

# ***REGULATIONS & ORGANISATION***

## ***BYE-LAWS AND INTERNAL REGULATIONS***



FIRA-AER

9 rue de Liège – 75009 PARIS – FRANCE

Tel: +33 (0) 153 211 522 – Fax: +33 (0) 142 810 004

Email: [secretariat@fira-aer-rugby.com](mailto:secretariat@fira-aer-rugby.com) – Web: [www.fira-aer-rugby.com](http://www.fira-aer-rugby.com)

# TABLE OF CONTENTS

---

<b>BYE-LAWS</b> .....	4
<b>Definitions</b> .....	4
<b>Article 1 Purpose and Composition – Objective and Duties – Headquarters</b> .....	5
1.1 Acronym .....	5
1.2 Duration .....	5
1.3 Object and purposes .....	5
1.4 Composition .....	7
1.5 Registered office .....	7
1.6 Resources of the FIRA-AER .....	7
<b>Article 2 Relations with the IRB</b> .....	7
2.1 Representation within the IRB .....	7
2.2 Agreement between the FIRA-AER and the IRB .....	8
<b>Article 3 Affiliation – Subscription – Resignation and Expulsion</b> .....	9
3.1 Request for affiliation .....	9
3.2 Non-European Union .....	9
3.3 Vote .....	9
3.4 Subscriptions .....	9
3.5 Resignation .....	10
3.6 Expulsion .....	10
<b>Article 4 Organisation of the FIRA-AER</b> .....	10
4.1 The General Meeting .....	10
4.2 The FIRA-AER’s Board of Directors .....	13
4.3 The Executive Committee .....	15
4.4 The Auditors .....	16
<b>Article 5 Minutes</b> .....	16
<b>Article 6 Internal Rules</b> .....	16
<b>Article 7 Modification of the Bye-Laws</b> .....	17
<b>Article 8 Dissolution</b> .....	17
<b>Article 9 Interpretation of the Bye-Laws – Litigation</b> .....	17
<b>Article 10 Responsibilities of the FIRA-AER – Misconduct</b> .....	17
<b>Article 11 Voting and the coming into force of the FIRA-AER Bye-Laws</b> .....	18
<b>REGULATIONS</b> .....	19
<b>Regulation 1 Union Affiliation Procedure</b> .....	19
1.1 Information to be supplied .....	19
1.2 FIRA-AER Affiliation Officer .....	20
1.3 Opinion of the Board of Directors .....	21
1.4 Provisional affiliation .....	21
1.5 Subscription Payment .....	21
<b>Regulation 2 Annual Congress</b> .....	21
2.1 Definition and conduct of the Congress .....	21
2.2 FIRA-AER Annual Congress Host Application .....	22
2.3 Annual Congress Relocation .....	22
2.4 Withdrawal .....	22
2.5 Host Union duties .....	23

2.6 Financial Obligations .....	23
<b>Regulation 3 General Meetings .....</b>	<b>24</b>
3.1 Organisation of General Meetings .....	24
3.2 Notices .....	24
3.3 General Meeting Agenda .....	25
3.4 Voting .....	26
3.5 Application of decisions .....	26
3.6 Minutes of meetings .....	26
<b>Regulation 4 Board of Directors.....</b>	<b>27</b>
4.1 Notice of Meeting .....	27
4.2 Agenda .....	27
4.3 Absence and Deputy Nomination .....	28
4.4 Minutes - Decisions Coming into Force.....	28
<b>Regulation 5 Executive Committee .....</b>	<b>28</b>
5.1 Designation .....	28
5.2 Notice and Decisions.....	28
5.3 Minutes (Bye-Law 4.3.a) .....	28
<b>Regulation 6 Sub-Committees (Article 4.3.c of the Bye-Laws) .....</b>	<b>29</b>
6.1 Composition of the Sub-Committee .....	29
6.2 Notice of Meeting .....	29
6.3 FIRA-AER Sub-Committee Functions.....	29
<b>Regulation 7 Penalties, Disciplinary and Appeal Committees.....</b>	<b>32</b>
7.1 Definitions.....	32
7.2 Penalties.....	33
7.3 Disciplinary Sub-Committees .....	34
7.4 Appeal .....	34
<b>Regulation 8 Subscriptions .....</b>	<b>35</b>
<b>Regulation 9 Official FIRA-AER Awards .....</b>	<b>35</b>
9.1 Rationale .....	35
9.2 Awards .....	35
9.3 Proposals.....	35
9.4 Decisions .....	36
<b>Regulation 10 Official Languages.....</b>	<b>36</b>
<b>Regulation 11 FIRA-AER Secretariat.....</b>	<b>36</b>
11.1 Organisation.....	36
11.2 Correspondence .....	36
11.3 Notice of decisions.....	36
<b>Regulation 12 FIRA-AER Signatures .....</b>	<b>37</b>

# BYE-LAWS

---

## Definitions

For the purposes of these Bye-Laws the following terms have the meanings below assigned to them:

**Association** means an Association of national Rugby Unions recognised by the Board and elected to be a member of the Board by a majority of at least three quarters of the Council.

**Board** means the International Rugby Board.

**Bye-Laws** mean the Bye-Laws for the time being adopted by the General Assembly of the Association and approved by the IRB.

**Council** means the Board's Council, which comprises Representatives of Unions and Associations, appointed as provided its Bye-laws and is the body that has the ultimate and supreme legislative authority in respect of the affairs of the Board. The powers of the Council are set out in IRB Bye-law 9.4.

**Board of Directors** means the committee appointed by the General Meeting in accordance with Bye-Law 4.1 and 4.2 with responsibility for framing and overseeing implementation of the Associations strategic plan and application of policy decisions. The roles, powers and responsibilities of the Board of Directors are set out in Bye-Law 4.2 and in Internal Regulations.

**Executive Committee (EXCO)** means the committee appointed by the Board of Directors in accordance with Bye-Law 4.3 with responsibility for the current business and implementation of decisions, by FIRA AER bodies, between meetings. The EXCO is able to make urgent decision.

**Fédération Internationale de Rugby Amateur (FIRA) – Association Européenne de Rugby (AER):** The FIRA-AER is an association incorporated 1934 by 10 founding unions and whose membership is made up of national rugby unions. With the amendment of its Articles of Association in 1999, the FIRA-AER has become the association of European Unions recognised by the Council.

**Founding Unions** mean Unions that participated in one of the two constituent meetings of the FIRA in 1934, namely Germany, Belgium, Spain, France, Holland, Italy, Portugal, Romania, Sweden, and Czechoslovakia.

**Game** means Rugby Football played in accordance with the Laws of the Game.

**General Meeting** means a meeting of all of the Unions who are in membership of the Association in accordance with Bye-Law 4.1 and Internal Regulations.

**High Performance Union** means a Union designated by Council as a High Performance Union

**International Match** means a match played between National Representative Teams selected by Unions.

**International Rugby Board (IRB)** means the association of Unions or Associations in membership of the Board in accordance with its Bye-laws.

**IRB Funds** means any money, manpower, equipment, property, securities or facility provided by or on behalf of the Board to the Association.

**IRB Laws of the Game** means the Laws of the Game of Rugby Union as approved by the Board.

**IRB Playing Charter** means the Charter related to the Playing of the Game as approved by the Board.

**Match** means a contest in which two teams compete against the other in the playing of the Game.

**National Representative Team** means a team selected by a Union to represent that Union.

**Officers** means the Chairman (or President), the General Secretary, the Deputy General Secretary, the General Treasurer, the Deputy General Treasurer and the Council Representative.

