



## **INTEGRITY CODE**

**Effective Date: 12<sup>th</sup> May 2021**

## TABLE OF CONTENTS

|  |   |
|--|---|
| 1 Introduction and Objectives          | 3 |
| 2 Application and Scope                | 3 |
| 3 General Standards                    | 5 |
| 4 Specific Standards                   | 6 |
| 5 Disciplinary Procedure and Sanctions | 8 |
| 6 General                              | 8 |

## **SCHEDULES**

|   |    |
|---|----|
| 1 Definitions and Interpretation  | 9  |
| 2 Acknowledgement Form  | 13 |
| 3 Declaration Form  | 14 |
| 4 Vetting Rules   | 15 |
| 5 Integrity Code Disciplinary Procedure and Sanctions                           | 21 |
| 6 Council Representative / Committee Member Conflict of Interest Policy         | 31 |
| 7 Executive Committee Member / World Rugby Director Conflict of Interest Policy | 35 |
| 8 Gifts and Hospitality Policy  | 39 |
| 9 World Rugby Official Host Selection Policy                                    | 48 |

## **1 INTRODUCTION AND OBJECTIVES**

- 1.1 World Rugby's values of integrity, passion, solidarity, discipline and respect are incorporated within the World Rugby Playing Charter, a guiding document aimed at preserving rugby's unique character and ethos both on and off the field of play.
- 1.2 This Integrity Code has been adopted to ensure that World Rugby's values are reflected in the behaviour of those who are trusted with the governance and administration of the sport. It has been designed by reference to best practice in corporate and sporting governance, and may be amended by the Council from time to time to ensure it continues to reflect the appropriate standards in ethical conduct for an international governing body.
- 1.3 The objectives of this Integrity Code are:
  - 1.3.1 to set out clear obligations on decision-makers and administrators to ensure that their conduct adheres to the highest ethical standards and the values of World Rugby;
  - 1.3.2 to ensure trust in World Rugby and to safeguard the integrity and public confidence in the governance and decisions taken by World Rugby as the international governing body of the sport and to protect the reputation of World Rugby; and
  - 1.3.3 to provide a regulatory framework for reporting and investigating actual or potential breaches and set out sanctions which may be imposed where conduct amounts to a breach of these ethical standards.
- 1.4 Unless the context otherwise requires, capitalised terms used in this Integrity Code are defined in Schedule 1 or, if undefined in Schedule 1 shall have the same meaning as in the World Rugby Regulations. This Integrity Code will be interpreted in accordance with the provisions set out in paragraph 2 of Schedule 1.

## **2 APPLICATION AND SCOPE**

### *Individuals bound by the Integrity Code*

- 2.1 The following individuals are deemed to have agreed to be bound by and are required to comply with this Integrity Code:
  - 2.1.1 Council Representatives;
  - 2.1.2 Executive Committee Members;
  - 2.1.3 Committee Members;
  - 2.1.4 World Rugby Directors; and
  - 2.1.5 any other person who agrees in writing at the request of the Executive Committee to be bound by this Integrity Code,

(each individual being a "**World Rugby Official**", which for the avoidance of doubt includes, as set out below, an individual being nominated or proposed for a position to become a World Rugby Official).
- 2.2 Each World Rugby Official must complete and sign the Acknowledgement Form and return it to the Ethics Administrator prior to assuming their position as a World Rugby Official. However, a

World Rugby Official shall be so bound by this Integrity Code whether or not they sign such an Acknowledgment Form.

- 2.3 Each World Rugby Official must complete and sign the Declaration Form and return it to the Ethics Administrator:
  - 2.3.1 prior to assuming their position as a World Rugby Official;
  - 2.3.2 upon request by the Ethics Administrator as part of an annual process of ensuring declarations made by a World Rugby Official remain up to date; and
  - 2.3.3 as required under the Vetting Rules.
- 2.4 Each World Rugby Official shall be subject to the Vetting Procedure (as defined in the Vetting Rules) prior to assuming their position as a World Rugby Official and during the period in which they hold a position as a World Rugby Official as set out in the Vetting Rules.
- 2.5 The General Standards shall apply to conduct, acts or omissions that occur:
  - 2.5.1 prior to the date on which the individual becomes a World Rugby Official; and
  - 2.5.2 during the period from the date on which the individual becomes a World Rugby Official until the date on which the individual ceases to be a World Rugby Official.
- 2.6 The Specific Standards shall apply to conduct, acts or omissions that occur during the period from the date on which the individual applies, is nominated or is proposed for the position as a World Rugby Official until the date on which the individual ceases to be a World Rugby Official.
- 2.7 This Integrity Code shall come into effect on the Effective Date. It shall supersede any previous codes of conduct or regulations which may have been issued by World Rugby or any World Rugby Group Company which regulates the matters set out herein and applied to a World Rugby Official prior to the Effective Date (including the Code of Conduct set out in World Rugby Regulation 18 Appendix 1).

*Status of the Integrity Code*

- 2.8 A breach of this Integrity Code may also constitute a criminal offence and/or a breach of any other applicable laws or regulations in any relevant jurisdiction. This Integrity Code shall apply notwithstanding such laws or regulations and without prejudice to the application of such other laws and regulations.
- 2.9 The Integrity Code shall not displace or in any way affect or amend the content or application of any employment, consultancy or contractor agreement entered into with any World Rugby Group Company. No provision in, or any disciplinary action taken under, any employment, consultancy or contractor agreement shall displace or in any way affect or amend the content or application of this Integrity Code.
- 2.10 Any World Rugby Official who has any queries regarding their obligations under this Integrity Code should contact the Ethics Officer for guidance.

### 3 GENERAL STANDARDS

#### 3.1 A World Rugby Official must:

- 3.1.1 conduct themselves in a professional and courteous manner and in accordance with the highest ethical standards of integrity, honesty and transparency;
- 3.1.2 avoid any acts or omissions that may or do degrade the reputation of World Rugby or that bring (or have the potential to bring) World Rugby, World Rugby's stakeholders, officials, commercial partners and/or the sport of rugby into disrepute;
- 3.1.3 not abuse his position as a World Rugby Official in any way and not use his position to further any private aims or objectives;
- 3.1.4 not discriminate against anyone or denigrate anyone on the grounds of age, race (including skin colour, nationality, ethnic or national origin), gender reassignment, sex, sexual orientation, disability, language, religion or philosophical belief (the "**Protected Characteristics**") or any other improper or unlawful grounds;
- 3.1.5 not commit any form of harassment or abuse of any person, whether physical, professional, sexual, psychological on the grounds of their Protected Characteristics or otherwise;
- 3.1.6 conduct themselves in a manner which adheres to the values of rugby and the objectives and spirit of this Integrity Code (recognising that the Integrity Code may not explicitly provide for every contingency or unethical conduct that may arise);
- 3.1.7 comply with all applicable law and regulations (including regulations issued by World Rugby) at all times when acting in their capacity as a World Rugby Official and at any other time where their non-compliance reflects (or has the potential to reflect) upon World Rugby or undermines (or has the potential to undermine) the objectives of this Integrity Code;
- 3.1.8 not have any Unspent Criminal Convictions as at the date they apply, are nominated or are proposed for a position as a World Rugby Official and during the period in which they hold a position as a World Rugby Official;
- 3.1.9 not, in the reasonable opinion of the Ethics Officer, have engaged in conduct outside of the United Kingdom which would constitute an offence resulting in an Unspent Criminal Conviction as at the date they apply, are nominated or are proposed for a position as a World Rugby Official and during the period in which they hold a position as a World Rugby Official if such conduct had taken place in the United Kingdom, irrespective whether or not such conduct resulted in a Criminal Conviction; and
- 3.1.10 declare if they have committed a Serious Offence and, subject to the Serious Offence not resulting in such person holding, or deemed to be holding, an Unspent Criminal Conviction as set out in Article 3.1.8 or 3.1.9, the Ethics Officer shall determine whether the Serious Offence committed by such World Rugby Official reflects (or has the potential to reflect) upon World Rugby or undermines (or has the potential to undermine) the objectives of this Integrity Code.

