

REGULATION 8. ELIGIBILITY TO PLAY FOR NATIONAL REPRESENTATIVE TEAMS

- 8.1** Subject to Regulation 8.2, a Player may only play for the senior fifteen-a-side National Representative Team, the next senior fifteen-a-side National Representative Team and the senior National Representative Sevens Team of the Union of the country in which:
- (a) he was born; or
 - (b) one parent or grandparent was born; or
 - (c) he has completed thirty six consecutive months of Residence immediately preceding the time of playing.
- 8.2** A Player who has played for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of a Union is not eligible to play for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of another Union.
- 8.3** For the purposes of this Regulation, a Player is deemed to have played for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team of a Union if:
- (a) He is selected for such team to play in an International Match against the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team of another Union (or in a fifteen-a-side international Match against another Union's senior or next senior Touring Squad during a World Rugby approved International Tour) and is present at the Match played by that team either as a replacement, substitute or a playing member of that team and has, at the time of the Match, reached the age of majority; or
 - (b) He is selected to represent a Union's senior Touring Squad on an International Tour which includes an International Match or Matches approved by World Rugby and is present at any fifteen-a-side Match played on that International Tour either as a replacement, substitute or a playing member of a team selected from the Union's senior Touring Squad and has, at the time of the Match, reached the age of majority; or
 - (c) He is selected to represent a Union's next senior Touring Squad on a World Rugby approved International Tour and during that International Tour he is present at a Match against the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team of another Union either as a replacement, substitute or playing member of a team selected from

the Union's next senior Touring Squad and has, at the time of the Match reached the age of majority.

- (d) He is selected to represent the Under 20s National Representative Team of a Union which has been pre-designated as that Union's next senior fifteen-a-side National Representative Team and the Player is part of the team which participates in an International Match as part of the World Rugby Junior World Championships, World Rugby Junior World Rugby Trophy or the Six Nations U20 Championship and is present at the Match played by that Team either as a replacement, substitute or playing member of that Team and has, at the time of the Match, reached the age of majority.

8.4 For the purposes of this Regulation, a Player is deemed to have played for the senior National Representative Sevens Team of a Union if he is selected to represent a Union's senior National Representative Sevens Team in an International Match against the senior National Representative Sevens Team of another Union and is present at the Match played by that Team either as a replacement, substitute or playing member of that Team and has, at the time of the Match, reached the age of majority.

8.5 Responsibility, breach and penalties for a breach of Regulation 8

8.5.1 Unions

Regulation 8 is a strict liability offence and shall be construed in accordance with the principles of strict liability under English law. It is not, therefore, necessary that fault or intent on the part of a Union be shown in order for a breach of Regulation 8 to be established. Nor is lack of fault or intent on the part of a Union a defence to a breach of Regulation 8. For the avoidance of any doubt (and without limiting a Union's other obligations and responsibilities for the conduct, acts or omissions of its members and Persons under its jurisdiction pursuant to any other Regulation) Unions are responsible and accountable for the conduct of their Players and all Persons under its jurisdiction in relation to compliance with the provisions of Regulation 8 and any breach of Regulation 8 by such Player(s) or Person(s) shall be deemed to be a breach of Regulation 8 by the Union concerned. Each breach of Regulation 8 by a Union, howsoever arising, will result in a minimum fixed fine being imposed on the Union concerned. The minimum fixed fines for each breach of Regulation 8 are as follows:

- (a) For a Union that is represented on the Council £100,000 sterling;
- (b) For all other World Rugby Member Unions £25,000 sterling.

Based on the facts and circumstances of any breach of Regulation 8 the applicable minimum fixed fine as set out above may be increased. In addition, other penalties as set out in Regulation 18.6 may also be imposed on the Union concerned.

8.5.2 In exceptional circumstances, a Union in breach of Regulation 8 may make submissions to the relevant disciplinary body appointed under Regulation 18 to adjudicate on the case as to why the Union should not be subject to the applicable minimum fixed fine. For the avoidance of any doubt, however, the relevant disciplinary body shall only be entitled to reduce the applicable minimum fixed fine set out in this Regulation where the Union is able to provide clear and indisputable evidence that truly exceptional circumstances exist and that the Union concerned had taken all necessary steps to comply with Regulation 8.

Players

8.5.3 Notwithstanding Regulations 8.5.1 and 8.5.2 above and without prejudice to any sanction imposed on a Union, Players may also be subject to sanction in accordance with Regulation 18 where they breach Regulation 8 in circumstances where they knew or ought reasonably to have known they were not eligible to play for the relevant Union at the time of participation.

8.6 To be eligible to participate in the Olympic Games, Olympic qualification events (together “Olympic Events”) or other events governed by the Olympic Charter all members of the senior National Representative Sevens Team(s) of a Union or the selected Olympic Sevens Team(s) of a National Olympic Committee shall comply with Regulation 8.1 and must be a national of the country of the National Olympic Committee which it is representing in such Olympic Events. Regulation 8.2 applies equally to all Players.

8.7 A Player who is a national of the country or Union for which he has been captured under Regulation 8.2 and who holds the nationality of another country or Union, may apply to participate in an Olympic Event to represent his new country or Union subject to the following conditions;

8.7.1 The Regulations Committee shall consider the application of a Player under this Regulation 8.7 which must be submitted with all relevant supporting documentation by the Union for whom the Player wishes to next represent in an Olympic Event (or a Union associated with the Olympic Sevens Team the Player wishes to represent). The application shall be pre-notified to the Player’s Union (namely the Union whose National Representative Team the Player represented);

8.7.2 The Player will be required to observe and demonstrate a stand down period of at least 3 years since the time the Player last represented their former Union and the time the Player first plays for the second Union or country, which must be in an Olympic Event. The Player may not represent the second Union in any other form of the Game until after they have participated in such Olympic Event.