**Ordinary Member** means a person nominated in writing by a member Union to be that Union's representative to the Association.

**Person** means a player, trainer, referee, touch judge, coach, selector, medical officer, physiotherapist or any other individual who is or has been at any time involved in the Game, or in the organisation, administration or promotion of the Game.

**Regulations** mean IRB Regulations relating to the Game and General Regulations binding on all Unions and Associations and which have already been passed by the Council or which may hereafter be passed by the Council.

**Representative** means a member of the General Meeting.

**Union** means every national Rugby Union for the time being in membership of the Board and/or of the Association.

Unless the context otherwise requires in these Bye-Laws the masculine gender shall include the feminine gender and the singular shall include the plural and vice versa.

## **Article 1 Purpose and Composition – Objective and Duties – Headquarters**

### **1.1 Acronym**

An association comprising all member unions called the FIRA - ASSOCIATION EUROPEENNE DE RUGBY has been created. Its acronym shall be the FIRA-AER. This association will comprise all the member unions.

### **1.2 Duration**

Its duration is unlimited.

### **1.3 Object and purposes**

The aim of the FIRA-AER is to promote, develop, manage and administer the game of rugby in Europe within the European jurisdiction (outside of the Domestic Affairs of all Member Unions and their Members save where FIRA-AER is requested to intervene either by a Member Union directly or by the IRB) in accordance with these Bye-laws and Regulations.

FIRA-AER recognizing that the sporting and commercial structures put in place by FFR (French Rugby Federation), FIR (Italian Rugby Federation), IRFU (Irish Rugby Football Union), RFU (Rugby Football Union), SRU (Scottish Rugby Union) and WRU (Welsh Rugby Union) exists and commits to continue the relations established between these parties.

The FIRA-AER will accomplish its aim:

- By organising and conducting international rugby competitions and international rugby tournaments at European level with Unions in membership
- By holding courses and conferences

The FIRA-AER will safeguard the overall interests of Unions.

The aim of the FIRA-AER is also to:

- Monitor and assist with the implementation and compliance with the IRB Bye-Laws, the IRB Regulations and the Laws of the Game and notifying the IRB of any breach of same.
- Administer the technical assistance necessary for the development of the game by way of competitions, training courses and any other form of training.
- Follow a request from the IRB, ensure application of disputes procedure previously approved by the IRB, with regard to deciding and/or settling in the first instance matters or disputes between Unions relating to the playing of rugby matches under the jurisdiction of the FIRA-AER. The French Law shall govern dispute resolution.
- Co-ordinate arrangements subject to IRB agreements and resources (outside of tournaments directly organised by the IRB) and in accordance with IRB Regulation 16 and this article to ensure that there is a programme of matches, tours and tournaments for Senior National Representative Teams (of all forms of the Game) of all Association Member Unions.
- Not to do anything, which is likely to intimidate, offend, insult or humiliate any person on the grounds or their race, gender, religion, or political ideas.

Subject to these Bye-Laws and according to a Strategic Development Plan developed by the FIRA-AER in collaboration with Member Unions and FIRA-AER institutions and approved by the General Meeting, the FIRA-AER shall be responsible for promoting and developing Rugby in its jurisdiction and particularly:

- To effectively represent the Association at the IRB
- To provide beneficial and effective administration within the FIRA-AER
- To endeavour to implement and promote competitions in regards to its specificities and those of its members.
- To ensure that there are Workshops, seminars and training meetings for development officers, coaches, educators and referees
- To ensure that there is Training and competitions for young players in accordance with IRB Training policy

- To ensure that there is Technical and administrative assistance to Unions for Game development (men & women)
- To ensure that there are other activities agreed by the IRB

The game is an open game where persons may receive material benefit notwithstanding that for the majority of persons the game will remain a non-vocational leisure activity.

#### **1.4 Composition**

The FIRA-AER is comprised of member national Unions in accordance with the provisions stipulated in Article 3 of the Articles of Association. The list of member national unions is available at FIRA-AER's headquarters.

#### **1.5 Registered office**

The FIRA-AER has its registered office in Paris, France.

The FIRA-AER's activities are governed by French law, in particular, the law as applied to associations (Law of 1st July 1901).

#### **1.6 Resources of the FIRA-AER**

The FIRA-AER's resources derive from:

- Members' subscriptions
- Subsidies that may be granted
- Revenue from its assets
- Any other resources authorised by the law and the regulations.

### **Article 2 Relations with the IRB**

#### **2.1 Representation within the IRB**

The Association shall be represented on the IRB Council.

The General Meeting shall elect the FIRA-AER representative to the Council of the IRB by a simple majority vote for a period of four years, on a renewable basis.

The candidate may not also be the Chairman of his union but should this be the case, he shall be obliged to resign from this office in the event of his election.

He shall have been actively involved in the development of the FIRA-AER for a period of least 2 years either as an active Ordinary Member of the FIRA-AER.

His candidacy shall be proposed by his own union.

All candidacies shall be addressed to the secretariat of the FIRA-AER at least a 15 days before the General Meeting to nominate the representative is held.

## **2.2 Agreement between the FIRA-AER and the IRB**

The IRB delegates responsibility for the development of rugby in Europe to the FIRA-AER in accordance with article 1.3.

The affiliated Unions undertake to abide by the terms of any agreement between the FIRA-AER and IRB and to abide by the Bye-laws of Association of the FIRA-AER and its Internal Regulations as well as of any regulation adopted by the FIRA-AER.

The Chairman of the IRB or his representative may participate as of right in the meetings of the FIRA-AER.

The IRB will employ in consultation with the Association an appropriate number of personnel to work with the Association. The functions of IRB personnel shall include but not be limited to:

- Development
- Competitions
- Unions reviews
- Disbursement and monitoring of IRB funds
- Strategic investment monitoring
- Liaison between the Association and the IRB

The employee(s) will report to the IRB and will work with the Association so as to deliver the objectives of the Strategic Development Plan.

The Association may apply to the IRB for funding to enable it to discharge its functions efficiently. The IRB trust reserves the right to review and amend its obligations in this regard without notice.

Any Financial Support may be provided in the form of:

- An administration grant
- Funding towards competitions
- Funding, as appropriate, for specific development projects and events.

The amount of apportionment of financial support will be confirmed annually by the IRB following full consultation with the Association and having regard to the Strategic Development Plan and general intention to support programs and competitions on a regular basis where resources permit.



The IRB will seek advice and information from the Association in considering Trust Grant applications from member Unions within the jurisdiction of the Association with the exception of those Unions excluded in the second paragraph of the article 1.3.

The Association will inform itself as to the needs, performances, qualities and status of its Member Unions so that it can provide the IRB with an informed opinion and assessment for the purposes of the advice to be given to the IRB Trust.

## **Article 3 Affiliation – Subscription – Resignation and Expulsion**

### **3.1 Request for affiliation**

A European national union that wishes to be affiliated to the FIRA-AER shall lodge a request in accordance with the provisions of the Internal Regulations of the FIRA-AER. This request shall be submitted to the FIRA-AER's Board of Directors for an advise. The FIRA-AER's Board of Directors shall then forward the request to the General Meeting of FIRA-AER to be voted on.