## **4 SPECIFIC STANDARDS**

### *Personal standing*

- 4.1 A World Rugby Official must:
- 4.1.1 be over the age of 18 years old;
  - 4.1.2 not be an undischarged bankrupt or subject to any personal insolvency proceedings or order in any jurisdiction;
  - 4.1.3 not be disqualified from acting as a company director (or equivalent in any jurisdiction) or subject to any form of suspension, disqualification or striking-off by any recognised professional body; and
  - 4.1.4 not be subject to any form of suspension or disqualification from involvement in the administration of a sport by any ruling body of a sport that is recognised by any national or international sporting association or governing body.

### *Conflict of interest*

- 4.2 Each Executive Committee Member and World Rugby Director must comply with the Executive Committee Member/World Rugby Director Conflict of Interest Policy.
- 4.3 Each Council Representative and Committee Member must comply with the Council Representative/Committee Member Conflict of Interest Policy.
- 4.4 A person who agrees in writing at the request of the Executive Committee to be bound by this Integrity Code in accordance with Article 2.1.5 shall be notified by the Executive Committee, having taken into account their position within World Rugby, as to whether they are to comply with either the Executive Committee Member/World Rugby Director Conflict of Interest Policy or the Council Representative/Committee Member Conflict of Interest Policy.

### *Bribery, gifts and hospitality*

- 4.5 A World Rugby Official must not directly or indirectly solicit, offer or accept any bribe, payment, commission, gift, donation, kickback, facilitation payment or other inducement or incentive (whether monetary or otherwise) in order to influence actions or decision-making in relation to any matter involving World Rugby or any other matter where such conduct reflects (or has the potential to reflect) upon World Rugby or undermines (or has the potential to undermine) the objectives of this Integrity Code.
- 4.6 A World Rugby Official must comply with the Gifts and Hospitality Policy.

### *Anti-corruption and betting*

- 4.7 A World Rugby Official must comply with the "Anti-Corruption Regulations" incorporated in World Rugby Regulation 6.

### *Confidentiality*

- 4.8 Except as set out in Article 4.9, a World Rugby Official must not disclose to any third party (whether for furthering personal aims or otherwise) any information disclosed to them (or otherwise learned) in confidence in their capacity as a World Rugby Official or otherwise as a result of their World Rugby activities.

- 4.9 A disclosure of such confidential information is permitted where:
- 4.9.1 required by law;
  - 4.9.2 where prior consent is obtained from the Executive Committee;
  - 4.9.3 where that information is already in the public domain (other than by reason of the World Rugby Official's breach of Article 4.8);
  - 4.9.4 in the case of a Council Representative, to the relevant Union or Association which they represent unless such disclosure has been clearly communicated as being prohibited in any written correspondence or meeting of Council; or
  - 4.9.5 in the case of a Committee Member, to the relevant body or organisation which they represent on such committee unless such disclosure has been clearly communicated as being prohibited in any written correspondence or meeting of the relevant committee.

*Political neutrality*

- 4.10 A World Rugby Official must be autonomous from government interference when acting in their capacity as a World Rugby Official and be politically neutral in their dealings as a World Rugby Official with government institutions and national and international organisations, associations or groupings.

*Conduct of elections for positions within World Rugby*

- 4.11 In the context of any election to appoint any person to a position within World Rugby, a World Rugby Official must:
- 4.11.1 act with integrity and not make use of any illegitimate means that could potentially influence the outcome of the election;
  - 4.11.2 conduct themselves in a manner consistent with universal principles of fairness and good faith; and
  - 4.11.3 not insult, denigrate or demean any candidate standing for election.

*Duties of a World Rugby Director*

- 4.12 A World Rugby Director must:
- 4.12.1 comply with all applicable laws and regulations which are relevant to their position as a World Rugby Director (including their duties as a statutory company director) and in the discharge of their functions for and on behalf of the relevant World Rugby Group Company; and
  - 4.12.2 act in good faith in what they believe to be in the best interests of the relevant World Rugby Group Company and the broader objectives of World Rugby at all times and to take all steps to assist the relevant World Rugby Group Company in achieving its objectives and the effective implementation of approved policy.

*Host selection*

- 4.13 A World Rugby Official must comply with the World Rugby Official Host Selection Policy.

## *Reporting*

### 4.14 A World Rugby Official must:

- 4.14.1 disclose to the Ethics Officer any conduct (including their own conduct) which constitutes, or may potentially constitute, a breach of this Integrity Code;
- 4.14.2 report to the Ethics Officer without delay all knowledge concerning any approach or invitation received by the World Rugby Official to engage in conduct that would amount to a breach of this Integrity Code;
- 4.14.3 report to the Ethics Officer without delay all knowledge concerning any matter, fact or circumstance that comes to the World Rugby Official's attention that may potentially constitute a breach of the Integrity Code; and
- 4.14.4 cooperate fully with all investigations carried out by the Ethics Officer in relation to possible breaches by themselves and/or others of the Integrity Code (including by complying with requests from the Ethics Officer in accordance with paragraph 1.2 of Schedule 5).

## **5 DISCIPLINARY PROCEDURE AND SANCTIONS**

The provisions of Schedule 5 shall apply to any potential breach of this Integrity Code.

## **6 GENERAL**

- 6.1 Council may from time to time amend this Integrity Code (including the Schedules) and any such changes shall be notified as soon as reasonably practicable to all World Rugby Officials and shall take effect from such notification.
- 6.2 This Integrity Code shall be subject to and construed in accordance with English law.



## SCHEDULE 1

### Definitions and Interpretation

#### 1 DEFINITIONS

1.1 In this Integrity Code, unless the context otherwise requires, the following words have the following meanings:

|  |  |
|--|--|
| <b>Acknowledgment Form</b>   | means the form set out in Schedule 2;  |
| <b>Committee Member</b>  | means an individual (or any alternate of such individual) who is a member of the following committees of World Rugby: <ul style="list-style-type: none"><li>(a) The Rugby Committee (High Performance Game);</li><li>(b) The Rugby Committee (Community Game);</li><li>(c) The Regulations Committee;</li><li>(d) The Audit and Risk Committee;</li><li>(e) The Regional Committee;</li><li>(f) The Nominations Committee;</li><li>(g) The Professional Game Committee;</li><li>(h) The Sevens Strategy Group;</li><li>(i) The Women's Rugby Advisory Committee;</li><li>(j) The Anti-Doping Advisory Committee;</li><li>(k) The Finance Committee; or</li><li>(l) The Professional Leagues' Advisory Committee;</li></ul> |
| <b>Council Representative</b>  | means an individual (or any alternate of such individual) who is a representative appointed to the Council;  |
| <b>Council Representative/Committee Member Conflict of Interest Policy</b> | means the policy set out in Schedule 6;  |
| <b>Criminal Conviction</b>   | means a finding made by a court or regulatory authority in any jurisdiction that a person is guilty of a criminal offence, whether or not that finding is subject to any appeal proceedings;   |
| <b>Declaration Form</b>  | means the form set out in Schedule 3;  |
| <b>Effective Date</b>  | means the date stated on the front page of this Integrity Code;  |