(a) Solely in respect of the Rio Olympic Games 2016, a stand down period of at least 18 months will be permitted, between the time the Player last represented their former Union and the time the Player first plays for the second Union or country, which must be in an

Olympic Event in the Rio Olympic Games cycle, which the Player must observe and demonstrate.

- 8.8** Where the Player is not a national of the Union for which he has been captured under Regulation 8.2, and he meets the Olympic eligibility criteria (in Regulation 8.6 to 8.13) as determined by the Regulations Committee, he shall be eligible for selection to play for the Union / country of which he is a national, in an Olympic Event, subject to satisfying the applicable stand down period.
- 8.9** A Player who is eligible or captured for a Union that cannot participate in an Olympic Event because there is no National Olympic Committee solely for the territory of such Union, may, subject to the Olympic eligibility criteria (in Regulation 8.6 to 8.13), be eligible to play for the Olympic Sevens Team of a National Olympic Committee of which he is a national, provided that such team is not associated with any one single Union. In such circumstances the following provisions shall apply;
- 8.9.1** Where the Player has been captured under Regulation 8.2 for a Union he shall remain captured for such Union notwithstanding the Player's representation for the Olympic Sevens Team of a National Olympic Committee in an Olympic Event;
- 8.9.2** Where the Player has not previously been captured under Regulation 8.2 and he represents the Olympic Sevens Team of a National Olympic Committee in an Olympic Event he will be deemed to be captured for one of the underlying Unions which support the Olympic Sevens Team of the relevant National Olympic Committee, and the Player must elect which of those underlying Unions he shall be captured by for the purposes of Regulation 8.
- 8.10** A Player who has represented one Union or Olympic Team in an Olympic Event and who has changed his nationality or acquired a new nationality, may apply to participate in an Olympic Event to represent his new Union or country provided that at least three years have passed since the Player last represented his former Union or country and the approval of the International Olympic Committee, the relevant National Olympic Committee(s) and World Rugby is obtained. This period may be reduced or even cancelled with the agreement of the World Rugby and the National Olympic Committees concerned and by the IOC Executive Board, which takes into account the circumstances of each case.
- 8.11** A Player may not represent two different Unions or a Union and an Olympic Sevens Team(s) of a National Olympic Committee in the same Olympic Event(s).
- 8.12** Once the Player has represented the Union of which he is a national, in an Olympic Event, he shall thereafter be tied to that Union for all forms of the Game and in all events.
- 8.13** Players who participate in the Olympic Events accept and agree that any disputes relating to eligibility shall first be addressed pursuant to the rules

of such Olympic Events and the World Rugby Regulations and that all internal procedures (including applicable National Olympic Committee rules/procedures) and/or World Rugby procedures shall be exhausted first. Thereafter, recourse may be had in respect of Olympic Events only (and not in relation to eligibility matters to which Regulation 8.6 to 8.16 does not apply) to the Court of Arbitration for Sport (CAS) in accordance with the provision applicable before such court and which will resolve definitively the dispute in accordance with the code of sports related arbitration. World Rugby has the right to appear, attend and/or participate as a party in any appeal to CAS involving eligibility considerations for Olympic Events.

- 8.14** Any Union wishing to obtain clarification around the eligibility of a Player to represent it in the Olympic Games or Olympic Events may do so by referring the matter to the World Rugby Regulations Committee in accordance with Regulation 2 and Regulation 8.7.1 and 8.7.2.
- 8.15** The list of Olympic Events is set out in Schedule 2 and shall be updated for each Olympic cycle.
- 8.16** The provisions of Regulation 8.5 apply equally to any alleged breach of the Olympic eligibility provisions.

EXPLANATORY GUIDELINES ON THE IMPLEMENTATION OF REGULATION 8

ELIGIBILITY TO PLAY FOR NATIONAL REPRESENTATIVE TEAMS

Following its deliberations on the question of Player eligibility, the Working Party has produced these Explanatory Guidelines on the implementation of Regulation 8. These Explanatory Guidelines must be read in conjunction with the terms of Regulation 8.

1. **What is the Rationale/Philosophy of Regulation 8?**

The rationale/philosophy of Regulation 8 is to ensure that Players selected to represent either the senior and next senior fifteen-a-side National Representative Teams of a Union or a Union's senior National Representative Sevens Team have a genuine, close, credible and established national link with the country of the Union for which they have been selected. Such a national link is essential to maintain the unique characteristics and culture of elite international sporting competition between Unions. The integrity of International Matches between Unions depends upon strict adherence to the eligibility criteria set out in the Regulations.

2. **Who establishes the eligibility criteria in Rugby Union?**

World Rugby will continue to establish the criteria by reference to which a Player's eligibility to play for the senior or next senior fifteen-a-side National Representative Team of a Union or a Union's senior National Representative Sevens Team will be determined. Citizenship of a country and/or whether a Player holds a passport of a particular country are not, of themselves, determinative in identifying which Union a Player is eligible to represent. This will be determined solely in accordance with World Rugby's eligibility criteria. In relation to Olympic eligibility criteria see the Explanatory Guidelines on the Implementation of Regulation 8 – Olympic Eligibility.