A request for affiliation is made as an associate membership of the FIRA-AER. After having been an associate member for one year, a union can apply to become a full member of the FIRA-AER. The applicable criteria governing associate membership and full membership are defined in the Regulations.

### **3.2 Non-European Union**

A non-European union may be affiliated to the FIRA-AER provided that it is approved by the IRB.

### **3.3 Vote**

The affiliation of a new union, whether as an associate member or as a full member requires a two-third majority of the votes of the FIRA-AER member unions present or represented, during a General Meeting.

If the applicant union fulfils all of the requirements for becoming an associate member, the Executive Committee can grant it provisional affiliation which will then be submitted to the vote at the next General Meeting.

### **3.4 Subscriptions**

All member unions shall pay an annual subscription.

The amount and method of calculation are defined by FIRA-AER's Internal Regulations. The non-payment of three consecutive annual subscriptions may result in expulsion (see Bye Law 3.6).

### **3.5 Resignation**

Any union wishing to resign shall give three months' notice by registered letter to the FIRA-AER headquarters. At the end of the three-month notice period the union shall lose its membership of the FIRA-AER. The resignation shall be accepted only when the resigning union has paid all its debts to the FIRA-AER.

Acceptance of the resignation shall be subject first to a decision of the Executive Committee and subsequently to that of the Board of Directors.

### **3.6 Expulsion**

The affiliation of a union can be revoked for a serious breach of the Byelaws and/or the Internal Regulations. The revocation requires a two-third majority of the votes of the FIRA-AER member unions present or represented during a General Meeting and the Board of Directors will offer an opinion prior to this vote.

Expulsion may also be pronounced on any other serious grounds including the non-payment of three consecutive annual subscriptions or the non-payment of debts owed to the FIRA-AER or to any other member union.

## **Article 4 Organisation of the FIRA-AER**

The institutions of the FIRA-AER are as follows:

- The General Meeting
- The Board of Directors
- The Executive Committee
- The Auditors

### **4.1 The General Meeting**

A) The General Meeting shall meet at least once a year during the FIRA-AER's annual Congress at a date fixed by the Board of Directors which shall notify the General Meeting at least one month at the latest before the Assembly meets.

The General Secretary of the FIRA-AER shall give notification of the General Meeting to all member unions one month at the latest before the Meeting is held. The agenda and all other necessary documents shall be attached to the notice in so far as possible.

Unions requesting affiliation shall also receive notification.

Members Unions shall send to the registered office a list of questions or proposals to be included in the Annual General Meeting agenda 30 days at the latest before the General Meeting is held.

Each member Union is required to nominate in writing one Ordinary Member to the General Meeting on an annual basis. This Ordinary Member shall be a member who takes an active part in the life of his home union.

The General Meeting shall be hosted by a member Union.

The General Meeting shall be held in accordance with the provisions as set out in these Bye-Laws and Regulations.

B) The General Meeting shall meet each time a request is made by the Chairman or by member Unions representing at least one third of the total of member Unions votes.

C) The General Meeting shall meet in extraordinary session when it deliberates on amendments to the Articles of Association or the Internal Regulations. It may meet at the time of the ordinary General Meeting. It may decide on the dissolution of the FIRA-AER and the distribution of its assets. The quorum for such a General Meeting is two-thirds of the total votes of all member unions.

The quorum is calculated by taking into account the number of members present or represented by proxy. If the quorum is not reached, the General Meeting shall be reconvened on the same agenda. It shall then deliberate without conditions of quorum, by simple majority of members present or represented by proxy.

D) The General Meeting defines, directs and supervises the general policy of the FIRA-AER. Each year it studies the annual general report on the financial and moral situation of the FIRA-AER, on sporting activities and on competitions.

E) The General Meeting elects the members of the Board of Directors and the auditors. It approves the accounts and financial management and votes the annual budget.

F) Composition

The General Meeting is comprised of representatives of unions affiliated to the FIRA-AER. In order to validly participate in the voting at a General Meeting, representatives of each member union shall have a valid power of attorney issued by their home union.

Representatives shall prove the capacity of their home unions by presenting the minutes of the Executive Committee of their unions that clearly confers the right to vote at FIRA-AER General Meetings.

Member unions, on forwarding the above documents, shall inform the FIRA-AER secretariat of any changes during the term of office and of the appointment of any new representatives during the year.

#### G) Proxy in case of absence at meetings

Unions that are absent at the General Meeting may give a power to be represented by proxy to a representative of another union present at the Meeting who has already been mandated by his union, on condition that the said representative may not hold more than 3 proxies, one of which shall be that of his own union. Union proxies shall be presented at the latest on the day of the General Meeting and if possible supplied to the Secretariat before the General Meeting.

#### H) Methods of voting and number of votes allocated to member unions

Each member union has two votes. Two extra votes are then allocated to each founding union.

One extra vote is then allocated to each member union per block of 10 clubs up to 50 clubs, then one extra vote per block of 100 clubs and above.

Voting is by a show of hands unless a secret ballot is requested by simple majority as defined below. All votes concerning the election of individuals shall be by secret ballot.

#### I) Deliberations and Majority

The General Meeting validly adopts proposals by a simple majority of those voting notwithstanding the number of unions present or represented by proxy.

In order to have valid decisions, at least half of the total number of votes of the Member Unions of FIRA AER shall be represented. In case of equal number of votes, the Chairman of the General Assembly will have a casting vote.

The rules for voting and majority rules as well as required quorum rules are different when the General Assembly is of extraordinary character (see article 4.1. C.)

#### J) Presidency and Secretariat during General Meetings

The General Meeting shall be chaired by the current Chairman of the Board of Directors who shall also be the Chairman of FIRA-AER. In his absence, a meeting Chairman shall be nominated by a two-third majority vote of the General Meeting.

The General Meeting shall nominate a meeting Chairman outside the Board of Directors of the FIRA-AER if the General Meeting's agenda concerns the Chairman, the election of members of the Board of Directors and the discharge given to the Board of Directors.

The secretariat for the Meetings shall be provided by the General Secretary of the FIRA-AER.

When a vote is required, the General Meeting shall nominate, if necessary, two scrutineers selected from two different unions.

## **4.2 The FIRA-AER's Board of Directors**

### **A) Meetings and notification**

The FIRA-AER Board of Directors shall meet at least twice per year upon notification by the current Chairman of the FIRA-AER; one of the meetings shall take place during the Annual Congress.

The General Secretary of the FIRA-AER shall notify the members of the FIRA-AER Board of Directors at least one month at the latest before the meeting is held. Notice of Meetings shall be submitted to the IRB as soon as possible. The IRB representative shall be entitled to participate at any FIRA-AER Board of Directors meeting held, without having the right to vote.

The Board of Directors shall be held in accordance with these Bye-Laws and Regulations.

### **B) Composition**

The Board of Directors, elected by the General Meeting, shall be comprised of a minimum of twenty members and a maximum of forty five members consisting of the Officers mentioned in paragraph G below. A member of the Board of Directors may not be represented by another person or grant a proxy.

The General Meeting may decide to nominate a maximum of four deputies and shall set out the order in which they shall be summoned should ordinary members be absent. Only members whose supervisory union has paid its subscription are eligible to vote. Members of the Board of Directors shall not be remunerated for their services.