|  |   |
|--|---|
| <b>Ethics Administrator</b>  | means an employee of any World Group Company appointed by the Executive Committee from time to time;  |
| <b>Ethics Officer</b>  | means a legal practitioner of at least seven years standing who is appointed by the Executive Committee from time to time and meets the Independence Criteria immediately prior to their appointment and throughout their tenure;   |
| <b>Executive Committee</b>   | means the World Rugby Executive Committee as constituted under the Bye-Laws;  |
| <b>Executive Committee Member</b>  | means an individual (or any alternate of such individual) who is a member of the Executive Committee;   |
| <b>Executive Committee Member/World Rugby Director Conflict of Interest Policy</b> | means the policy set out in Schedule 7;   |
| <b>General Standards</b>   | means the obligations set out in Article 3;   |
| <b>Gifts and Hospitality Policy</b>  | means the policy set out in Schedule 8;   |
| <b>Independence Criteria</b>   | means that the person is not, and has not in the three years prior to the appointment, holding any position in or employed by World Rugby, any Union, any Club or any Rugby Body;   |
| <b>Protected Characteristics</b>   | shall have the meaning set out in Article 3.1.4;  |
| <b>ROA</b>   | means the Rehabilitation of Offenders Act 1974;   |
| <b>Serious Offence</b>   | means: <ul style="list-style-type: none"> <li>(a) any offence involving any act which could reasonably be considered to be dishonest (and, for the avoidance of doubt, irrespective of the actual sentence imposed);</li> <li>(b) any offence in respect of which an unsuspended sentence of at least 12 month's imprisonment was imposed; or</li> <li>(c) a "specified offence" as set out in Schedule 15, Criminal Justice Act 2003 or an equivalent offence in any jurisdiction (and, for the avoidance of doubt, irrespective of the actual sentence imposed);</li> </ul> |
| <b>Specific Standards</b>  | means the obligations set out in Article 4;   |

|   |   |
|---|---|
| <b>Unspent Criminal Conviction</b>                | <p>means a Criminal Conviction where the following period is still running in respect of the Criminal Conviction in question:</p> <ul style="list-style-type: none"> <li>(a) the period during which the Criminal Conviction is considered unspent under ROA; or</li> <li>(b) where ROA does not directly apply to the Criminal Conviction, the period during which the Criminal Conviction would have been considered unspent under ROA if it had applied to the Criminal Conviction;</li> </ul>   |
| <b>Vetting Rules</b>                              | means the rules set out in Schedule 4;  |
| <b>World Rugby</b>                                | means the unincorporated association known as "World Rugby" and any World Rugby Group Company;  |
| <b>World Rugby Director</b>                       | means a statutory director (or any alternate director) of any World Rugby Group Company;  |
| <b>World Rugby Group Company</b>                  | <p>means:</p> <ul style="list-style-type: none"> <li>(a) World Rugby Limited, a private company limited by shares incorporated in Ireland with registered number 245000;</li> <li>(b) World Rugby Development Limited, a private company limited by shares incorporated in Ireland with registered number 284346;</li> <li>(c) World Rugby Tournaments Limited, a private company limited by shares incorporated in Ireland with registered number 298759;</li> <li>(d) World Rugby Strategic Developments DAC, a designated activity company incorporated in Ireland with registered number 270368; and</li> <li>(e) Rugby World Cup Limited, a private company limited by shares incorporated in the Isle of Man with registered number 043750C; and</li> <li>(f) any other group undertakings of World Rugby Limited, World Rugby Development Limited, World Rugby Tournaments Limited, World Rugby Strategic Developments DAC and Rugby World Cup Limited (group undertakings having the meaning ascribed to them in the United Kingdom Companies Act 2006);</li> </ul> |
| <b>World Rugby Official Host Selection Policy</b> | means the policy set out in Schedule 9; and   |
| <b>World Rugby Regulations</b>                    | means World Rugby Regulations Relating to the Game as in force from time to time.   |

## **2 INTERPRETATION**

### **2.1 In this Integrity Code:**

- 2.1.1 the Schedules and Appendices form part of the Integrity Code and have effect as if set out in full in its main body;
- 2.1.2 unless the context otherwise requires, words in the singular include the plural and the plural include the singular and reference to one gender includes all genders;
- 2.1.3 reference to a statute, enactment, statutory provision, subordinate legislation, EU directive or EU regulation, code or guideline includes a reference, in each case, to:
  - (a) any consolidation, re-enactment, modification or replacement of it; and
  - (b) any subordinate legislation made under it from time to time;
- 2.1.4 reference to an English legal term for any action, remedy, method or form of judicial proceeding, legal document, legal status, court, official or any other legal concept, or thing will, in respect of any jurisdiction outside England be deemed to include a reference to the corresponding or most similar legal term in that jurisdiction; and
- 2.1.5 any words following the terms including, include, in particular or for example or any similar phrase shall be construed as illustrative and shall not limit the generality of the related general words.

## SCHEDULE 2

### Acknowledgement Form

#### Acknowledgement

I confirm that I have read the Integrity Code which incorporates: (i) the Vetting Rules; (ii) the Integrity Code Disciplinary Procedure and Sanctions; (iii) the applicable Conflict of Interest Policy; (iv) the Gifts and Hospitality Policy; and (v) the World Rugby Official Host Selection Policy.

I understand my duties and obligations under the Integrity Code. I further confirm my agreement to be bound by the provisions of the Integrity Code (as may be amended from time to time) and decisions made pursuant to the Integrity Code (as may be amended from time to time).

I consent to the use of personal data and waiver of privacy rights (in accordance with applicable data protection and privacy laws and regulations) as required for the purposes of the Integrity Code and the procedure in the Vetting Rules.

I agree to the timely submission to the Ethics Administrator for review by the Ethics Officer of an accurate and complete Declaration Form as required under the Integrity Code or the Vetting Rules.

Signature: .....

Print Name: .....

Position: .....

Date: .....

### SCHEDULE 3

#### Declaration Form

|  |                                     |
|--|-------------------------------------|
| <b>Declaration</b>   |                                     |
| I the undersigned <b>DECLARE</b> as follows:   |                                     |
| <b>Compliance with the Integrity Code</b>  |                                     |
| I am not aware of any conduct which constitutes, or may potentially constitute, a breach of the Integrity Code.  |                                     |
| If you are aware of any conduct which constitutes, or may potentially constitute, a breach of the Integrity Code, please disclose details of such conduct.   | <i>[insert details of conduct]</i>  |
| <b>Conflict of Interest</b>  |                                     |
| Save as disclosed below, I do not have nor do I presently anticipate having any conflict of interest as defined and/or described in the applicable Conflict of Interest Policy.  |                                     |
| If you are aware of any conflict of interest, please disclose the details of such conflict.  | <i>[insert details of conflict]</i> |
| <b>Declaration</b>   |                                     |
| <p>I confirm that the information provided in this Declaration is complete, true and accurate and acknowledge that providing information which is incomplete, untrue or inaccurate may constitute a breach of the Integrity Code.</p> <p>I agree to make immediate disclosure of any material change to the information provided in this declaration.</p> <p>Signature: .....</p> <p>Print Name: .....</p> <p>Position: .....</p> <p>Date: .....</p> |                                     |

## **SCHEDULE 4**

### **Vetting Rules**

#### **1 INTRODUCTION AND OBJECTIVES**

- 1.1 World Rugby has adopted an Integrity Code to ensure that World Rugby's values are reflected in the behaviour of those who are trusted with the governance and administration of the sport.
- 1.2 The objective of these Vetting Rules is to set out a procedure in accordance with which candidates for, and persons holding, key World Rugby positions shall undergo vetting for the purposes of ensuring that all such persons are in compliance with the Integrity Code (the "**Vetting Procedure**").

#### **2 APPLICATION AND SCOPE**

- 2.1 The following persons shall be subject to the Vetting Procedure:
  - 2.1.1 all World Rugby Officials as at the Effective Date;
  - 2.1.2 any candidate, applicant or nominee, who is not a World Rugby Official, and who applies, is nominated or is proposed for a position as a World Rugby Official (each a "**Candidate**"); and
  - 2.1.3 any World Rugby Official in the event that the Ethics Officer, in accordance with Rule 6.3, reasonably believes a breach of the Integrity Code may have occurred,(each individual being a "**Vetted Person**").
- 2.2 These Vetting Rules define the Vetting Procedure which shall be followed to determine the Eligibility of all Vetted Persons by establishing:
  - 2.2.1 the duties, powers and responsibilities of the Ethics Administrator and Ethics Officer in respect of the Vetting Procedure;
  - 2.2.2 the circumstances in which Vetted Persons shall be required to undergo Vetting;
  - 2.2.3 the ability of the Ethics Officer to instruct the Integrity Check Provider to conduct Integrity Checks;
  - 2.2.4 the procedure for determining how the Ethics Officer (and/or the Appeal Committee if challenged) decides if a Vetted Person is Eligible to take up, or continue to hold, a particular role as a World Rugby Official; and
  - 2.2.5 the consequences of a finding of Ineligibility (either by the Ethics Officer or Appeal Committee).

