedures adopted to Exco in writing within twenty-eight (28) days of its decision. Exco shall submit the report to the Council.
- (b) In the event of the Council and/or Exco not being satisfied with the procedures adopted and/or decision reached by a Member pursuant to Regulation 5.3(a) or in the event of a failure to investigate by that Member, then the Council and/or Exco may refer the matter to the Judicial Panel to take such action as it deems appropriate.
- (c) A Member which considers another Member to have so conducted itself as to have committed an offence under Regulation 5.1(a), may make complaint of such conduct to Exco. To be valid, such complaint must be made in writing, set out details of the complaint and should be received by Exco not later than twenty-eight (28) days following the complainant Member having knowledge of the said conduct. Upon receipt of any such complaint, Exco shall initiate an enquiry into the matter and/or refer the complaint to the Judicial Panel for adjudication.
- (d) The Council or Exco may, whether at the request of a Member, or of its own motion, initiate an enquiry into any alleged offences under Regulation 5.1(a). Such enquiry shall be carried out by Exco in accordance with such procedure as it deems appropriate. At the conclusion of any such enquiry, Exco shall either submit a report to Council or refer the matter to the Judicial Panel for adjudication. The Council on receipt of the report may refer the matter to the Judicial Panel to take such other action (if any) as it deems appropriate.

5.4 Referral to the Judicial Panel

- (a) Where a matter is referred to a Judicial Panel, the Judicial Panel shall be entitled to deal with the matter procedurally as it considers appropriate subject to Regulation 5.4(b) and provided that the parties concerned are aware of the case against them and are afforded a reasonable opportunity to make representations and present their case. For the avoidance of doubt, Exco shall have the right to be represented and shall be entitled through its nominated representative to make submissions during any proceedings conducted by the Judicial Panel.

- (b) In dealing with the matter, the Judicial Panel shall adopt the following:
 - (i) The standard of proof on all questions to be determined by the Judicial Panel shall be the balance of probabilities.
 - (ii) The Judicial Panel shall publish as they think fit reports of their proceedings, findings and penalties subject to the instruction or approval of Exco.
 - (iii) The Judicial Panel shall have absolute discretion in imposing orders as to the payment of costs in relation to any proceedings.
 - (iv) The Judicial Panel shall be entitled to adjourn and/or postpone proceedings.
 - (v) All hearings shall take place in private.
 - (vi) The non-attendance of a party at a hearing in respect of which that party has received notice shall not prevent the matter being dealt with in their absence.
 - (vii) Any procedures pursuant to disciplinary processes under these Regulations or proceedings, findings or decisions of the Judicial Panel shall not be invalidated by reason of any departure from the procedural regulations, defect, irregularity, omission or technicality unless such departure, defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of the Judicial Panel or results in a miscarriage of justice.
 - (viii) Exco may prescribe additional Regulations for the conduct of the Judicial Panel and may from time to time vary, revoke or replace any such Regulations in accordance with Regulation 2.3.
- (c) The decisions of the Judicial Panel shall be made by a simple majority of the members of the Judicial Panel appointed to hear the relevant case in question and confirmed to the parties in writing. In the event of an even vote, the chairman of the Judicial Panel shall have a casting vote.
- (d) The decision of the Judicial Panel shall, subject to the right of appeal under Regulation 5.6, be final and binding.

5.5 Penalties

- (a) Upon finding that an offence pursuant to Regulation 5.1(a) has been committed, the Judicial Panel shall be entitled to impose such penalties as they think fit. Such penalties may include, but shall not be limited to:

- (i) a caution, warning as to future conduct, reprimand and/or a fine;
 - (ii) a suspension for a specified number of Matches or for a specified period; a requirement that a Match or Matches be played with the exclusion of the public; the cancellation of a Match result and, where appropriate, the replaying of a Match; the forfeiture of a Match or Matches and/or tie(s); the deduction or cancellation of points; the immediate or future expulsion or suspension from a tournament(s) or competition(s); or any such similar sanctions;
 - (iii) a recommendation to the Council that a Member be expelled or suspended from membership of the Council;
 - (iv) an order that any Member, Rugby Body, Club or Person pay compensation and/or restitution;
 - (v) the withdrawal of other benefits or membership, including, but not limited to, the right to apply to host international tournaments; and
 - (vi) any combination of the penalties set out in (i) to (v) above.
- (b) In determining the appropriate penalty under these Regulations, a Judicial Panel shall be entitled to take account of mitigating and/or aggravating circumstances. Aggravating circumstances shall include, but shall not be limited to, the repetition of commission of a particular offence.