### **C) Methods of election and eligibility**

Members of the Board of Directors are elected by secret ballot at the simple majority of members present or represented by proxy during the General Meeting. All candidates standing for election shall be duly presented by their home unions. They need not necessarily be members of the Board of Directors of such union. The candidate or the union shall give notice in writing of their intention to stand before the elections commence.

A national union may not have more than five representatives on the Board of Directors.

### **D) Term of office**

The term of office is four years, which is renewable.

### **E) Replacement of an elected member during his term of office**

When a Union cancels the mandate of one of its representatives who is a member of the Board of Directors, it shall immediately inform the General Secretary of the FIRA-AER, indicating the name of the new candidate mandated by the said union. When a member is replaced, the new member shall be elected for the remaining term of office of the replaced or defaulting member. The exact list of

members of the Board of Directors shall be updated during each meeting and shall be available at all times at the FIRA-AER secretariat.

#### F) Deliberations

The Board of Directors validly adopts proposals by a simple majority only when at least a third of the members are present. Each member has one vote and in case of deadlock, the Chairman of the Board of Directors has the casting vote. Unless the Board of Directors decides to the contrary, deputies may attend meetings, but they may not vote unless they are deputising for an ordinary member.

#### G) Election of the Chairman, Vice Chairmen, General Secretary, Deputy General Secretary, General Treasurer and Deputy General Treasurer of the FIRA-AER.

The Chairman of the FIRA-AER is elected by the General Meeting for four years in accordance with paragraph C above.

Once elected, the Chairman of the FIRA-AER and the members of the Board of Directors shall meet to deliberate and introduce ten Vice Chairmen, the General Secretary, the Deputy General Secretary, the General Treasurer and the Deputy General Treasurer who shall also be elected by the General Meeting in accordance with paragraph c above.

No person may hold more than one of the following offices:

- President/Chairman
- Vice President / Vice Chairmen
- General Secretary
- Deputy General Secretary
- General Treasurer
- Deputy General Treasurer

The Officers shall sign and act in compliance with the IRB Code of Conduct.

The Chairman of the Board of Directors may not at the same time be Chairman of his national union.

If one of the posts of Officers becomes vacant for any reason, the functions of that Officer will be exercised temporarily by a member of the Executive Committee. At the next Ordinary General Meeting, the General Meeting will elect a replacement Officer for the remaining term of office of the preceding Officer.

#### H) Powers of the Board of Directors of the FIRA-AER

The Board of Directors manages the activities of the FIRA-AER.

It implements the main orientations of the FIRA-AER sports' policy.

It keeps watch over the application of the FIRA-AER's Internal Regulations, ensures that those concerned abide by the Regulations of the game and takes note of progress made in activities and competitions organised by the FIRA-AER and its member unions.

It supervises the financial management of the FIRA-AER in accordance with the budget adopted by the General Meeting, all expenditure shall be authorised by the Chairman and a member of the Board of Directors duly mandated for this purpose.

It decides on penalties and fines to be imposed on member unions having infringed the FIRA-AER regulations.

It settles sports, financial and other disputes that may arise between the unions member of the FIRA-AER, other than where contractual provision is made for the settlement of these disputes or those disputes are between unions excluded in the second paragraph of the article 1.3.

It decides on the allocation of awards as defined in the FIRA-AER Internal Regulations.

It puts the appointment of any eminent person who has encouraged and greatly contributed to the development of the game of rugby and to the strengthening of ties between the member unions of the FIRA-AER or the IRB as Honorary Members of the FIRA-AER to the vote of the General Meeting.

### **4.3 The Executive Committee**

#### A) Duties

The Executive Committee is responsible for the managing of the day-to-day business and the enforcement of decisions made by the bodies of the FIRA-AER between the meetings.

It is also authorised to take urgent decisions. All decisions taken by the Executive Committee shall be recorded in minutes that shall be sent to each member of the Board of Directors within 15 days of the decision being made.

All decisions of the Executive Committee shall later be submitted for approval of the next Board of Directors.

All decisions of a financial nature shall be approved by the Chairman of the Board of Directors and the General Treasurer and later submitted for approval by the Board of Directors.

#### B) Composition

The Executive Committee is comprised of a minimum of 6 members and a maximum of 14 members appointed for two years by the Board of Directors.

The Chairman of the Board of Directors is also the Chairman of the Executive Committee. The Chairman, the General Secretary and the General Treasurer sit by right on the Executive Committee.

The Executive Committee may make valid decisions by simple majority; the Chairman shall have a casting vote.

Decisions may be taken by telephone or by fax and confirmed later in minutes sent to the Board of Directors within 15 days of the decision being made.

#### C) The Sub-Committees (and other groups subsidiary to the Executive Committee)

In order to assist it in its task of managing the FIRA-AER, the Executive Committee shall decide on the setting up of Sub-Committees and the annual appointment of the Chairman of each Sub-Committee. It shall also decide on the number of Sub-Committees to be set up and the tasks that shall be assigned to each of them in accordance with these Bye-laws.

#### **4.4 The Auditors**

The General Meeting shall elect for a renewable period of six years two independent FIRA-AER Auditors who shall not sit in any of the bodies of the FIRA-AER. They shall hold the necessary profession qualifications required for the accountant's or Auditor's profession.

At the Annual General Meeting, the two Auditors shall present a written report on the conformity of the financial management of the FIRA-AER with decisions of the various bodies of the FIRA-AER. They shall make recommendations to the General Meeting on whether or not to accept the Board of Directors' full discharge in relation to its financial management.

They may check all the accounts and proofs of expenses incurred during the course of the year.

#### **Article 5 Minutes**

The minutes of the Meeting deliberations are recorded in a register by the General Secretary and signed by the Chairman and the General Secretary.

The minutes of the deliberations of the Board of Directors and/or of the Executive Committee are entered in a register by the General Secretary and signed by the General Secretary and the Chairman and kept at the FIRA-AER headquarters where they may be consulted in French or English. The General Secretary may issue a certified valid copy, which shall be authoritative with regard to third parties.

#### **Article 6 Internal Rules**

The FIRA-AER Internal Regulations are prepared by the Board of Directors and adopted by the General Meeting. They determine the methods of implementing these Articles of Association.



### **Article 7 Modification of the Bye-Laws**

The Articles of Association may be amended by the General Meeting by a proposal made by the Board of Directors or by members representing at least a quarter of the votes for which the method of calculation is defined at article 4.1 - h above.

The proposed amendment of the Articles of Association as well as the agenda shall be sent to the members of the FIRA-AER insofar as possible, at the latest one month before the General Meeting is held. The General Meeting may amend the Articles of Association only if the proposal is accepted by two thirds of the votes of all the FIRA-AER's members present or represented by proxy at the General Meeting.

### **Article 8 Dissolution**

The dissolution of the FIRA-AER may be pronounced only by a General Meeting, convened especially for this purpose and ruling with the quorum and of the majority provided for Extraordinary General Assemblies (see Article 4.1 above).

The General Meeting shall nominate one or more liquidators entrusted with the liquidation of the assets of the FIRA-AER and it shall determine their powers. It shall transfer the net assets to any registered associations having a similar object.

### **Article 9 Interpretation of the Bye-Laws – Litigation**

In the event of a doubt arising at any time on a matter not provided for in these Bye-Laws, or as to their meaning, the IRB shall be requested to determine same in accordance with IRB Regulations and governing law.