#### **3 ETHICS OFFICER**

- 3.1 The roles and responsibilities of the Ethics Officer in respect of Vetting shall include:
  - 3.1.1 acting at all times independently of World Rugby, for the sole purpose of conducting a full and fair assessment of every Vetted Person's Eligibility;

- 3.1.2 safeguarding confidential and personal data in accordance with strict confidentiality procedures and in compliance with all applicable data protection and privacy obligations;
- 3.1.3 managing the Ethics Administrator (including instructing and overseeing the gathering of additional information from publicly available sources);
- 3.1.4 reviewing all of the information disclosed on a Vetted Person's Declaration Form;
- 3.1.5 instructing and overseeing the Integrity Check Provider in conducting the Integrity Check as deemed necessary by the Ethics Officer for a proper determination of Eligibility;
- 3.1.6 receiving reports from the Integrity Check Provider concerning the information discovered during the Integrity Check;
- 3.1.7 compelling disclosure of information by any Vetted Person, World Rugby Official, or any employee of any World Rugby Group Company, as deemed necessary by the Ethics Officer for a proper determination of Eligibility;
- 3.1.8 making decisions on Eligibility in a timely and efficient manner in accordance with the timeframes set out in these Vetting Rules; and
- 3.1.9 reporting issues and matters of concern to the Anti-Corruption Officer where considered by the Ethics Officer to be potentially relevant to the work of the Anti-Corruption Officer.

#### **4 ETHICS ADMINISTRATOR**

- 4.1 The Executive Committee shall appoint an Ethics Administrator in accordance with, and to carry out the roles and responsibilities identified in, these Vetting Rules.
- 4.2 The roles and responsibilities of the Ethics Administrator shall include:
  - 4.2.1 assisting with the administration of the Vetting Procedure under the oversight and direction of the Ethics Officer, as set out in these Vetting Rules;
  - 4.2.2 providing the Ethics Officer with the completed Declaration Forms of Vetted Persons;
  - 4.2.3 performing such of the roles and responsibilities of the Ethics Officer under Rule 3.1 as delegated to them by the Ethics Officer;
  - 4.2.4 communicating decisions of the Ethics Officer or Appeal Committee to Vetted Persons in respect of a Vetted Person's Eligibility or Ineligibility as directed by the Ethics Officer or Appeal Committee (as applicable); and
  - 4.2.5 carrying out such other requests as the Ethics Officer or Appeal Committee might make from time to time for the purposes of these Vetting Rules.

#### **5 APPLICABILITY OF VETTING**

- 5.1 All Vetted Persons shall be required to undergo Vetting, and be declared Eligible, in accordance with these Vetting Rules.



- 5.2 World Rugby Officials subject to the Vetting Procedure shall each be required to complete and sign an Acknowledgement Form and a Declaration Form, the return of which shall be a condition of that World Rugby Official continuing to hold office.
- 5.3 As regards the Vetting Procedure in respect of Candidates:
- 5.3.1 A Candidate shall be required to undergo Vetting, and be declared Eligible, prior to their appointment to the role for which they have applied or been proposed.
  - 5.3.2 The World Rugby Officials or bodies responsible for managing an election process for Candidates must refer all Candidates proposing to stand for election to the Ethics Administrator for determination of Eligibility by the Ethics Officer before their candidacy in any election is accepted.
  - 5.3.3 The World Rugby Officials or bodies responsible for managing a non-electoral appointment process of Candidates must refer all short-listed Candidates to the Ethics Administrator for determination of Eligibility by the Ethics Officer before proceeding further with the appointment.
  - 5.3.4 The election or appointment process for all Candidates must include obtaining a signed Acknowledgement Form and Declaration Form as a condition of proceeding with the proposed candidacy or appointment of the Candidate.

## **6 VETTING PROCEDURE**

- 6.1 The Vetting Procedure shall be conducted as follows:
- 6.1.1 The appointment or candidacy in an election of a Candidate or the continuation in office of a Vetted Person other than a Candidate shall be subject to a decision by the Ethics Officer or Appeal Committee (as applicable) that such Vetted Person is Eligible.
  - 6.1.2 Vetted Persons shall complete and sign an Acknowledgement Form and Declaration Form and return them to the Ethics Administrator.
  - 6.1.3 Upon submitting the Acknowledgement Form, the Vetted Person confirms knowledge and understanding of the provisions of the Integrity Code and these Vetting Rules regarding Eligibility.
  - 6.1.4 Upon submitting the Declaration Form, Vetted Persons will be notified by World Rugby that their Declaration Form will be referred to the Ethics Officer for a decision on Eligibility and, in the case of Candidates, before proceeding with their appointment or candidacy.
  - 6.1.5 In a complete Declaration Form the Vetted Person will declare whether, if appointed or elected or continuing to hold office, they shall comply with the Integrity Code.
  - 6.1.6 Every World Rugby Official involved in the Vetting Procedure or managing an appointment or election process in respect of a Vetted Person is obliged to promptly notify and provide any Declaration Forms received to the Ethics Administrator, which, in respect of Candidates, must be provided in due time for the Vetting Procedure to be completed in accordance with the applicable deadlines for the appointment or election.

- 6.1.7 Upon receipt of a Declaration Form, the Ethics Administrator shall provide the Declaration Form to the Ethics Officer who will proceed to carry out an assessment of Eligibility, by deciding, on the balance of probabilities, whether, if appointed or elected or continuing to hold office, the Vetted Person shall be in breach of the Integrity Code (and therefore Ineligible).
- 6.1.8 If the Ethics Officer determines that further information or assessment is necessary, the Ethics Officer will instruct the Integrity Check Provider to carry out an Integrity Check to seek such information or carry out such an assessment.
- 6.1.9 If the Ethics Officer determines that further information or assessment is necessary, the Ethics Officer may require the Vetted Person, any World Rugby Official, or any employee of any World Rugby Group Company, to provide information and/or an explanation of any matter (whether by way of interview, in writing or otherwise) as deemed necessary by the Ethics Officer for a proper determination of Eligibility and the Vetted Person, any World Rugby Official or any employee of any World Rugby Group Company shall cooperate fully with any such request.
- 6.1.10 If the Ethics Officer determines at any time during the Vetting Procedure (including following an Integrity Check or further request for information) that no further information or assessment is necessary, the Ethics Officer will promptly:
- (a) make a decision that the Vetted Person is Eligible; or
  - (b) make a preliminary finding that the Vetted Person may be Ineligible.
- 6.1.11 Where the Ethics Officer makes a decision pursuant to Rule 6.1.10(a), they shall promptly notify the Ethics Administrator who shall in turn notify the Vetted Person and, in respect of a Candidate, the relevant World Rugby Official or body responsible for managing the appointment or election process.
- 6.1.12 Following a preliminary finding pursuant to Rule 6.1.10(b) that a Vetted Person may be Ineligible, the Ethics Officer shall notify the Vetted Person in writing of its preliminary finding and the reasons for it (which shall be confidential), and give the Vetted Person at least 5 working days to make any submissions on such preliminary finding and provide any evidence in support of those submissions to the Ethics Officer.
- 6.1.13 The Ethics Officer shall then consider any such submissions and evidence, and make any further enquiries as it deems appropriate, before making a final decision on whether the Vetted Person is Eligible.
- 6.1.14 Once a final decision is made by the Ethics Officer under Rule 6.1.13, the Vetted Person (and, in respect of a Candidate, the relevant World Rugby Official or body responsible for managing the appointment or election process) shall be notified as soon as possible, in writing, of the Ethics Officer's decision, and if the Ethics Officer decides that the Vetted Person is not Eligible it shall include a summary of the reasons for that decision.
- 6.2 For purposes of implementing the Vetting Procedure in a timely and efficient manner, subject to unforeseen circumstances requiring extended inquiry or otherwise necessitating additional time, and in all cases subject to the obligation to complete the Vetting Procedure in time to meet

any applicable deadlines for appointment or election, the duration of the Vetting Procedure will not exceed 1 month.