3. **What is the eligibility criteria in Rugby Union?**

The existing World Rugby eligibility criteria set out in Regulation 8.1 will be maintained. This is based on the following:

- (a) The country in which the Player was born; or
- (b) The country in which one parent or grandparent of the Player was born; or
- (c) The country in which the Player has completed thirty-six consecutive months of Residence immediately preceding the time of playing. Residence means the place or location in which a Player has his primary and permanent home and Resident shall be construed accordingly; and

- (d) For Olympic Event participation, the nationality of the Union / country the Player wishes to represent is also required.

4. If a Player has dual eligibility, can he play for the senior or next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of more than one Union?

No, save for those Players that, before 1 January 2000, allowed a period of 36 consecutive months to elapse after they had played for another Union and who played for the second Union before 1 January 2000. The one Union only rule, introduced by World Rugby from 1st January 2000 (as set out in Regulation 8.2), will be maintained. A Player is only entitled to play Rugby Union for the senior or next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of one Union. Accordingly, if a Player is deemed to have played for such a team, even if he is able to satisfy one or more of the eligibility criteria set out in Regulation 8.1, he will not be able to play for any other Union. Consistent with the overall rationale underlying the eligibility Regulations, the one Union only rule is designed to maintain the integrity of the international Game. Once a Player has committed himself to a particular Union, through participation in one of the Matches or Tours identified in Regulations 8.3 or 8.4, he is unable to change his “Rugby Nationality” which becomes fixed.

5. When is a Player deemed to have played for the senior or next senior fifteen-a-side National Representative Team of a Union or a Union’s senior National Representative Sevens Team?

As a result of the one Union only rule, in particular, it is essential that Players and Unions understand the situations in which Players will be deemed to have played for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team of a Union or a Union’s senior National Representative Sevens Team. These situations are set out in Regulations 8.3 and 8.4. Players and Unions shall, at all times, have regard to the full terms of Regulations 8.3 and 8.4, however, by way of a summary only, the situations set out below are covered:

Fifteen-a-side

- (a) Players who participate in International Matches for the senior National Representative Team or the next senior National Representative Team of a Union against the senior or next senior National Representative Team of another Union.
- (b) Players selected to represent a Union’s senior Touring Squad who participate in any Match played by members of that Union’s senior Touring Squad during an International Tour provided such International Tour includes an International Match(es) approved by World Rugby.

- (c) Players who participate in a Match for the senior or next senior National Representative Team of a Union against a team made up of Players from a Union's senior Touring Squad during an International Tour which includes International Match(es) approved by World Rugby.
- (d) Players, representing a Union's next senior Touring Squad who participate in a Match on an International Tour approved by World Rugby against the senior National Representative Team or the next senior National Representative Team or the next senior National Representative Team of another Union.
- (e) Players who play for the senior or next senior National Representative Team of a Union against a team selected from a Union's next senior Touring Squad when such Match is played on an International Tour approved by World Rugby.

Seven-a-side

- (a) Players who play for a Union's senior National Representative Sevens team in an International Match against the senior National Representative Sevens team of another Union.

6. How do I know which team is a Union's next senior fifteen-a-side National Representative Team?

- (a) There should be no uncertainty over which team constitutes a Union's next senior National Representative Team. Unions are required to notify World Rugby of the name of their nominated next senior National Representative Team. The team nominated remains the Union's next senior National Representative Team unless the Union notifies World Rugby of a change in this nomination. A Union is entitled to notify World Rugby no more than once per calendar year of a change to its next senior National Representative Team provided that in doing so it shall take account of any Matches such team may be scheduled to play and shall advise the Union of any senior or next senior National Representative Team it is scheduled to play reasonably in advance of such Match. The identity of a Union's next senior National Representative Team can be verified with the Union concerned and/or World Rugby.
- (b) Unions must ensure that all persons involved in an International Match (Players and team management including coaching staff) are made aware of the status of their team as the next senior National Representative Team and that of their opposing team where it is the senior or next senior National Representative Team of another Union and what that means from a capturing perspective under Regulation 8. Notwithstanding the Union's obligation to inform the Player and team management it shall be the sole responsibility of each Player to ensure that he is aware of the status of every Match in which he plays and the implications of playing in an International

Match involving the senior or next senior National Representative Teams of two Unions.

- (c) In addition to (a) and (b) above, Unions who designate their Under 20s National Representative Team as their next senior National Representative Team have a particular onus to clearly make the Team Players aware of the consequences of being captured for that Union at age grade level. Effective 1 July 2014, the Players on any such Team which participates in the World Rugby Junior World Championships, World Rugby Junior World Trophy or the Six Nations U20 Championship (where they are present at the Match played by that Team either as a replacement, substitute or playing member of that Team and has, at the time of the Match, reached the age of majority) will be captured. In this regard the status of the opposition teams in any Match in these named tournaments is not a factor to be considered.

7. What is the age of majority?

For the purposes of the Regulations (including, but not limited to Regulation 8), the age of majority is deemed to be acquired on a Player's 18th birthday.

8. Does the eligibility criteria apply to all forms of Rugby?

The eligibility criteria applies to the fifteen-a-side Game at senior and next senior National Representative level and in respect of a Union's senior National Representative Sevens Team.

9. Does the eligibility criteria apply to all Unions in membership of World Rugby?

Yes, all Unions in membership of World Rugby are obliged to comply with the eligibility Regulation

10. How will the eligibility criteria be assessed?

Ordinarily, the task of assessing whether a Player satisfies any of the eligibility criteria set out in Regulation 8.1 is straightforward. However, as a result of professionalism, greater mobility and societal family change this is not always the case. Difficult cases have arisen and may continue to emerge. The responses to the questions set out below are intended to provide further clarification as to how each eligibility criterion in Regulation 8.1 will be applied.