These Bye-Laws shall in all respects be governed by and construed in accordance with the governing law of the country where the registered office of the FIRA-AER is located and approved by the IRB.

In case of disputes between FIRA-AER and IRB, the dispute resolution shall be governed by English Law.

### **Article 10 Responsibilities of the FIRA-AER – Misconduct**

The FIRA-AER shall ensure that all of its Officers, Executive Committee Members and Member Unions fully comply with IRB Bye-Laws and Regulations.

All misconduct cases shall be conducted in accordance with IRB Regulations.

**Article 11 Voting and the coming into force of the FIRA-AER Bye-Laws**

The amendments to the FIRA-AER Articles of Association were voted on during the Extraordinary General Meeting that took place in Moscow on 27 June 2009 and they came into force at the outcome of the vote that approved those amendments.

**In .....**

**On .....**

**The President of the FIRA-AER  
Jean-Claude BAQUE**

**The General Secretary of the FIRA-AER  
Jean-Louis BARTHES**

# REGULATIONS

---

## Regulation 1 Union Affiliation Procedure

Pursuant to Regulation 3 of the FIRA-AER Articles of Association, a European National Union member of the IRB or a Union that has applied to be an IRB member and/or wishes to be affiliated to FIRA-AER shall submit an affiliation application to the FIRA-AER secretariat.

Membership of each Association shall be for Unions within the agreed jurisdiction only, and any other Union with the express consent of the IRB.

### 1.1 Information to be supplied

Any Union which has confirmed recognition of the Union as the national governing body of Rugby by the National Olympic Committee or by the Sports Council or Ministry of Sport of the country of the Union may submit an affiliation (Association) application that should contain, without limitation, the following information:

- a general and detailed presentation of that Nation's Rugby practice, background and the present and future Rugby Development Strategy
- the playing numbers for all age categories, the number of Clubs, referees, name and functions of officers, the competitions, championships and tournaments organisation, competitions results and International exchanges
- the National Union's Bye-Laws and organisation chart, its Committee composition as well as its operational and affiliation procedures, its financial and budgetary statements for that year
- a detailed analysis of the Union's needs and its provisional budget
- a description of the insurance (if any) subscribed by the Union and covering among others players, referees and officials.
- any other information that may be deemed necessary for Association Membership

Membership Pathway: to become member of an Association, Unions must follow the following pathway to membership:

- Unions must apply for associate membership of the Association in the first instance
- After a Union has been an associate member for one year the Union can apply for full Membership of the Association
- Full Membership of the Association will be considered if the Union has progressed in accordance with the Key Performance Indicators which will include but not be limited to compliance with the Bye-Laws of the Association, provision of General Meeting minutes, copies of financial statements and evidence of a XV a-side competition
- Unions in full membership of an Association must comply with the criterias to be an IRB Associate Member Union. **To be considered for IRB Associate Membership a Union must:**

- Be a member of a Association for two years (One year as an Associate Member / One year as a Full Member)
- Be the controlling body with its own constitution that has authority to exercise independent control of the Game within its jurisdiction.
- Provide details of Union Officers and control of all associated entities.
- Conform in all regards to IRB Bye-Laws, international Regulations, General Regulations and the IRB Laws of the Game. Unions must also adopt IRB Anti-Doping Regulations which are World Anti Doping Agency compliant.
- Provide details of the number of players (various age group categories) clubs etc.
- Provide a declaration of opposition to any discrimination on the grounds of race, national or social origin, sex, politics, religion or creed.
- Provide documentation confirming recognition of the Union as the national governing body of Rugby by the National Olympic Committee or by the Sports Council or Ministry of Sport of the country of the Union.
- Provide Minutes of last two Annual General Meetings.
- Provide last two Financial Statements.
- Have a basic development program in place agreed with the IRB General / Regional Development Manager (copy to be provided)
- Have an annual domestic XV a-side competition with a minimum of four teams participating
- Associate Members of the IRB are entitled to:
  - Participate in competitions on a qualified basis, to be decided by the Association in consultation with the IRB which does not include RWC tournaments.
  - Attendance at the biennial IRB General Assembly in a non-voting capacity
- Please note that no direct IRB Development Funding will be provided to Associate Members (funding will be supplied to Associations to assist in development of associate members of the IRB)
- IRB must be notified six months in advance of the election to full member Union status of an Association

## **1.2 FIRA-AER Affiliation Officer**

The Executive Committee shall nominate an Officer responsible for the Affiliation application who shall write a report after visiting the Union concerned.

During this visit the Officer will add any missing information and check the information in the application. The Affiliation Officer shall thereafter submit his/her report to the FIRA-AER secretariat for presentation either to the Executive Committee for a provisional Affiliation under the FIRA-AER Articles of Association or to the next Board Meeting for advice prior to the final vote during the next General Meeting.

### **1.3 Opinion of the Board of Directors**

The application will be considered by the Board of Directors, which can either request additional information or propose the inclusion on the Agenda for the next General Meeting of the affiliation of the union as an associate member or as a full member as appropriate.

### **1.4 Provisional affiliation**

In accordance with the FIRA-AER Bye-laws, the Executive Committee can, at any time during the year, between two General Meetings, grant a provisional affiliation for a union as an associate member, which will then be subject to the approval of the Board of Directors and finally the approval of the next General Meeting.

### **1.5 Subscription Payment**

When the Affiliation application is approved by the General Meeting, this new member Union shall pay its subscription for the current year within one month, if the affiliation is approved by the Congress.

## **Regulation 2 Annual Congress**

### **2.1 Definition and conduct of the Congress**

The FIRA-AER Annual Congress shall be hosted by a member Union. All FIRA-AER governing bodies shall meet during the Annual Congress:

- All committees, the number of which is determined by the Executive Committee;
- The Executive Committee;
- The Board;
- The General Meeting
- The Auditors.

The annual Congress shall be held in June or July unless, on exceptional grounds, a different date was agreed by the General Meeting.

## **2.2 FIRA-AER Annual Congress Host Application**

Any member Union may apply to host the annual Meeting either during the previous Annual Congress or, at the latest, at the last Board Meeting before the Annual Congress.

A decision will only be final when the application file complete and contains the following information:

- A formal application letter from the member Union following an official decision made by the Union's Managing Committee and accompanying the application;
- The proposed dates and place for the Annual Congress;
- A draft programme, and
- A tourist leaflet as well as a preliminary description of the accommodation, travel arrangements and prices.

A preliminary file must be delivered to the FIRA-AER secretariat at the latest one month before the Board Meeting having to decide on the location of the next Annual Congress.

If more than one Union applies, their representatives may make an oral presentation of their applications before the final vote.

The Board may make a provisional decision concerning the location of the Annual Congress for a number of consecutive years provided that the applications comply with the terms set out in these Regulations.

## **2.3 Annual Congress Relocation**

Due to exceptional circumstances or a withdrawal, the location of an Annual Congress may be changed and the Congress hosted by another Union.

## **2.4 Withdrawal**

The withdrawal of a member Union that was selected to host the Annual Congress shall, save for exceptional circumstances, render such Union liable for a financial penalty that will be determined by the Board at the Finance Committee's instigation and based on the date when such withdrawal was notified and the remaining time before the Congress.

If this withdrawal is notified after the end of the year preceding the date of the Annual

Congress, the withdrawing Union may be required to pay all the financial costs arising from this withdrawal. The Finance Committee will determine any such loss.

