APPENDIX 5: EXTRACT OF RFU RULES

18. Election and Removal of Council Members

Elections - General

18.1 Save in the case of an election to fill a casual vacancy:

a. the election of Representatives to the Council shall be made on or before the 31 March of the year in which each Representative is to take office; and

b. a Representative elected to the Council shall assume office on the 1 August immediately following their election.

18.2 Where a Constituent Body or National Representative Body elects a Representative (or which organises elections of a Representative on behalf of Corporate Members, as the case may be), it shall determine the length of time for which Representatives are to be elected, provided that:

a. the term for which a Representative shall be elected shall be for three years save in exceptional circumstances (which shall include a candidate only capable of election for a shorter period of time due to an individual's term limits on the Council, or for a Constituent Body with two Representatives to ensure that those Representatives' terms do not end on the same date) provided that a Representative, when first elected, shall be elected for a term of not less than two years; and

b. subject to removal under these Rules, a Representative's term on the Council shall end on 31 July.

18.3 If a relevant body or bodies is or are unable to appoint a Representative, the relevant vacancy shall be filled in such a manner as the Legal and Governance Director shall approve.

18.4 In the event of any vacancy arising, the relevant body or bodies concerned shall forthwith elect another Representative to the Council within sixty days in the manner set out in this Rule 18 or in such other manner as the Legal and Governance Director shall approve. In default, the relevant vacancy shall be filled in such a manner as the Legal and Governance Director shall approve.

Elections – Geographic Constituent Bodies, certain National Constituent Bodies, the National Clubs Association and the Championship Clubs Committee

Explanatory Note: in elections for Representatives to the Council conducted by Geographic Constituent Bodies, the only rugby clubs entitled to vote are clubs which are voting members of the RFU. The following may not vote in such an election:

a. *clubs which are members of that Geographic Constituent Body but which are not voting members of the RFU; and*

b. *clubs which are members of that Geographic Constituent Body but which have been allocated to another Constituent Body by the RFU Council (and through that other Constituent Body they are members of the RFU).*

Note that they cannot vote in these elections even if they are able to vote on other Constituent Body matters.

18.5 For the purposes of Rules 18.6 to 18.12 inclusive only, references to a Geographic Constituent Body shall be deemed to include references to:

a. the Rugby Football Referees Union (where references to Clubs shall refer to Corporate Members who are members of the Rugby Football Referees Union); and

b. the Championship Clubs Committee and the National Clubs Association. Notwithstanding that a Club may be permitted to vote in an election for a Representative of the Geographic Constituent Body of which it is a member, a Club which is also a member of the Championship Clubs Committee or the National Clubs Association shall also be permitted to vote in the election for such a Representative to the Council.

18.6 Representatives to the Council shall be elected by each Geographic Constituent Body and the Clubs allocated to it. The Geographic Constituent Body and each Club allocated to it shall each be entitled to one vote. In the case of a Geographic Constituent Body entitled to two Representatives on the Council, and where two Representatives are to be elected, the Geographic Constituent Body concerned and its Clubs shall be entitled to vote for two persons. Election shall be by a simple majority of the votes recorded.

18.7 All candidates for election or re-election must be proposed by one and seconded by another Club allocated to the relevant Geographic Constituent Body. The Geographic Constituent Body itself may also propose or second a candidate. In the case of a Geographic Constituent Body with two Representatives, and where two Representatives are to be elected, the Geographic Constituent Body or any Club allocated to it may propose or second two candidates. Every nomination (which shall mean both the proposal and second) must be in writing and must be received by the secretary of the Geographic Constituent Body concerned by not later than 1 March.

18.8 Where more candidates are nominated than the number of Representatives to the Council to which a Geographic Constituent Body and the Clubs allocated to it are entitled the names of all candidates for election shall be sent by it to its allocated Clubs not later than 15 March, and such election shall be made either at a meeting of representatives from the Clubs concerned or by a postal ballot as the committee of the Geographic Constituent Body may decide. For the avoidance of doubt, subject to Rule 18.2, each candidate need not be proposed for the same length of term. By way of example, a candidate who will have served for eight years on the Council may be proposed for a term of one year, while another candidate may be proposed for a term of three years. Where a Constituent Body with two Representatives wishes to conduct an election where the Representatives are elected for different terms to allow for staggering of terms, it shall use such process as the Legal and Governance Director shall approve.

18.9 Where the election is made at a meeting not less than seven days' notice shall be given to each Club concerned of the date, time and place of such meeting. The representatives of the Clubs attending such a meeting shall choose their own chairman who shall not have a second or casting vote. Subject to the provisions of this Rule 18, the procedure for and at such a meeting shall be determined by the committee of the Geographic Constituent Body concerned as it shall consider appropriate.

18.10 Where the election is made by postal ballot the election shall be supervised by the chairman (or the president if there is no chairman) of the Geographic Constituent Body concerned assisted by two scrutineers appointed by its committee. In this case a ballot paper shall be sent with the notification of candidates' names made in accordance with Rule 18.6. The vote of the Club having been recorded on the ballot paper it shall be signed by an officer of the Club on its behalf and sent to the secretary of the Geographic Constituent Body to arrive not later than 28 March. The ballot papers received shall then be examined by the chairman (or the president if there is no chairman) and scrutineers who shall personally certify the votes cast for each of the candidates.

18.11 The Chief Executive shall be informed of the results of all such elections by 1 April or such later date as specified in Rule 18.12.

18.12 If any election shall result in a tie, the Representative shall be appointed by the General Committee (or equivalent body) of the Geographic Constituent Body, from the candidates who shall have received the equal number of votes, at a meeting to be held within 14 days of the date of the declaration of the tie. If this meeting of the General Committee fails to resolve the deadlock, the Representative shall be appointed at a meeting of the Executive or Management Committee of the Geographic Constituent Body to be held within 14 days of the date of the meeting of the General Committee.

Elections – other National Constituent Bodies and National Representative Bodies

18.13 The Representatives to the Council for Premier Rugby Limited, the Army Rugby Union, the Royal Air Force Rugby Union, the Royal Navy Rugby Union, the SRFU, the ERFSU, the England Colleges Rugby Football Union and the Rugby Players' Association shall be elected by their respective committees.

Elections – National Members and Women and Girls' Representative

18.14 The National Members shall be elected by the Council against such criteria as the Council shall decide.

18.15 The Women and Girls' Representative shall be elected by the Council against such criteria and following such process as the Board shall decide.

Angus Bujalski, RFU Executive Director of Legal and Governance

5 January 2023