The questions and answers should be regarded as guidelines. They have been prepared on the basis of operational experience to date. It is not possible to anticipate all scenarios that may arise and a degree of flexibility in the application of the Regulations will be maintained. Moving forward, in the event that there is any uncertainty or the need for clarification in relation to the application of the eligibility criteria in particular circumstances, then the Regulations Committee may be asked by World Rugby to make a ruling on a Player's eligibility. In relation to any

such adjudication, the Regulations Committee will always have in mind the rationale behind Regulation 8. The aim of the Regulations Committee in each case where clarification may be required, is to establish whether, in all the circumstances, a Player has, by reference to the eligibility criteria in Regulation 8.1, been able to demonstrate a genuine, close and credible national link with the country that the Player wishes to represent. It is anticipated that over time a body of rulings by the Regulations Committee may develop which may, in turn, assist in providing further guidance to Unions in relation to eligibility matters.

11. When should any uncertainty over a Player's eligibility be clarified?

It is essential that eligibility issues are clarified before a Player represents the senior or next senior fifteen-a-side National Representative Team of a Union or a Union's senior National Representative Sevens Team. This is particularly important in light of the one Union only rule. Accordingly, if a Union has any doubt over a Player's eligibility status it must take all steps necessary to clarify the position before selecting the Player to play for its senior or next senior fifteen-a-side National Representative Team or its senior National Representative Sevens Team.

12. What does place of birth mean?

This should be the most straightforward criterion to apply. A Player's place of birth shall be the country within whose geographical borders he was born. However, difficult scenarios can arise even in relation to this criterion. For example, where a Player was born within the geographical borders of one country, but in a part of that country deemed by the law of the country concerned, to be the sovereign territory of another, or where a Player was born in a military hospital. In such circumstances the matter should be referred to the Regulations Committee for a ruling. The Regulations Committee would need to establish the legal position together with other relevant facts and circumstances. In exceptional circumstances it may be possible for a Player to demonstrate, to the satisfaction of the Regulations Committee, that he is eligible to play for the Union within whose sovereign territory he was born, even though that sovereign territory may be within the geographical borders of another country.

13. What does Parent mean?

The term "parent" in the Regulations is limited to either a blood parent or a parent that has formally adopted a Player in accordance with the applicable legal requirements of the country concerned. Unless a Player has been adopted in accordance with the formal, legal requirements of the country concerned, the application of this criterion will be based on a Player's blood parent. When a Player has been formally adopted in accordance with the applicable legal requirements of the country concerned, the birth place of the Player's blood parent will no longer be relevant for the purposes of establishing the Player's eligibility pursuant to Regulation 8.1(b). The relevant parent will be the parent that has formally and legally adopted the Player. However in such circumstances, the relevant grandparents for the purposes of establishing a Player's eligibility

pursuant to Regulation 8.1(b) will be the Player's blood grandparents. It is not possible under Regulation 8.1(b) to assume eligibility via non-blood grandparents even if a Player has been formally and legally adopted.

For the avoidance of any doubt, stepparents and fostering parents will not be considered to constitute a Player's parent for the purposes of Regulation 8.1(b).

14. How is the Residence criteria satisfied?

Regulation 8.1(c) requires a Player to complete 36 consecutive months of Residence immediately preceding the time of playing. Residence is defined as "the place or location in which the Player has his primary and permanent home" and Resident shall be construed accordingly. In essence, Regulation 8.1(c) constitutes a sporting naturalization procedure, based on a geographical/presence test. As in any naturalisation process, a number of factors will influence the determination of what constitutes a Player's permanent and primary home. Such factors include, but are not limited to, the actual time spent in a country and the purpose of any absences during the qualification period. By being Resident in a country for a period of 36 consecutive months immediately preceding the time of playing for a Union, a Player is deemed to acquire a credible, close and established national link with a country/Union that entitles him to participate in sporting competitions for that Union. Based on the overriding rationale of the eligibility Regulations, in cases where a Player's eligibility is uncertain the Regulations Committee will consider that Player's eligibility by reference to the particular facts and circumstances of his case to establish if the Residency test, in the context of the overall rationale of the eligibility Regulations, has been satisfied. The principles set out in responses to the questions below will act as guidelines to the Regulations Committee when it is asked to consider any cases pursuant to this criterion.

15. Whose burden of proof?

In all cases where a Player is seeking to establish eligibility by reference to the Residency criteria in Regulation 8.1(c) (and, indeed, in relation to Regulation (or 8.1(a) and (b)), the burden of proof is on the Player and the Union that he wishes to represent to prove that Player's eligibility. Under Regulation 8.1(c), the Player and his Union must be able to demonstrate that, during the relevant period, the country in which he claims he has been Resident was, genuinely, the country that the Player treated as his home and is clearly the country in which the Player has his primary and permanent home. If a Player has moved from one country to another, and is seeking to establish Residence in that new country, then he must also be able to demonstrate that he is clearly no longer Resident in the country in which he lived previously and that he no longer treats that country as his home. For the avoidance of any doubt, a Player cannot nominate a country as his home without demonstrating that he has satisfied the geographical commitment/presence test enshrined in Regulation 8.1(c). The geographical commitment/presence test will be vigorously upheld and

applied to avoid abuse of the Residency criteria. For example, a Player that acquired/leased property in a country and who nominated that property as his permanent and primary home (even though he may only be present at that property and in that Union on a short term/temporary basis) would not satisfy the Residency test.