## **2.5 Host Union duties**

The Host Union accepts and agrees to pay the costs of the following financial obligations, with the exception of those costs to be paid by the FIRA-AER:

- holding of meetings in suitable meeting rooms, equipped with audiovisual facilities and appropriate for the number of participants,
- accommodating the participants in 3 different categories of hotels, at previously negotiated preferential rates,
- holding of meetings in a suitable conference centre, or in one of the hotels in which the participants are staying and equipped with the required facilities,
- providing the participants with support staff during their stay and with a permanent office staff before and during the Congress,
- providing the participants with support staff for hotel and tourist bookings and reservations,
- organising a cultural and tourist programme for the participants and the persons accompanying them,
- arranging and paying for an Official Formal Dinner for the participants representing the member Unions or the persons invited by FIRA-AER and the Host Union,
- organising and paying for local travel arrangements for the participants and, as far as practically possible, arranging travel from the airports to the Meeting venue,
- preparing complete documentation containing the official programme and any relevant information for the attending participants,
- organising and paying for simultaneous translation services, in French, English and Russian for the Board meetings and the General Meeting,
- Seeking to obtain local grants, sponsors or partnerships and in general using its best endeavours to ensure the optimum organisational and conduct of the FIRA-AER Annual Congress.

## **2.6 Financial Obligations**

The Host Union shall pay all organisational costs and pay all financial obligations associated with the above specifications.

The FIRA-AER shall pay for its own administrative costs relating to the Congress.

Member Unions and participants shall pay for their international travel and accommodation costs during the Congress.

## **Regulation 3 General Meetings**

### **3.1 Organisation of General Meetings**

Pursuant to Regulation 4.1 of the FIRA-AER Articles of Association, FIRA-AER General Meetings shall be either Ordinary General Meetings or Extraordinary General Meetings.

An Ordinary General Meetings will be held during the Annual Congress of the FIRA-AER.

Extraordinary General Meetings shall have the same organisation procedures as Ordinary General Meetings but their Agenda shall include matters relating to Amendments to Articles of Association, the winding up of the assets, or any other matter for which an Extraordinary General Meeting has been convened.

### **3.2 Notices**

The General Meeting notification procedures are as set out in the FIRA-AER Regulations 4.1(a), (b) and (c) of its Articles of Association.

Notice of the date of a General Meeting shall be given to the Unions at least one month in advance and must include, as far as practically possible, the supporting documents for the discussions, including:

- An updated list of the member Unions,
- A list of the names of the representatives appointed to represent the Union during the current year,
- A list of Board members and lists of the members of the FIRA-AER committees and other governing bodies,
- A standard proxy form for the appointment of a proxy if a Union is unable to attend;
- A draft activity report for the past season,
- Competition results,
- The financial report,
- The auditors' report,
- The list of candidates for the various elections during the General Meeting together with all information relating to the applications
- Affiliation application files from new Unions;
- The activity plan, the development report and, as far as practically possible, all relevant documents related to the planning of the coming season following the General Assembly, the programme of training sessions and meetings for the ensuing season
- Reports on the work of the Committees;



- And in general any relevant documents necessary for the preparation of the debates during General Meetings.

### **3.3 General Meeting Agenda**

A General Meeting may start with one or several opening speeches.

The Agenda of a General Meeting shall include:

- The Administrative and Legal Committee shall count the attendees and proxies, together with the number of votes for each Union. This list shall mention present and represented Unions for the quorum,
- Two scrutineers shall be elected,
- The chairperson shall be elected. The incumbent FIRA-AER Chairman shall act as the Chairman of the General Meeting with the exception of the matters relating to the financial report, the discharge and the election of persons within the different governing bodies of the FIRA-AER,
- The General Secretary's activity report including a general report on FIRA-AER activities and the development work within the member Unions, the work of the governing bodies, committees and various managers, competitions, and any action undertaken in accordance with FIRA-AER policy and principles,
- The financial report including the balance sheet and the income statement for the past fiscal year and any relevant documents required for the vote,
- The auditors' report,
- Vote on discharge for the Board,
- Activity plan and work reports from the various governing bodies and committees,
- Budget plan(s) for the next season(s) including member Unions' grant applications,
- Election of Board members,
- Election of the FIRA-AER Chairman,

Following the elections of the FIRA-AER Chairman and Board, the Board shall meet to appoint, from among its members, the General Secretary, the Deputy General Secretary, the General Treasurer, the Deputy General Treasurer and the 10 Vice-Chairmen. This proposal shall thereafter be submitted to the General Meeting for approval pursuant to Regulation 4.2 of the Articles of Association.

The Board of Directors may also announce the composition of the FIRA-AER Executive Committee and, as appropriate, of the various committees for the coming year.

The Meeting shall thereafter resume and the Chairman shall put the abovementioned governing bodies to the vote:

- Election of auditors,
- Affiliation of new member Unions,
- Any other business,
- FIRA-AER award ceremonies,
- General Meeting closure.

### **3.4 Voting**

The Chairman shall arrange any voting needed by show of hands or by secret ballot on the items of the agenda that have to be adopted by the General Meeting, pursuant to the required quorum, according to FIRA-AER Bye-Law 4.1

The Chairman shall arrange a vote by secret ballot, under the scrutineer's supervision, for any case he may deem necessary or as provided in the Bye-Laws.

The Chairman shall have a casting vote. The applicable procedures and the number of votes hold by the member unions are indicated in FIRA-AER Bye-Law 4.1

### **3.5 Application of decisions**

The decisions taken during any General Meeting or FIRA-AER governing body meetings shall come into force with immediate effect and no later than 3 months after the relevant Minutes are signed by the authorised person(s).

The General Meeting can determine the date a decision shall come into force on a case by case basis.

### **3.6 Minutes of meetings**

A record of the meetings shall be kept by the FIRA-AER secretariat and any person may request and obtain a copy of the Minutes of the meetings of FIRA-AER governing bodies.

The Minutes of a General Meeting shall be signed by the Chairperson and the General Secretary and shall be sent to the Unions and the IRB within 30 days of the conclusion of the meeting.

The Minutes of the Board Meetings shall be signed by the FIRA-AER President and the General Secretary.

The Minutes of other FIRA-AER governing bodies, committee or other work group meetings shall be signed by the chairperson or by the person nominated as the recorder.

## **Regulation 4 Board of Directors**

### **4.1 Notice of Meeting**

The procedures for convening the FIRA-AER Board meetings are as set out in FIRA-AER Bye-Law 4.2 A.

A copy of the Agenda with the main items to be addressed during the Board meeting shall accompany the notice of meeting.

### **4.2 Agenda**

The incumbent President shall act as the Chairman of the Board of Directors.

4.2.1 In the case of a Board of Directors member wishing to alter the Agenda or place a new item on the Agenda, such member shall notify in writing the Secretary before the commencement of the relevant meeting. The Chairman may place such new item on the Agenda otherwise it may be dealt with under the section "*Any other business*".