- 6.3 Following a decision of Eligibility, the Ethics Officer may at any time require a World Rugby Official to undergo additional or new Vetting in the event that the Ethics Officer reasonably believes a breach of the Integrity Code may have occurred (including due to the discovery of new facts or changes in circumstances) in which case the Vetting Procedure set out in Rules 6.1.7 to 6.1.14 shall apply again without the need for the submission of a further Acknowledgement Form from the applicable Vetted Person.

## **7 APPEALS**

- 7.1 Within 14 days of receipt of the Ethics Officer's decision, the Vetted Person may lodge a Notice of Appeal against the Ethics Officer's decision with the Judicial Panel Chair.
- 7.2 The appeal shall be conducted in accordance with the procedure set out in paragraph 3 of Schedule 5 except that:
- 7.2.1 references to the "Integrity Code" shall be deemed to be references to the "Vetting Rules";
  - 7.2.2 references to a "World Rugby Official" shall be deemed to be references to a "Vetted Person";
  - 7.2.3 the appeal shall always be a full rehearing of the decision on a de-novo basis; and
  - 7.2.4 the relevant Appeal Committee shall have the power to either (i) refer the matter back to the Ethics Officer or (ii) reverse the decision of the Ethics Officer and declare that the Vetted Person is Eligible.

## **8 CONSEQUENCES OF INELIGIBILITY**

- 8.1 If the Ethics Officer (and/or the Appeal Committee if challenged) determines that a Vetted Person is Ineligible for the position for which they are seeking election or appointment or which they currently hold, the following will occur:
- 8.1.1 the Ethics Officer or Appeal Committee will ordinarily promptly make a public announcement to confirm that the Vetted Person is Ineligible for the position sought or held;
  - 8.1.2 in respect of Vetted Persons who are Candidates, the World Rugby Official or body responsible for managing the appointment or election process in respect of the Ineligible Candidate shall withdraw such Candidate from the appointment or election process;
  - 8.1.3 in respect of Vetted Persons who are World Rugby Officials, the World Rugby Official or body responsible for the appointment of the Vetted Person shall be notified and the Vetted Person shall be removed from office and from all positions held within World Rugby; and
  - 8.1.4 the Ineligible Vetted Person shall not be capable of becoming a World Rugby Official for a period of three years from the date of the decision of Ineligibility of the Ethics Officer (or the Appeal Committee if challenged) and subject to being an Eligible

Vetted Person (having undergone Vetting at the relevant time that such person applies, is nominated or is proposed for a position as a World Rugby Official).

## **9 DEFINITIONS**

9.1 Unless the context otherwise requires, capitalised terms used in these Vetting Rules are defined below or, if undefined below shall have the same meaning as in the Integrity Code:

**“Eligible”** means that the Ethics Officer or Appeal Committee has decided that the Vetted Person will, if appointed or elected or continuing to hold office, be in compliance with the Integrity Code (**“Eligibility”** shall be interpreted accordingly).

**“Ineligible”** means that the Ethics Officer or Appeal Committee has decided that the Vetted Person will, if appointed or elected or continuing to hold office, not be in compliance with the Integrity Code (**“Ineligibility”** shall be interpreted accordingly).

**“Integrity Check”** means any investigation undertaken by the Integrity Check Provider in accordance with the instructions of the Ethics Officer.

**“Integrity Check Provider”** means any provider of integrity checking services as appointed by the Executive Committee.

**“Rule”** means a provision of these Vetting Rules.

**“Vetting Procedure”** shall have the meaning given to it in Rule 1.2 (**“Vetting”** shall be construed as referring to the vetting activities carried out in pursuance of the Vetting Procedure).

**“Vetting Rules”** means these rules relating to the Vetting Procedure.

## **SCHEDULE 5**

### **Integrity Code Disciplinary Procedure and Sanctions**

#### **1 INVESTIGATION**

##### *Role of the Ethics Officer*

- 1.1 Where the Ethics Officer reasonably suspects that a World Rugby Official may have committed a breach of the Integrity Code, the Ethics Officer shall conduct an investigation, subject to the following:
- 1.1.1 where the World Rugby Official's conduct is being investigated by police or other local authority, the Ethics Officer may decide to await the outcome of such investigation prior to acting;
  - 1.1.2 where the World Rugby Official's conduct is being investigated pursuant to any of the other World Rugby Regulations the Ethics Officer may either (i) await the outcome of that investigation or (ii) run his investigation at the same time in parallel; and
  - 1.1.3 where a participant is convicted of a criminal offence, this may be sufficient to conclude that a breach of the Integrity Code has occurred, and the Ethics Officer may serve a Charge without further investigation.

##### *Powers of the Ethics Officer*

- 1.2 The Ethics Officer may require any World Rugby Official to:
- 1.2.1 provide information and/or an explanation of any matter (whether by way of interview or otherwise);
  - 1.2.2 provide copies of or access to any Records held or under the control of the World Rugby Official relevant to the alleged breach;
  - 1.2.3 attend an interview with the Ethics Officer to answer questions;
  - 1.2.4 provide a written statement setting out in detail the facts and circumstances of the alleged breach of the Integrity Code of which the World Rugby Official is aware; and
  - 1.2.5 use reasonable endeavours to procure that another individual performs any of the actions listed at paragraphs 1.2.1 to 1.2.4 above.
- 1.3 When exercising their powers, the Ethics Officer shall inform the World Rugby Official of the deadline for compliance.
- 1.4 Upon written request of the World Rugby Official, the Ethics Officer may extend a deadline stipulated in accordance with paragraph 1.3 where they consider that the World Rugby Official has provided clear and justifiable reasons to support such an extension.
- 1.5 A World Rugby Official attending an interview with the Ethics Officer may be accompanied provided they give the Ethics Officer advance notice.

### *Decisions Not to Charge*

- 1.6 A decision of an Ethics Officer not to issue a Charge against a World Rugby Official following an investigation may be reviewed by a Senior Ethics Officer.

## **2 PROCESS BEFORE A JUDICIAL COMMITTEE**

### *Charge*

- 2.1 Where an Ethics Officer concludes that a World Rugby Official has a prima facie case to answer in relation to a breach of the Integrity Code, they shall serve a Charge on the relevant World Rugby Official and the Judicial Panel Chair.
- 2.2 The Charge shall:
- 2.2.1 identify which provision(s) of the Integrity Code the World Rugby Official is alleged to have breached;
  - 2.2.2 provide details of each alleged breach;
  - 2.2.3 set out the facts relied upon;
  - 2.2.4 identify the range of sanctions that may apply pursuant to paragraph 4;
  - 2.2.5 provide copies of all documents or other evidence relied upon or referred to in the charge; and
  - 2.2.6 provide details of any application for Provisional Suspension made by the Ethics Officer pursuant to paragraph 2.10.
- 2.3 Within 7 days of the Ethics Officer issuing a Charge, World Rugby shall publish:
- 2.3.1 the fact that a Charge has been issued against the World Rugby Official;
  - 2.3.2 a summary of the substance of the Charge; and
  - 2.3.3 if relevant and known, the anticipated date for a hearing before a Judicial Committee.
- 2.4 In respect of conduct arising prior to the Effective Date and where a World Rugby Official was subject to any previous World Rugby codes of conduct or regulations in force on such date, the investigatory and disciplinary provisions set out in this Schedule 5 shall be applied but the substantive obligations set out in the Integrity Code shall only apply if they are more favourable to the World Rugby Official as compared with the previously applicable World Rugby codes of conduct or regulations.

### *Plea Bargain*

- 2.5 Upon receipt of a Charge, a World Rugby Official may seek to agree a plea bargain in accordance with the process set out in the Appendix to this Schedule 5.