16. Will short breaks interrupt a period of Residence?

Short breaks in Residence, for example, for holidays, attending family/friends in other countries who may be ill etc, are unlikely to change the place/location of a Player's primary and permanent home and are, therefore, unlikely to interrupt a Player's period of Residence. By way of a guideline, however, as a minimum requirement, it is likely that, save in exceptional circumstances, at least 10 months actual physical presence of the Player in the country concerned throughout any qualifying year of the Residency period, will be required to demonstrate that the country is the place where the Player has his primary and permanent home.

17. Does the 36 month period of Residence have to immediately precede playing for a Union?

Save in exceptional circumstances, the 36 months Residence will be expected to have been completed consecutively and be achieved immediately before the Player represents a Union. This is designed to create a contemporary national link with the country of the Union concerned. This factor will be particularly significant if a Player has moved to make a "new" country his Residence having been Resident in another country previously. In essence, in such circumstances, the Player, as well as demonstrating his commitment to a new country, must also be (and seen to be) relinquishing his ties with the country in which he lived previously. For the avoidance of any doubt, seeking to rely on short periods of Residence as a child in a particular country, combined with a short period of Residence in that same country prior to playing for a Union, is likely to create a link that would be too tenuous to satisfy the underlying intentions of establishing a contemporary, permanent, national link with a Union. However, each case will be assessed on its overall merits to establish if a Player is able to demonstrate a genuine, close, credible and established national link by reference to the amount of time the Player can demonstrate that he has treated the "new" country as his home and other relevant factors.

18. What is the position of students?

As far as students are concerned, particularly those that are not financially independent, being resident, as a full time student, in another country, is likely to be considered as a series of temporary absences from the parental home. It is anticipated that in the majority of cases involving students the parental home is likely to continue to constitute the student's permanent and primary home. Accordingly, attendance at college/university in such circumstances is unlikely to break a Player's consecutive period of Residence. However, as in all matters of eligibility, the overriding concern of the Regulations Committee in assessing any

such case will be to ensure that there remains a close, credible and established link with the country in which the Player claims to have retained his primary and permanent home. There could be circumstances in which a student living in another country may be deemed to have interrupted his Residency period.

19. Who is responsible for compliance with the eligibility criteria?

In accordance with Regulation 2.1.2, each Union is responsible for ensuring compliance with all Regulations Relating to the Game This includes, but is obviously not limited to, Regulation 8. Accordingly, it is the responsibility of each Union to ensure that all Players it selects are properly eligible within the provisions of Regulation 8 and, in the event of any uncertainty, to ensure that the position is clarified before the Player is selected. Unions must have in place all necessary procedures and internal controls to ensure compliance with the eligibility Regulations.

20. What must Unions do to ensure (and demonstrate) compliance with the eligibility Regulations?

Unions must ensure that before a Player is selected for the first time for its senior or next senior fifteen-a-side National Representative Team or its senior National Representative Sevens Team the Player completes the standard form declaration attached to these Explanatory Guidelines at Schedule 1. In addition, before selecting a Player, Unions must ensure that they obtain valid/authentic documentation and such other evidence that may be necessary to prove, definitively, a Player's eligibility to play for that Union. Each Union must notify World Rugby of the names of all Player's selected for its senior and next senior National Representative Team and its senior National Representative Sevens Team on an annual basis. World Rugby shall maintain a database of all such Players. If requested, by the Chairman, or his designee, Unions must supply copies of the completed declaration forms of a Player(s) together with supporting documentation relied on to demonstrate the Player's eligibility. On 1 December each year, each Union must certify to World Rugby that each Player selected to represent the senior or next senior fifteen-a-side National Representative Team of the Union or its National Representative Sevens Team during the past year has completed, in full, the declaration form and that each Player was eligible to represent the Union in accordance with the provisions of Regulation 8.

World Rugby may, through the Chairman, or his designee, of his own motion or on receipt of a complaint undertake an investigation into a Union's compliance with Regulation 8. Unions, Players and officials must provide assistance with any such investigation and disclose such information and documents deemed necessary by the Chairman, or his designee, for the purposes of that investigation.

21. What are the consequences of a breach of the eligibility Regulations by a Union?

Compliance with Regulation 8 is of fundamental importance in maintaining the integrity of international Rugby Union at senior National Representative level. Any breach of such a fundamental Regulation, howsoever arising, has a detrimental impact on the image and reputation of the sport. Unions must, therefore take all necessary steps to put in place comprehensive review/compliance procedures to ensure that a breach of the eligibility provision does not occur whether negligently or otherwise. Alleged breaches of Regulation 8 may be investigated and handled in accordance with Regulation 18 (Disciplinary and Judicial Matters). However, a breach of the eligibility Regulations constitutes a strict liability offence. This means that a failure by a Union to fulfill its obligations and to comply with the eligibility Regulations will be regarded as a serious breach of the Regulations, howsoever such breach may have occurred. As a reflection of the seriousness with which any breach of the eligibility Regulations will be treated by World Rugby, it has been agreed by Council to establish a minimum fixed penalty to be imposed on a Union that has breached Regulation 8. These minimum fixed penalties will appear in Regulation 8 and, for ease of reference, are also set out below.