4.2.2 Unless a decision is taken to modify the Agenda, the Chairman may adopt all or any of the following:

The following order of business shall be followed at Board of Directors:

- The Chairman, or in his absence a nominee from Executive Committee, shall act as Chairman of the Board of Directors.
- A list of attending members shall be taken
- Apologies for absence shall be noted
- Other persons invited to attend the Board of Directors meeting shall be noted
- The quorum is decided in FIRA-AER Bye Law 4.2. The Board of Directors shall have power to consider the following matters as required:
  - o Approval of the previous Board of Directors meeting's minutes
  - o The formulation, in conjunction with Member Unions and the IRB, of the Associations strategic plan to achieve the vision, mission and goals of the Association and the IRB
  - o The approval of the annual business plan and budgets
  - o The monitoring of the implementation of the strategic plan and annual business plan, operational plan and budgets of the Association and assessment of performance against key performance indicators
  - o The co-ordination of the work of any Committees of the Association

- The formulation and implementation of good corporate governance principles and practices
- Ensuring that there is a sound system of internal control and risk management policy and process in place to identify and manage risk
- Between General Meetings to deal with matters of an urgent nature that would ordinarily be dealt with by a General Meeting
- Subject to paragraph (h) above to discharge such other responsibilities that do not fall within the constitutional, legal or statutory jurisdiction of the General Meeting or other person / entity under the Bye-Laws required to ensure the effective management and operation of the Association
- To receive and recommend to the General Meeting the audited accounts of the Association

#### **4.3 Absence and Deputy Nomination**

Board members, who are unable to attend a meeting, must notify the secretariat to enable the appointment of a deputy.

#### **4.4 Minutes - Decisions Coming into Force**

The applicable procedures for General Meetings shall conform with the Board meeting procedures (see Regulations 3.5 and 3.6 above).

### **Regulation 5 Executive Committee**

#### **5.1 Designation**

The Executive Committee members shall be appointed as provided for in FIRA-AER Bye-Law 4.3.

#### **5.2 Notice and Decisions**

The Executive Committee may meet as convened by the Chairman or make decisions by way of post.

#### **5.3 Minutes (Article 4.3.a of the Bye-Laws)**

All meetings or decisions of the Executive Committee shall be recorded in Minutes and such Minutes shall be signed by the Chairman and General Secretary and immediately notified to all Board members and deputies. Executive Committee decisions shall be submitted to the Board during its next meeting for final approval.

## **Regulation 6 Sub-Committees (Article 4.3.c of the Bye-Laws)**

### **6.1 Composition of the Sub-Committee**

As soon as appointed, the Executive Committee shall state:

- The number of FIRA-AER Sub-Committees,
- The official Sub-Committee designations,
- The Chairman and members of each Sub-Committee.

### **6.2 Notice of Meeting**

A Committee meeting may be convened whenever the Committee Chairman or the Executive Committee Chairman deems necessary.

The Executive Committee shall have the sole discretion to establish Sub-Committees and determine their roles, names and number pursuant to the FIRA-AER Articles of Association.

### **6.3 FIRA-AER Sub-Committee Functions**

All Association committees (if any) shall meet during the said General Meeting

The functions of the FIRA-AER Sub-Committees subject to the Bye-Laws may be as follows:

A) A Sub-Committee (Competitions Sub-Committee) will be responsible for organising:

- Competitions for the various age groups,
- Junior World Championship, if it is to be staged by the FIRA-AER,
- Senior RWC qualifying matches in conjunction with RWC Ltd,
- Tournaments,
- FIRA-AER team selections,
- Women's competitions,
- Sevens competitions,
- Compliance with Sports Regulations and disciplinary matters,
- All other approved competitions.

B) A Sub-Committee (Technical and Game Development Sub-Committee) will be responsible for:

- Training technical managers,
- Defining the training programmes,
- Disseminating and applying new Laws of the game,
- Training session organisation.

C) A Sub-Committee (Women's Rugby Sub-Committee) will be responsible for:

- Developing Women's rugby in Europe,
- Organising Women's competitions in conjunction with the Competitions Committee,

D) A Sub-Committee (Laws and Referees Sub-Committee) will be responsible for:

- Referee training,
- Updating and disseminating the Laws of the Game,
- Organising training sessions of different levels,
- Issuing training sessions certificates,
- Disciplinary matters,
- Training Women's rugby referees.

E) A Sub-Committee (Medical and Insurance Sub-Committee) will be responsible for:

- Considering medical issues and publications,
- The training of medical officers for the Unions,
- Issues and Regulations relating to Anti-doping,
- Information relating to insurance matters for FIRA-AER member Unions.

F) A Sub-Committee (Administrative and Legal Sub-Committee) will be responsible for:

- Administrative issues,
- Legal issues, procedures for the meetings of FIRA-AER governing bodies,
- Updating the Bye-Laws and other Regulations,

- Hearing and deciding appeals on decisions made by Disciplinary Committees or any decisions of a disciplinary nature made in application of the regulations adopted by FIRA-AER.

G) A Sub-Committee (Finance Sub-Committee) will be responsible for:

- Grant applications, budgets projections, financial reports,
- Considering all financial matters to be referred to FIRA-AER governing bodies for decision,
- Overseeing FIRA-AER financial and accounting management.

H) A Sub-Committee (Communication and Sponsorship Sub-Committee) will be responsible for:

- Any issues relating to communication and the media,
- FIRA-AER publications,
- Issues relating to FIRA-AER trademarks, logos, titles, Internet sites and intellectual property rights,
- Negotiating sponsorship agreements with organisations, companies and media groups.

I) A Sub-Committee (International Relations Sub-Committee) will be responsible for:

- Developing relations with other organisations.

J) A Sub-Committee (High Level Sub-Committee) will be responsible for:

- Increase the level of the game and competitiveness of all FIRA-AER emerging unions

K) A Sub-Committee (Seven Sub-Committee) will be responsible for:

- The promotion of 7's Rugby within Europe
- Improving competitiveness and competition structures of 7's Rugby

L) A Sub-Committee (European Institutions Relations Sub-Committee) will be responsible for:

- Insure relations with the whole administrative and politic European institutions

## **Regulation 7 Penalties, Disciplinary and Appeal Committees**

### **7.1 Definitions**

All disputes between FIRA AER member Unions will be governed by French Law, apart from disputes forwarded by FIRA AER to the IRB. In which case such disputes will be subject to English Law.

#### **7.1.1 Administrative and Financial Penalties**

Penalties imposed in the context of the activities of FIRA-AER are either of an administrative, financial or sports character.

Only administrative and financial penalties are provided for in these Regulations as penalties for disciplinary matters arising out of Illegal and Foul play during competitions and tournaments organised by FIRA-AER or any affiliated Union come under the rules of play such as defined by the IRB and the specific regulations for each activity or competition.

Disciplinary committees or other disciplinary bodies set up by FIRA-AER for the purposes of ruling on the application of the sports and disciplinary regulations as per above, can be created by the Board of Directors, with their powers and operations being defined in these regulations.

**7.1.2 Grounds for Penalties:** Any member Union or Official or any other person acting within the scope of FIRA-AER activities contravening FIRA-AER Bye-Laws or Regulations, failing implement the decisions or recommendations of FIRA-AER governing bodies or engaging in conduct, behaviour or practices which may be prejudicial to the interests of FIRA-AER can be subject to disciplinary and financial penalties imposed by FIRA-AER.

**7.1.3 Negligence or transgression:** the failure to comply with the above provisions may be considered as negligence or as a transgression.

Depending on mitigating and/or aggravating circumstances, such negligence or transgression may be considered as more or less serious and the penalty shall be determined accordingly.