### *Response*

- 2.6 The World Rugby Official shall serve a Response on the Ethics Officer and the Judicial Panel Chair within 14 days of receipt of the Charge, which shall include:

- 2.6.1 an admission or denial of each breach identified in the Charge;
  - 2.6.2 where any admission is made, any written submissions on sanction;
  - 2.6.3 a statement setting out the reasons for and circumstances of any denial made by the World Rugby Official;
  - 2.6.4 copies of all documents or other evidence relied upon or referred to in the Response; and
  - 2.6.5 confirmation as to whether the World Rugby Official wishes for the matter to be determined at a hearing or on the papers.
- 2.7 Where a World Rugby Official does not serve a Response in accordance with paragraph 2.6, the World Rugby Official shall be deemed to have:
- 2.7.1 accepted the Charge;
  - 2.7.2 waived their entitlement to a hearing; and
  - 2.7.3 acceded to the range of applicable sanctions set out in paragraph 4.
- 2.8 Where paragraph 2.7 applies, the matter shall be determined by a Judicial Committee on the papers.

#### *Reply to the Response*

- 2.9 The Ethics Officer may serve a Reply on the World Rugby Official and the Judicial Panel Chair where a World Rugby Official:
- 2.9.1 denies a Charge in full or in part; or
  - 2.9.2 accepts the Charge in full but makes submissions as to sanction.

#### *Provisional Suspension*

- 2.10 Where the Ethics Officer serves a Charge in accordance with paragraph 2.1, they may apply to the Judicial Panel Chair for a Provisional Suspension to be imposed on the World Rugby Official subject to the Charge, pending determination of the Charge at a hearing pursuant to paragraph 2.21.
- 2.11 A Judicial Committee shall be appointed to determine the application in accordance with World Rugby Regulation 20.3.
- 2.12 The Ethics Officer must give simultaneous notice of the application to the Judicial Committee and the World Rugby Official, to include:
- 2.12.1 a brief summary of the basis of the application; and
  - 2.12.2 notification of the time, date and location of the hearing in respect of the application.
- 2.13 A World Rugby Official may voluntarily accept the imposition of a Provisional Suspension.
- 2.14 A hearing in respect of a Provisional Suspension shall not ordinarily be conducted until the World Rugby Official has confirmed receipt of the information set out at paragraph 2.12, save

where the Ethics Officer can demonstrate to the Judicial Committee that they took reasonable steps to ascertain whether that information had been received.

- 2.15 A hearing in respect of the application shall be conducted in accordance with the general procedures relating to a hearing before a Judicial Committee set out in World Rugby Regulation 20.
- 2.16 The Judicial Committee shall impose a Provisional Suspension on the World Rugby Official where the Ethics Officer demonstrates on the balance of probabilities that there is a prima facie case that the World Rugby Official has committed a breach of the Integrity Code.
- 2.17 Any Provisional Suspension shall remain in place pending determination of the Charge at a hearing pursuant to paragraph 2.21.
- 2.18 A World Rugby Official shall receive credit for such period of Provisional Suspension against any period of suspension which may ultimately be imposed where such period of Provisional Suspension is respected.
- 2.19 No credit against a period of suspension shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the World Rugby Official elected not to participate in Rugby Activity.

#### *Formation of Judicial Committee*

- 2.20 A Judicial Committee shall be appointed to determine the Charge in accordance with World Rugby Regulation 20.3.

#### *Judicial Committee Procedure*

- 2.21 The procedures applicable to hearings before a Judicial Committee pursuant to the Integrity Code shall be as set out in World Rugby Regulations 20.1, 20.6, 20.7, 20.10 and 20.11. Should those provisions conflict with those set out in the Integrity Code, the latter shall prevail.
- 2.22 Where the subject matter of, or facts relating to, a Charge(s) against one or more World Rugby Officials is sufficiently linked, the Ethics Officer and/or the Judicial Committee shall have the power to consolidate those proceedings so that they are conducted together and may be determined at the same hearing.
- 2.23 If more than one set of disciplinary proceedings has been brought against a World Rugby Official pursuant to the World Rugby Regulations, the relevant the Judicial Committee(s) shall have the power to consolidate those proceedings so that they are determined together at the same hearing.
- 2.24 Unless the Judicial Committee orders otherwise, the hearing and all submissions and documents shall be in English or translated or interpreted into English at the cost of the party presenting such evidence, submissions or documents.
- 2.25 The hearing shall take place in such location and in such form as the Judicial Committee shall direct, taking into account any submissions from the parties.

#### *Decision*

- 2.26 The Judicial Committee shall issue its decision as soon as reasonably practicable after the hearing and provide a copy to the Ethics Officer, World Rugby and the World Rugby Official(s).



- 2.27 The Judicial Committee's decision shall:
- 2.27.1 be in writing and state the reasons for its decision;
  - 2.27.2 where a breach of the Integrity Code is found, set out the details of any sanction determined pursuant to paragraph 4; and
  - 2.27.3 set out the World Rugby Official's rights of appeal as set out in paragraph 3.
- 2.28 Subject only to the appeal procedure set out at paragraph 3, the decision of the Judicial Committee shall be final and binding.

#### *Publication*

- 2.29 Within 7 days of a Judicial Committee decision, World Rugby shall ordinarily publish a copy of the Judicial Committee decision (subject to appropriate redaction of information as set out in World Rugby Regulation 20.1.6 and those redactions necessary pursuant to any applicable data protection legislation).

### **3 APPEALS**

#### *Right of Appeal*

- 3.1 Within 14 days of receipt of the Judicial Committee's decision, the Ethics Officer or the World Rugby Official may lodge a Notice of Appeal against the Judicial Committee's decision with the Judicial Panel Chair copying the respondent.

#### *Notice of Appeal*

- 3.2 The Notice of Appeal shall:
- 3.2.1 identify the appellant;
  - 3.2.2 append a copy of the decision appealed against;
  - 3.2.3 identify the grounds of appeal;
  - 3.2.4 set out the appellant's request for relief; and
  - 3.2.5 provide evidence of payment of any appeal deposit.

#### *Formation of Appeal Committee*

- 3.3 An Appeal Committee shall be appointed to determine the Charge in accordance with World Rugby Regulation 20.4.

#### *Appeal Committee Procedure*

- 3.4 The procedures applicable to hearings before an Appeal Committee pursuant to the Integrity Code shall be as set out in World Rugby Regulations 20.6, 20.8, 20.10 and 20.11. Should those provisions conflict with those set out in the Integrity Code, the latter shall prevail.

#### *Decision*

- 3.5 The Appeal Committee shall issue its decision as soon as reasonably practicable after the hearing and provide a copy to the Ethics Officer, World Rugby and the World Rugby Official(s).

- 3.6 The Appeal Committee's decision shall be in writing and state the reasons for its decision.
- 3.7 The decision of the Appeal Committee shall be final and binding and there shall be no right of further challenge.

#### *Publication*

- 3.8 Within 7 days of an Appeal Committee decision, World Rugby shall ordinarily publish a copy of the Appeal Committee decision (subject to appropriate redaction of confidential information as set out in World Rugby Regulation 20.1.6 and those redactions necessary pursuant to applicable data protection legislation).

### **4 SANCTIONS**

- 4.1 Upon finding that a breach of the Integrity Code has been committed, Judicial Committees shall be entitled to impose such sanctions, penalties and orders as they think fit which may include, but shall not be limited to:
- 4.1.1 a caution, warning as to future conduct, reprimand and/or a fine;
  - 4.1.2 a suspension for a specified period and/or a permanent expulsion from taking part in Rugby Activity, holding any position within World Rugby and/or acting as World Rugby Official;
  - 4.1.3 an order to pay compensation and/or restitution;
  - 4.1.4 the withdrawal of other benefits associated with being a World Rugby Official; and
  - 4.1.5 any combination of the penalties set out in paragraphs 4.1.1 to 4.1.4.
- 4.2 Judicial Committees shall be entitled to make such order in relation to costs as is deemed appropriate.
- 4.3 In determining the appropriate sanction, a Judicial Committee shall be entitled to take account of mitigating and/or aggravating circumstances. Aggravating circumstances shall include, but shall not be limited to, the repetition of a breach of the Ethics Code.