8.5 Responsibility, breach and penalties for a breach of Regulation 8

8.5.1 Unions

Regulation 8 is a strict liability offence and shall be construed in accordance with the principles of strict liability under English law. It is not, therefore, necessary that fault or intent on the part of a Union be shown in order for a breach of Regulation 8 to be established. Nor is lack of fault or intent on the part of a Union a defence to a breach of Regulation 8. For the avoidance of any doubt (and without limiting a Union's other obligations and responsibilities for the conduct, acts or omissions of its members and Persons under its jurisdiction pursuant to any other Regulation) Unions are responsible and accountable for the conduct of their Players and all Persons under its jurisdiction in relation to compliance with the provisions of Regulation 8 and any breach of Regulation 8 by such Player(s) or Person(s) shall be deemed to be a breach of Regulation 8 by the Union concerned. Each breach of Regulation 8 by a Union, howsoever arising, will result in a minimum fixed fine being imposed on the Union concerned. The minimum fixed fines for each breach of Regulation 8 by a Union are as follows:

- (i) For a Union that is represented on the Council £100,000 sterling;*
- (ii) For all other World Rugby Member Unions £25,000 sterling.*

Based on the facts and circumstances of any breach of Regulation 8 the applicable minimum fixed fine as set out above may be increased. In addition, other penalties as set out in Regulation 18.6 may also be imposed on the Union concerned.

22. What must Players do to ensure (and demonstrate) compliance with the eligibility Regulations?

Players are required to act honestly in matters relating to their eligibility to represent a particular Union. This would include, without limitation, fully disclosing to the Union (and World Rugby upon request) any matters relevant to the Player's eligibility and providing all reasonable assistance to the Union (and World Rugby upon request) in order to establish the Player's eligibility at the first available opportunity.

23. What are the consequences of a breach of the eligibility Regulations by a Player?

A Player who knowingly (and/or with reasonable enquiry ought to have known) represents a Union where not eligible to do so commits a breach of Regulation 8. Alleged breaches of Regulation 8 will be investigated and handled in accordance with Regulation 18 (Disciplinary and Judicial Matters). Judicial Officers and Judicial Committees may impose sanctions pursuant to their powers taking into consideration, without limitation, the circumstances of the breach including the number of breaches and the level of any deception. This may result in a Player being reprimanded, fined, suspended and/or such other sanction the Judicial Officer or Judicial Committee thinks fit, in accordance with Regulation 18.6.

24. For the Player to be liable for a breach must the Union also have been found liable?

Yes, there must also be a finding that the Union concerned has played an ineligible Player. However such finding would not be affected in circumstances where there was any reduction or suspension of the ordinarily applicable sanction.

Explanatory Guidelines on the Implementation of Regulation 8 – Olympic Eligibility

With the re-introduction of Rugby Sevens into the Olympic Games in Rio in 2016 there are certain rules which participants must adhere to for eligibility purposes. The Olympic Eligibility Regulations (8.6 to 8.16) have been introduced to accommodate the Olympic Charter Rules. To assist in the implementation of these Regulations, the following Guidelines have been developed to address the specifics around Olympic Sevens eligibility which differs from that of World Rugby eligibility requirements in that it is based solely upon a nationality consideration alone. The two sets of rules have been combined to achieve harmony between the objectives and underlying philosophy of Regulation 8 and the requirements of the Olympic Charter in the context of participation in Olympic Events. These Explanatory Guidelines must be read in conjunction with the terms of Regulation 8 and the Guidelines thereto.

1. **Who is eligible to play Olympic Sevens?**

Any Player who meets the eligibility criteria in 8.1 and holds the nationality of the Union / country they wish to represent in the Olympic Games or Olympic Qualification process (known as the “Olympic Events”). The eligibility rules in the Olympic Charter together with the World Rugby eligibility rules must be complied with by Players who participate in Olympic Events.

2. **Must a Player have the passport of the Union / country he represents in Olympic Sevens?**

The nationality of the Union / country the Player wishes to represent in Olympic Sevens is a requirement under the Olympic Charter and is therefore necessary for participation in Olympic Events. Nationality is ordinarily demonstrated by the Player holding the passport of the Union / county they wish to represent. All matters relating to the determination of the country which a Player may represent in the Olympic Games shall ultimately be resolved by the IOC Executive Board.

3. **Who will decide on Olympic Sevens eligibility?**

Ordinarily, the assessment of whether a Player satisfies the eligibility criteria in Regulation 8.1 and 8.6 will be straightforward. However, in all cases where a Player who has been captured under Regulation 8.2 and who holds the nationality of another Union / country and wishes to participate in an Olympic Event(s) for the Union / country of which he is a national, the Player may apply to World Rugby to represent the National Representative Sevens Team of that Union (or the Olympic Sevens Team of an National Olympic Committee), and the case shall be determined in the first place by the World Rugby Regulations Committee. In the event there are other cases of uncertainty or there is the need for clarification a referral may be made to the World Rugby Regulations Committee.

4. What is required to be submitted to the Regulations Committee?

Applications should be submitted to World Rugby accompanied by all relevant supporting documents by the Union (or in applicable cases where there is no Union, the National Olympic Committee (“NOC”)) of the country the Player wishes to represent in an Olympic Event. The application shall be pre-notified to the Player’s Union (namely the Union who’s National Representative Team the Player has previously represented. The Player’s Union may make written submissions to the World Rugby Regulations Committee or may be invited to do so.

5. Can a Player with dual nationality, or having World Rugby eligibility for one Union but the nationality of another, represent both Unions / countries in the same Olympic qualification process?