Circumstances and any available evidence shall be taken into account in determining the appropriate penalty.

For an infringement arising out of negligence, mitigating and/or aggravating circumstances as well as the extent of the consequences and the prejudice of such negligence shall be taken into account to impose an administrative and financial penalty.

For an infringement arising out of a transgression, whether the transgression was intentional or not, the extent of the consequences and the prejudice this transgression caused for FIRA-AER or a third party shall be taken into account in determining the penalty.



## 7.2 Penalties

A) A member Union may be subject to the following penalties:

- A caution;
- A reprimand;
- A suspension from specified FIRA-AER activities for a specified period;
- A withdrawal of membership subject to a final decision by the General Assembly

Such penalties may be supplemented with financial penalties (compensation and/or fine) and the disciplinary committee adjudicating the case shall have full discretion to determine the amount of the financial penalty.

In the event of a Union failing to pay the financial penalty, the Union may be subject to further administrative penalties pursuant to the above Regulation 7.1.

B) An official or any other person involved in FIRA-AER activities may be subject to the following penalties:

- A caution;
- A reprimand;
- A suspension from specified FIRA-AER activities for a specified period.

Such penalties may be supplemented with financial penalties (compensation and/or fine) in an amount as determined by the Board of Directors.

C) Criminal Penalties

Offences coming within the competence of criminal courts shall not be adjudicated by FIRA-AER. FIRA-AER shall determine whether any such offences or crimes are to be referred to the relevant administrative or police authorities and this is without prejudice to any penalties imposed by FIRA-AER.

D) Financial Disputes

Member Unions undertake to comply with the decisions made by the FIRA-AER governing bodies relating to the resolution of financial disputes arising out of their participation in FIRA-AER activities.

Financial disputes will be investigated by the FIRA-AER Executive Committee and referred to the Board for a definitive settlement. The Board may refer the matter to one or more Committees for advice.

As a last resort, a dispute may be submitted to an Ordinary General Meeting or to an Extraordinary General Assembly in cases of urgency, for a definitive adjudication.

In the event of a Union failing to comply with or implement a decision of financial nature, that Union's membership may be withdrawn pursuant to this article.

### **7.3 Disciplinary Sub-Committees**

7.3.1 The Executive Committee shall appoint one or more Disciplinary Sub-Committees to determine the above penalties. A Disciplinary Sub-Committee shall be composed of three members appointed with regard to the issues to be determined.

The members of a Disciplinary Sub-Committee shall be appointed by the Executive Committee from members of the FIRA-AER committees. They cannot be members of the Administrative and Legal Committee which acts as the appeal body under the terms of Regulation 7.4 below.

7.3.2 Disciplinary Procedures: Disciplinary proceedings shall be conducted as soon as practicable after the facts become known or after a claim or written complaint has been lodged but in any case no later than 30 days following the facts.

The claim or complaint shall be notified to the FIRA-AER secretariat which will acknowledge receipt of this.

Any member Union, official or any other person having participated in FIRA-AER activities may submit a complaint or claim.

A complaint or claim shall set out full details of the circumstances and alleged conduct and the grounds for the said negligence or transgression but with no mention of the anticipated penalty.

Evidence may be given by any means. Written representations must be enclosed with the complaint notification.

Oral evidence or witness statements must be mentioned in the complaint or claim notification.

A Disciplinary Sub-Committee must then adjudicate on a case within a maximum of 3 months after the complaint is notified unless, on exceptional grounds, the Executive Committee allows additional time because of the complexity of a case.

This decision will be recorded in official Minutes distributed to FIRA-AER members.

### **7.4 Appeal**

There shall be a right of appeal to the Administrative and Legal Committee for any decision by a Disciplinary Sub-Committee.

Any appeal must be lodged within 3 weeks of the date on which the decision of the Disciplinary Sub-Committee has been notified.

The Administrative and Legal Committee shall appoint 3 persons from its members to make a final adjudication on the case within 3 months of the date on which the appeal notification was received by the FIRA-AER secretariat.

## **Regulation 8 Subscriptions**

Pursuant to FIRA-AER Bye-Laws 3.4, all member Unions must pay an annual subscription.

The amount of the subscription is determined by the General Meeting on a proposal from the Board.

The subscription shall be fixed according to the number of votes for each Union pursuant to FIRA-AER Bye-Laws 4.1(h).

The subscription shall be determined as follows: the basic fee is multiplied by the number of votes a Union has with the result being that Union's annual subscription.

## **Regulation 9 Official FIRA-AER Awards**

### **9.1 Rationale**

A number of Awards shall be presented to member Unions, officials, referees, players and any other person having directly or indirectly participated in FIRA-AER activities and contributed to the European Rugby Development in recognition of such actions or services rendered for FIRA-AER.

### **9.2 Awards**

Awards shall be presented during the FIRA-AER General Meeting held during the annual Congress.

The annual rewards shall be as follows:

- 1 FIRA-AER Gold Medal
- 3 FIRA-AER Silver Medals
- 6 FIRA-AER Bronze Medals.

### **9.3 Proposals**

Medal proposals and nominations shall be notified in writing to the FIRA-AER secretariat by member Unions or FIRA-AER governing bodies members by no later than 3 weeks before the General Meeting as provided in the above Regulation 9.2.

Such notification shall set out the nomination grounds for the proposed Union or person pursuant to the above Regulation 9.2 but with no mention of the anticipated award.

#### **9.4 Decisions**

The Administrative and Judicial Sub-Committee shall make a definitive list of the Medals to be awarded. The Medals shall be presented at the end of the General Meeting following the Board meeting.

#### **Regulation 10 Official Languages**

The Association may have appropriate Official Languages and shall communicate them to the IRB.

French and English shall be the official languages of FIRA-AER. Any notification and letter relating to decisions made by FIRA-AER governing bodies shall be written in both of these languages.

Working documents may be sent in either French or English or in any other language, as appropriate.

Board meetings and General Meetings shall have simultaneous translations into French and English. Translation into other languages is optional.

#### **Regulation 11 FIRA-AER Secretariat**

##### **11.1 Organisation**

Pursuant to the FIRA-AER Articles of Association, FIRA-AER shall have its head office in Paris and a secretariat under the supervision of the FIRA-AER General Secretary.

The General Secretary shall present to the Board an organisation plan for the secretariat detailing the operational rules, the personnel requirements, the administrative regulations, the monitoring of expenditure and any other information he/she may consider relevant.

##### **11.2 Correspondence**

All correspondence for FIRA-AER must be addressed to the General Secretary.

##### **11.3 Notice of decisions**

Any decisions made by FIRA-AER or any of its governing bodies shall be sent by post, fax or e-mail to the head office of the member Unions and these Unions shall be responsible for its dissemination to all interested parties.

**Regulation 12 FIRA-AER Signatures**

Only the Chairman, the General Secretary and the General Treasurer have the right to sign for the FIRA-AER.

Decisions must be signed by both the Chairman and either the General Secretary or the General Treasurer.

Payment orders and cheques must be signed by any 2 of the above persons, the Chairman, the General Treasurer or the General Secretary.

Confirmation of payment can be confirmed by fax where geographical distance prevents personal signature.

**In** .....

**On** .....

**The President of the FIRA-AER**  
**Jean-Claude BAQUE**

**The General Secretary of the FIRA-AER**  
**Jean-Louis BARTHES**