### **5 DEFINITIONS**

- 5.1 Unless the context otherwise requires, capitalised terms used in this Schedule 5 are defined below or, if undefined below shall have the same meaning as in the Integrity Code:

**"Charge"** means a charge served in accordance with paragraph 2.1.

**"Notice of Appeal"** means a notice of appeal served in accordance with paragraph 3.1.

**"Provisional Suspension"** means an order temporarily suspending a World Rugby Official from all or any specific Rugby Activity.

**"Records"** means any hard or soft copy records, documents and other information including contracts, financial records, bank records, tax returns and other tax records, insurance records, emails, telephone records and any data on a mobile communications device.

**"Reply"** means a notice of appeal served in accordance with paragraph 2.9.

**"Response"** means a notice of appeal served in accordance with paragraph 2.6.

**“Rugby Activity”** means any rugby activity including playing, training as part of any team or squad, officiating, coaching, selecting, administering and/or otherwise participating or being involved in any capacity in the Game or participating in any function, event or activity that is authorised, organised, sanctioned, recognised or supported in any way by World Rugby, an Association, a Union or Rugby Body.

**“Senior Ethics Officer”** means a legal practitioner of at least ten years standing who is appointed by the Executive Committee from time to time and meets the Independence Criteria immediately prior to their appointment and throughout their tenure.

**APPENDIX**  
**PLEA BARGAIN PROCESS**

**1 PRINCIPLES**

- 1.1 This Plea Bargain Process shall:
- 1.1.1 only apply to a breach of the Integrity Code subject to a Charge; and
  - 1.1.2 be conducted on a without prejudice basis.
- 1.2 The Ethics Officer must satisfy themselves of the full extent and nature of each breach of the Integrity Code by the World Rugby Official before engaging with any Plea Bargain Process.
- 1.3 Where a World Rugby Official has been issued with a Charge in respect of one or more breaches of the Integrity Code, it may be appropriate for the Ethics Officer not to proceed with those breaches in return for a World Rugby Official admitting those breaches.
- 1.4 Where the Plea Bargain Process is ended for any reason other than as a result of a sanction becoming final and binding in accordance with paragraph 4.2 or paragraph 4.3.1 of this Appendix, any document created solely for the purpose of that Plea Bargain Process shall not be disclosed to the Judicial Committee convened to determine the Charge in accordance with paragraph 2 of Schedule 5. Any documents relevant to whether the World Rugby Official is guilty of any breach of the Integrity Code set out in the Charge must be put before the Judicial Committee should the Plea Bargain Process fail and the Charge falls to be determined by a Judicial Committee.

**2 PLEA BARGAIN NOTICE**

- 2.1 A World Rugby Official that wishes to engage in a Plea Bargain Process must serve on the Ethics Officer a Plea Bargain Notice within 14 days of receipt of the relevant Charge.
- 2.2 Upon receipt of a Plea Bargain Notice, the Ethics Officer shall decide whether to engage in a Plea Bargain Process. In so deciding, the Ethics Officer shall consider:
- 2.2.1 whether the Plea Bargain Notice has been served promptly (including whether the time period in paragraph 2.6 of Schedule 5 has expired);
  - 2.2.2 the nature and severity of each breach;
  - 2.2.3 whether the World Rugby Official has been found guilty of the same or similar breach in the past; and
  - 2.2.4 the level of co-operation provided by the World Rugby Official in any investigation.
- 2.3 Within 14 days of receipt of a Plea Bargain Notice, the Ethics Officer shall inform the World Rugby Official whether they consent to the commencement of a Plea Bargain Process.
- 2.4 Where the Ethics Officer consents to the commencement of a Plea Bargain Process, proceedings before any Judicial Committee shall continue in parallel.

### **3 PLEA BARGAIN PROPOSAL**

- 3.1 The Ethics Officer and the World Rugby Official shall attempt to agree a Plea Bargain Proposal as soon as reasonably practicable.
- 3.2 A Plea Bargain Proposal must contain a:
  - 3.2.1 Statement of Facts; and an
  - 3.2.2 Agreed Sanction.
- 3.3 When considering an Agreed Sanction, the Ethics Officer must consider:
  - 3.3.1 the sanctions set out in the Integrity Code;
  - 3.3.2 the severity of each breach;
  - 3.3.3 any aggravating or mitigating factors; and
  - 3.3.4 any assistance provided by the World Rugby Official that relates to a breach of the Integrity Code by another World Rugby Official.
- 3.4 Prior to any Plea Bargain Proposal being agreed, the Ethics Officer or World Rugby Official may end the Plea Bargain Process.

### **4 DETERMINATION BY THE JUDICIAL COMMITTEE**

- 4.1 Where a Plea Bargain Proposal is agreed, it shall be put before the Judicial Committee convened to determine the Charge, who shall consider the Agreed Sanction and either:
  - 4.1.1 approve the Agreed Sanction; or
  - 4.1.2 propose an Alternative Sanction.
- 4.2 Where the Agreed Sanction is approved by the Judicial Committee:
  - 4.2.1 the Agreed Sanction shall become final and binding on the World Rugby Official; and
  - 4.2.2 the proceedings before the Judicial Committee shall terminate.
- 4.3 Where an Alternative Sanction is proposed, the World Rugby Official must elect to either accept or reject it:
  - 4.3.1 Where the Alternative Sanction is accepted:
    - (a) the Alternative Sanction shall become final and binding on the World Rugby Official; and
    - (b) the proceedings before the Judicial Committee shall terminate.
  - 4.3.2 Where the Alternative Sanction is rejected, the Plea Bargain Process shall end and a new Judicial Committee shall be convened to determine the Charge.
- 4.4 Where an Agreed Sanction or Alternative Sanction becomes final and binding on a World Rugby Official:

4.4.1 the World Rugby Official shall have no right of appeal against such determination; and

4.4.2 World Rugby shall ordinarily publish details of the sanction.

## **5 DEFINITIONS**

5.1 Unless the context otherwise requires, capitalised terms used in this Appendix are defined below or, if undefined below shall have the same meaning as in the Integrity Code:

**“Admitted Breaches”** means the breaches subject to a Charge that the World Rugby Official is prepared to admit.

**“Agreed Sanction”** means a sanction agreed between the Ethics Officer and the World Rugby Official for Admitted Breaches.

**“Alternative Sanction”** means a sanction proposed by a Judicial Committee.

**“Plea Bargain Notice”** means a written notice indicating that World Rugby Official wishes to commence a Plea Bargain Process.

**“Plea Bargain Process”** means the process set out in this Appendix.

**“Plea Bargain Proposal”** means a written agreement between the Ethics Officer and the World Rugby Official containing a Statement of Facts and an Agreed Sanction in relation to the Admitted Breaches.

**“Statement of Facts”** means, in relation to each of the Admitted Breaches, a list of relevant facts agreed between the Ethics Officer and the World Rugby Official sufficient to allow a Judicial Committee to understand the context of each breach.

## **SCHEDULE 6**

### **Council Representative/Committee Member Conflict of Interest Policy**

#### **Introduction and application**

- 1** You must comply with this Conflict of Interest Policy. A breach of the Conflict of Interest Policy shall be deemed to be a breach of the Integrity Code and dealt with accordingly.
- 2** Unless the context otherwise requires, capitalised terms used in this Conflicts of Interest Policy are defined herein, or if undefined herein shall have the same meaning as in the Integrity Code.
- 3** Any references in this policy to:
  - (a) A “Covered Person” includes any person that is a Council Representative or a Committee Member; and
  - (b) “World Rugby” includes the unincorporated association of World Rugby, any committee of World Rugby and any World Rugby Group Company as applicable to the role of the Covered Person.
- 4** Covered Persons shall comply with all applicable laws and regulations in relation to conflicts of interest.

#### **Recognising a conflict of interest**

- 5** A conflict of interest arises in any situation where a Covered Person has a personal or institutional interest that is, or may be sufficient to appear to be, in conflict with the objective exercise of that person's official World Rugby duties.