No. A Player may only represent one Union / country in the Olympic Events. For example if a Player played for a Union in the Sevens World Series in the year it was designated as an Olympic Event the Player could not later in the same Sevens World Series play for another Union / country even in circumstances where he was deemed eligible by the Regulations Committee to play for the second Union / country of which he is a national. The principle of Regulation 8.2 applies equally to Olympic Events, such that if a Player, having represented one Union / country in an Olympic Event they may not represent another Union / country thereafter.

6. Can a Player switch nationality?

Nationality is a matter which is governed by nation states. If a Player does switch nationality the effect of this upon their Olympic eligibility would need to be considered taking into account Regulation 8.6 to 8.16 and the Olympic Charter Rules regarding eligibility which can be found at www.olympic.org. However, a Player who has represented one Union / country in an Olympic Event(s) and who has changed their nationality or acquired a new nationality may participate in Olympic Events to represent their new Union / country provided that at least three (3) years have passed since the Player last represented their former Union / country and the approval of the International Olympic Committee, the relevant National Olympic Committee(s) and World Rugby is obtained.

7. How will the Olympic eligibility criteria be assessed?

In the early days of the Olympic participation the view has been taken by World Rugby that the Regulations Committee should assess all cases where a Player who has already been captured for a Union under the one Union only rule (Regulation 8.2) but wishes to subsequently play for another Union / country for which s/he holds nationality in an Olympic Event.

8. Is there any stand-down period?

Yes. The Player will be required to observe and demonstrate a stand down period of three (3) years between the time the Player last played for

his Union and the time the Player first represents the second Union, which must be in an Olympic Event. Played, shall mean when s/he played for the senior, next senior or senior sevens National Representative Team of that Union for which s/he is captured. The principles of Regulation 8.3 apply in any assessment of this provision.

9. What does ‘first represents’ mean?

It means the first occasion when the Player represents the second Union in a Match, Tournament or Series of Matches – which must be in an Olympic Event. The Player would not however, be permitted for example to participate in pre-season Matches or so-called ‘friendly’ matches or other Matches which are not Olympic Events representing the second Union. Training with the team of the second Union is permitted but the circumstances should not be such that it presents or implies to third parties that the Player is part of the National Representative Sevens Team or Olympic Sevens Team of the second Union / country.

10. How will the stand-down period be assessed?

The onus will be on the Player to demonstrate to the reasonable satisfaction of the Regulations Committee the last occasion upon which s/he played for their former Union and that they have not represented such Union in the three year period before they represent their new Union / country in an Olympic Event.

11. Are these Olympic Guidelines to be read with the World Rugby Eligibility Guidelines?

Yes, both sets of Guidelines should be read together.

12. What is the position for Unions who do not have a single NOC to represent them?

Member Unions of World Rugby are not necessarily recognised in their own right with equivalent NOC’s, for example the British Olympic Association (Team GB) is the NOC for Great Britain and therefore encapsulates the Unions of England, Scotland, Wales and Northern Ireland (represented by the all-Ireland body of the IRFU). In such case, Players from the underlying Unions would be eligible (where they comply with Regulation 8.1 and 8.6) to represent the Olympic Sevens Team of the NOC (if selected) in relevant Olympic Events.

13. If a Player plays for a combined team in an Olympic Event does it affect his eligibility in relation to World Rugby?

If a Player plays for a combined team of a country in an Olympic Event (e.g. Team GB) and he was previously **not** captured for a Union (under Regulation 8.2) then the Player will be deemed to be captured for one of the underlying Unions of the combined team of country he represented. So in the case of Team GB it would mean that the Player would then be free to play for one of England, Scotland, Wales and/or Ireland.

If a Player plays for a combined team of a country in an Olympic Event (e.g. Team GB) and he was previously **was** captured for a Union (under Regulation 8.2) then the Player remains captured for such Union and their participation in the combined team in the Olympic Event will not affect their status.

14. Is there a right of appeal from the decision of the World Rugby Regulations

Yes. An Olympic Eligibility appeals committee has been established under Regulation 2 to deal with any appeals of decisions by the World Rugby Regulations Committee.

15 For the Olympic Games 2016 in Rio, do any special provisions apply?

Rugby Sevens will enter the Olympic Games for the first time in 2016. The qualification process has been established and all persons eligible to participate must have qualified by 11 July 2016. In terms of eligibility, the three (3) year stand-down period applies. However, given the timing of the clarification of the qualification process and the constitutional review of the eligibility requirements for Olympic Events a shorter stand-down period in respect **only** of the Olympic Games 2016 shall apply. In this regard any Player who wishes to represent a Union / country for whom s/he holds the nationality and has previously been captured for another Union may do so provided the Player stands down from their current Union at least 18 months before representing the Second Union in an Olympic Event in the Rio Olympic Games cycle.

SCHEDULE 1. EXPLANATORY NOTE

As from 1 January 2000 a player is only entitled to play Rugby Union for the Senior National Representative Team or the next Senior National Representative Team of one Union. This means that if a player is deemed to have played for the Senior National Representative Team or the next Senior National Representative Team of a Union that player will be unable to play for any other Union. This is the position even if that player is able to satisfy one or more of the eligibility criteria set out in Regulation 8.1. It is important that players and Unions understand the situations in which players will be deemed to have played for the Senior National Representative Team or the next Senior National Representative Team of a Union. These situations are set out in Regulation 8.3.

Regulation 8.3 is based on a “selection and participation” test for players who have reached the age of majority [18 or over]. Players and Unions must familiarize themselves with Regulation 8.3. Players should be made aware by Unions of what constitutes that Union's Senior National Representative Team, its next Senior National Representative Team, its Senior Touring Squad and its next Senior Touring Squad and the Matches that will result in a player being committed to that Unions. The following situations are covered by Regulation 8.3.