5.6 Appeals

- (a) The affected Member or Exco may appeal against the decision of a Judicial Panel. To be valid, any such appeal, together with the written grounds upon which the appeal is based, must be lodged in writing with the chairman of the Judicial Panel, within fourteen (14) days of the date of the written decision of the Judicial Panel.
- (b) A Member lodging an appeal must deposit a sum (or pay a bond) of US\$1,000. This sum may be forfeited to ARFU should any appeal be withdrawn or fail for any reason.
- (c) On receipt of a notice of appeal and the grounds for appeal within the time limit set out in Regulation 5.6(a), the chairman of the Judicial Panel shall appoint an appeal panel ("**Appeal Committee**") comprising an odd number of members none of whom were members of the original Judicial Panel from any available person within ARFU or any other group of persons which he or she deems suitable or with experience to sit on the Appeal Committee and hear the appeal.
- (d) The Appeal Committee shall determine the basis on which an appeal will proceed and any procedural matters. For the avoidance of doubt, Exco shall have the right to be represented and shall be entitled

through its nominated representative to make submissions in any proceedings conducted by the Appeal Committee.

- (e) The Appeal Committee shall have full discretionary power to hear and receive such further evidence as it thinks fit, provided it is established by the appellant that such evidence was not, on reasonable enquiry, available at the time of the original hearing.
- (f) Decisions of the Appeal Committee shall be made by a simple majority of the members of the Appeal Committee appointed to hear the relevant appeal. No member of an Appeal Committee may abstain and all members of the Appeal Committee must take part in its deliberations and vote.

5.7 Powers of the Appeal Committee

- (a) An Appeal Committee shall have the power to:
 - (i) allow or re-affirm, or dismiss the appeal;
 - (ii) vary the decision in such manner as it shall think fit (including power to reduce, uphold, increase, decrease or cancel any penalty);
 - (iii) make such further order (in relation to costs or otherwise) as it thinks fit; and take any other step which in the exercise of its discretion the Appeal Committee considers it would be appropriate to take in order to deal justly with the case in question.

5.8 Notification of Appeal Committee Decision

The parties to the appeal shall be notified in writing as soon as reasonably practicable following the conclusion of the hearing. On notification to the Member the decision shall be final and binding.

6. REGULATION 6 - MEDIATION

- (a) In the event of a dispute between Members, the Members concerned may request Exco to appoint a mediator to assist in settling the differences between the parties.
- (b) Only where Exco and all the parties who are involved in a dispute consent in writing, may a matter be referred to a mediator for consideration in accordance with Regulation 6(a) above.

ANNEXURE 1

ARFU MEMBERSHIP CRITERIA

Membership of ARFU shall be for unions within the agreed jurisdiction only, and any other union with the express consent of World Rugby.

1. **ARFU Associate membership**

Any union which is from a country that is either a member state of the United Nations or a country with a National Olympic Committee, recognized by the International Olympic Committee, and which has confirmed recognition by ARFU as the National Governing Body of Rugby by the National Olympic Committee or by the Sports Council or The Ministry of Sport of the Country of residence of the union, may submit an affiliation ("**Association**") application that should contain such information as may be requested by ARFU, including, without limitation, the following information:

- i) A general and detailed presentation of that nation's rugby practice, background and the present and future rugby development strategy;
- ii) Evidence of rugby activity as may be shown by: the playing numbers for all age categories, the number of clubs, referees, officers, the organization of competitions, championships and tournaments, competition results and international exchanges;
- iii) The union/ bye-laws and organization chart, its committee composition as well as its judicial statutes, its operational and affiliation procedures, its financial and budgetary statements for that current year;
- iv) A detailed analysis of the union's requirements and its provisional budget;
- v) A description of the affiliated players insurance (if any);
- vi) A declaration of opposition to any discrimination of any kind, such as, race, colour, national or social origin, age, religion, caste, disability, political or other opinion, sexual orientation, gender identity, gender expression or other status;
- vii) A declaration to abide by the existing Articles and Regulations and of any/all future alterations or modifications of the same;
- viii) A safeguarding policy for the union and its members; and
- ix) Any other information that may be deemed necessary for membership of ARFU.

Entitlements of ARFU Associate Members:

- i) A financial allowance to attend ARFU meetings;
- ii) Participate in ARFU competitions and receive funding, as appropriate;
- iii) Bid for ARFU Development Grants and receive funding, as appropriate; and

iv) Attend ARFU Council meetings and the annual general meetings.