1. Players who participate in International Matches for the Senior National Representative Team or the next Senior National Representative Team of a Union against the Senior or next Senior National Representative Team of another Union.
2. Players selected to represent a Union's Senior Touring Squad who participate in any Match played by members of that Union's Senior Touring Squad during an International Tour provided such International Tour includes an International Match(es) approved by World Rugby.
3. Players who participate in a Match for the Senior or next Senior National Representative Team of a Union against a team made up of players from a Union's Senior Touring Squad during an International Tour which includes International Match(es) approved by World Rugby.
4. Players, representing a Union's next Senior Touring Squad who participate in a Match on an International Tour approved by World Rugby against the Senior National Representative Team or the next Senior National Representative Team of another Union.
5. Players who play for the Senior or next Senior National Representative Team of a Union against a team selected from a Union's next Senior Touring Squad when such Match is played on an International Tour approved by World Rugby.

**SCHEDULE 1. DECLARATION OF ELIGIBILITY OF A PLAYER
TO PLAY FOR THE SENIOR FIFTEEN-A-SIDE
NATIONAL REPRESENTATIVE TEAM, THE NEXT
SENIOR FIFTEEN-A-SIDE NATIONAL
REPRESENTATIVE TEAM OR THE SENIOR
NATIONAL REPRESENTATIVE SEVENS TEAM
OF A UNION**

DECLARATION OF PLAYER

I, (Name) of

..... (Address)

confirm that, I have read and understand the criteria for eligibility set out in Regulation 8 of the World Rugby Regulations Relating to the Game (World Rugby Regulations) and I

hereby declare that I am eligible to play for

Union because:

Tick applicable box(es)

- I was born in the country for which fifteen-a-side senior National Representative Team or the next senior fifteen-a-side National Representative Team, or the senior National Representative Sevens Team of the Union for which I intend to play; or
- One of my parents or grandparent was born in the country for which senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of the Union for which I intend to play; or
- I have completed thirty-six consecutive months of Residence immediately preceding the time of playing in the country for which senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of the Union for which I intend to play.

AND

- I have not played for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of any other Union.¹

¹ If a Player has played for another Union's senior fifteen-a-side National Representative Team or next senior fifteen-a-side National Representative Team or senior National Representative Sevens team, this must be stated on this declaration form. For the avoidance of doubt, Players would only be eligible to play for a second Union if they can demonstrate that they allowed 36 consecutive months to elapse before they played for a second Union and that they played for that second Union before 1 January 2000. Any such Players should submit in writing the circumstances of such participation on a separate sheet

I have attached to this declaration relevant documentation² to prove my eligibility to play for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of
Union and I understand and accept that if I am found to have played for the senior fifteen-a-side National Representative Team or next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team of a Union without satisfying the eligibility criteria set out in Regulation 8 of the World Rugby Regulations, and/or to have provided inaccurate information in this declaration then I and the Union concerned will be subject to sanctions.

Player's signature:

Date:

DECLARATION OF UNION

I, (Name) the

of (Position and Union)

hereby declare that the Union has made all such necessary enquiries in relation to the above Player's eligibility to play for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior Sevens National Representative Team of the Union. I further declare that the Union is satisfied that the information provided by the Player in his declaration is correct, that the documentation in support of the Player's declaration is valid and that the Player is eligible to play for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team or the senior National Representative Sevens Team

of Union. I understand and accept that if a Player plays for the senior fifteen-a-side National Representative Team or the next senior fifteen-a-side National Representative Team Union or the senior National Representative Sevens Team without satisfying the eligibility criteria set out in Regulation 8 of the World Rugby Regulations and/or the Union has provided inaccurate information in this declaration then the Union will be subject to the fixed penalty sanctions set out in Regulation 8.

Signed:

Date:

² *Players ARE expected to provide valid copy birth certificates or other relevant formal documentation in support of their declaration. Players may be requested to provide additional documentation as appropriate in support of their eligibility to play for a senior National Representative Team or the next senior National Representative Team of a Union.*

SCHEDULE 2. OLYMPIC EVENTS

1. The Olympic Games 2016 – Rio de Janeiro
2. The Men's Olympic Events:
 - World Rugby Sevens World Series 2014/2015
 - Designated Regional Olympic Qualification Tournaments (ROQTs):
 - Africa (CAR) 2015 Regional Sevens Championships
 - Asia (ARFU) 2015 Regional Sevens Championships
 - Rugby Europe 2015 Regional Sevens Championships
 - North America and Caribbean (NACRA) 2015 Regional Sevens Championships
 - Oceania (FORU) 2015 Regional Sevens Championships
 - South America (CONSUR) 2015/16 Regional Sevens Championships
 - World Olympic Qualification Tournament (WOQT)
3. The Women's Olympic Events:
 - World Rugby Women's Sevens World Series 2014/2015
 - Designated Regional Olympic Qualification Tournaments (ROQTs):
 - Africa (CAR) 2015 Regional Sevens Championships
 - Asia (ARFU) 2015 Regional Sevens Championships
 - Rugby Europe 2015 Regional Sevens Championships
 - North America and Caribbean (NACRA) 2015 Regional Sevens Championships
 - Oceania (FORU) 2015 Regional Sevens Championships
 - South America (CONSUR) 2015/16 Regional Sevens Championships
 - World Olympic Qualification Tournament (WOQT)

Note: The dates and locations of the Olympic Events will be published on the World Rugby website at least 6 months in advance of the relevant event.