Obligations of ARFU Associate Members:

- i) To maintain ARFU Associate membership, the union is obliged to meet the following Key Performance Indicators (“KPIs”) as a minimum:
- ii) Attend at least one (1) ARFU Council meeting per year;
- iii) When requested annually, show evidence, in a manner or form as may be directed from time to time by ARFU, that rugby activity mentioned in their original membership application is continuing or has grown;
- iv) Within thirty-six (36) months or earlier, produce, with the assistance of ARFU personnel, an agreed strategic plan/road map, which is guided by, complements and supports ARFU’s strategic plan and furnish periodic evidence of compliance and progress in accordance with it and thereby;
- v) Put in place or have acceptable governance, administration and other programmes to maintain or increase participation in and promote the Game to develop rugby in clubs, schools and communities; and
- vi) Provide general meeting minutes and copies of financial statements upon request.

Note:

- (a) The aforementioned KPIs may be amended, supplemented or replaced and new KPIs introduced, from time to time, at the discretion of ARFU.
- (b) ARFU may, from time to time, request evidence from the union of compliance with the KPIs, or carry out such investigations or audits, as it deems necessary, to determine compliance and the union shall be required to co-operate with all such activities.
- (c) Failure to maintain these KPIs may result in suspension or annulment of the Associate membership to ARFU.

2. ARFU Voting membership (“Full membership”)

“Full Member” in this Annexure shall have the same meaning as “Voting Member” in the Articles.

Membership Pathway:

Associate Member must adhere to the pathway to ARFU Full membership set out below:

On successful completion of two (2) years or more as an Associate Member, unions may apply for Full membership. However, all such applicants would have to demonstrate that they already meet the following criteria:

- (a) Have a strategic plan/ road map document, agreed with ARFU personnel, and having furnished periodic evidence of compliance and progress in accordance with it;
- (b) Have acceptable governance, administration and other programmes in place to maintain or increase participation in and promote the Game to develop rugby in clubs, schools and communities;
- (c) Have at least one dedicated staff member responsible for rugby matters;
- (d) Comply with the Organizational Documents of the Company;
- (e) Provide general meeting minutes and copies of financial statements upon request;
- (f) In line with World Rugby Associate Membership 'Game' criteria, sanction or run annual domestic competitions with a minimum of four (4) teams in each competition to produce national representative teams at the following levels:
 - (i) Senior Men's fifteen-a-side;
 - (ii) Adult Men's Sevens;
 - (iii) Adult Women's Sevens (* where female rugby is allowed, which conforms with applicable national legislation); and
 - (iv) Age Grade National fifteen-a-side and/or seven-a-side (16-20);
- (g) Have a structured environment for match officials;
- (h) Have a safeguarding policy for the union and its members; and
- (i) Have adopted World Rugby Anti-Doping Regulations which are World Anti-Doping Agency-compliant.

Entitlements of ARFU Full Members:

- i) A financial allowance to attend ARFU meetings;
- ii) Participate in ARFU competitions and receive funding as appropriate.
- iii) Attend ARFU Council meetings and the annual general meeting in a voting capacity.

Obligations of ARFU Full Members:

To maintain ARFU Full membership, the union is obliged to meet the following Key Performance Indicators ("KPIs") as a minimum:

- i) Attend at least one (1) ARFU Council meeting and the annual general meeting per year;

- ii) When requested or annually, show evidence, in a manner or form as may be directed from time to time by ARFU, that rugby activity reported in their earlier submissions is continuing or has grown.
- iii) Continuing acceptable governance, administration and other programmes in place, to maintain or increase participation in and promote the Game to develop rugby in clubs, schools and communities, which contribute to 15s and/or 7s for age grade players and adults;
- iv) Compete internationally in at least one (1) ARFU competition at one of the following levels per year:
 - (a) Senior Men's Fifteen-a-side;
 - (b) Men's Sevens;
 - (c) Women's Sevens (*); or
 - (d) Age Grade National fifteen- a-side or seven-a-side (16-20).

Note:

- (a) These aforementioned KPIs may be amended, supplemented or replaced and new KPIs introduced, from time to time, at the discretion of ARFU.
- (b) ARFU may, from time to time, request evidence from the union of compliance with the KPIs, or carry out such investigations or audits, as it deems necessary, to determine compliance and the union shall be required to co-operate with all such activities.
- (c) Failure to maintain these KPIs may result in reversion to Associate Member status or suspension or annulment of the Full membership to ARFU.

3. Non Compliance with ARFU membership criteria

Where an ARFU (Associate or Full) Member fails to comply with its membership obligations any one or more of the following measures may be taken by Exco or the Council (directly or by referral to the Judicial Panel) as the case may be in accordance with the Regulations:

- a. A reasonable period of time may be allowed for the failure to be remedied and compliance achieved;
- b. The union may be reprimanded;
- c. Revision of membership from Full to Associate status,
- d. Suspension of membership; and/or
- e. Termination of membership.