#### **Actual versus apparent conflicts of interest**

- 6** Conflicts of Interest can be either actual or apparent and derive from a Covered Person's own personal interests (a “personal” conflict of interest) and/or the interests of a World Rugby stakeholder (e.g. a Union or Association) or other third party with which a Covered Person is associated (an “institutional” conflict of interest).
- 7** An actual conflict of interest arises where a Covered Person's personal, and/or institutional interests do, in fact, conflict or compete with the way in which they perform their official World Rugby duties.
- 8** An apparent conflict of interest arises where a Covered Person's personal and/or institutional interests appear, or may appear, to influence the objective exercise of that person's official World Rugby duties, even though the person may not be influenced in this way.

#### **Personal conflicts of interest**

- 9** It is not possible to define all situations or relationships where a conflict may arise between the personal interests of a Covered Person and the objective exercise of that person's official World Rugby duties. However, such circumstances may include (but are not limited to) involvement by the Covered Person or any relative of the Covered Person with sponsors, suppliers, contractors, venue operators, broadcasters or customers of World Rugby including ownership of an interest in such entity, acting in any capacity for such an entity or accepting any form of benefit from such an entity.

- 10** It is important to recognise that interests that are not pecuniary may also amount to a conflict of interest. Friendship, membership of an association, society, trusteeship and many other kinds of relationship can sometimes influence (or be seen to influence) decision making and judgements and give an impression that personal motives are involved. In order to determine whether a personal conflict of interest exists, it is appropriate to consider whether a reasonable person viewing the relationship objectively would be of the opinion that a person's motives may be influenced by the relationship. If such reasonable person considered that a conflict could be present, or there is any doubt, the interest should be registered and disclosed/managed in accordance with this policy.

### **Institutional conflicts of interest**

- 11** This policy recognises that World Rugby has a stakeholder representation model of governance and certain Covered Persons may owe duties to World Rugby stakeholders or other third parties (e.g. Council Representatives being a representative on Council for a Union or Association).
- 12** The existence of duties owed to or being influenced by a World Rugby stakeholder or other third parties who may appoint the Covered Person does not in itself constitute a conflict of interest for the purpose of this policy. However, a Covered Person is responsible for exercising their official World Rugby duties objectively and in good faith having taken into account the best interests of World Rugby as a whole.

### **Avoiding a conflict of interest**

- 13** It is not possible to define or describe all circumstances in which a Conflict of Interest, actual or apparent, may arise. However, the following situations provide a non-exhaustive list of Conflicts of Interest that all Covered Persons shall avoid. Covered Persons shall:
- (a) not engage in any activity directly or indirectly and/or own an interest in any entity that competes with the existing, planned and/or potential interests of World Rugby;
  - (b) not solicit or obtain for themselves or relatives, friends or any other person, a material benefit of any kind from his association with World Rugby; and
  - (c) not accept gifts or benefits of any kind or fail to declare gifts or benefits of any kind where such gifts and/or benefits would or may conceivably appear to improperly influence the Covered Person in the performance of his duties for World Rugby.
- 14** It is understood that avoiding a conflict of interest may not always be possible or practical. The required action for the Covered Person who does not or cannot avoid a conflict of interest is to register the conflict and to declare/manage the conflict in accordance with the process set out in this policy.
- 15** For the avoidance of doubt, Covered Persons are personally responsible for all decisions in relation to receipt of gifts or hospitality and for avoiding the risk of damage to public confidence in World Rugby.

### **Conflicts of Interest Register**

- 16** All Covered Persons shall subscribe to a Conflicts of Interest Register (the "Register") which shall be maintained by World Rugby. The Register shall set out for each Covered Person all direct or indirect personal or institutional interests that are, may in the future be or may be



sufficient to appear to be, in conflict with the objective exercise of that person's official World Rugby duties and/or obligations owed to World Rugby. This includes without limitation:

- (a) Contracts or arrangements proposed to be entered into between World Rugby and the Covered Person or any person, firm or company with whom the Covered Person is associated;
- (b) Any directorship of a company or any partnership or any other profit, salary or fee earning activity not covered under (a) above;
- (c) Any arrangement made, proffered or contemplated in consequence of his holding a position as a Covered Person within World Rugby with any third party (for this purpose, benefit includes financial support or allowance or advantage);
- (d) Any benefit which a Covered Person receives from a sponsor of or donor to World Rugby and/or any other Union/Association, either personally or on behalf of a third party; and
- (e) Any other arrangement, relationship or contract which may constitute a conflict of interest.

- 17** The Conflicts of Interest Register shall be completed at the time where such person is nominated or applies to become a Covered Person. The Conflicts of Interest Register shall be updated as soon as is practicable once an actual or apparent conflict arises and, at a minimum, shall be reviewed by each Covered Person on an annual basis.

#### **Declaration/Management of conflicts of interests**

- 18** As well as the registration of conflicts of interest, it is necessary to manage and/or declare conflicts of interest in the context of discussions, meetings or other decision-making processes.

- 19** The procedure set out below is designed to allow for the effective declaration and management of interests (whether recorded on the Register or otherwise). In discussions, meetings and/or other decision-making processes, as soon as possible and practicable, the following procedure shall be applied:

- (a) Any Covered Person must declare any interest apparent or otherwise in matters to be discussed. The meeting or other persons involved in the discussion should require the Covered Person to leave the room/discussion at that stage;
- (b) In the absence of the Covered Person(s), the meeting and/or others involved in the discussion (excluding any other person who may have been seen to have an interest apparent or otherwise in the determination of the declared interest), will decide whether the Covered Person may, notwithstanding the declared interest, take part in the consideration or discussion or voting on any question relating to the matter in which the Covered Person has declared an interest. The relevant meeting of World Rugby concerned/ involved in the discussion shall be entitled to impose a condition that the Covered Person(s) who has declared the interest may take part in the meeting, discussions or otherwise but may not vote on any question relating to the matter affected by the interest and/or impose such other conditions as it sees fit. However, if a person has a financial interest in the transaction and/or decision, that person should not, in any event, be entitled to vote or participate in the discussions/deliberations;
- (c) If the meeting or those involved in the discussion decide that the Covered Person may take part in the consideration and discussion on the matter concerned, the Covered

Person shall be entitled to re-join the meeting and/or discussion. For the avoidance of doubt, the procedures adopted in relation to the management of Conflicts of Interest, should be fully minuted;

- (d) Where a Covered Person becomes aware in advance of a meeting that they may have an interest in matters discussed at that meeting, the Covered Person shall notify the chairman of Council or the relevant World Rugby committee. The chairman will at the start of the meeting report any such notification(s) received and further shall remind members of their obligation to make a declaration of any interest that they may have in matters to be discussed.

#### **Guidelines on the implementation of the declaration/management of conflicts of interest**

- 20** It is important that conflicts of interest are properly identified and managed. However, it is not necessary to declare an interest that is too remote or insignificant that could not reasonably be regarded as having in any way influenced a Covered Person in the discussion or voting of an issue. To do so, would impede the effective administration of World Rugby business. However, if in doubt, an interest should be declared and the responsibility to do so rests with the individual Covered Person.
- 21** Conflict of Interest should be declared as soon as practicable after they have arisen and/or the Covered Person becomes aware of such conflict.

## **SCHEDULE 7**

### **Executive Committee Member/World Rugby Director Conflict of Interest Policy**

#### **Introduction and application**

- 1** You must comply with this Conflict of Interest Policy. A breach of the Conflict of Interest Policy shall be deemed to be a breach of the Integrity Code and dealt with accordingly.
- 2** Unless the context otherwise requires, capitalised terms used in this Conflicts of Interest Policy are defined herein, or if undefined herein shall have the same meaning as in the Integrity Code.
- 3** Any references in this policy to:
  - (a) A “Covered Person” includes any person that is an Executive Committee Member or a World Rugby Director; and
  - (b) “World Rugby” includes the unincorporated association of World Rugby, any committee of World Rugby and any World Rugby Group Company as applicable to the role of the Covered Person.
- 4** Covered Persons shall comply with all applicable laws and regulations in relation to conflicts of interest including any duties that Covered Persons may have as statutory directors.

#### **Recognising a conflict of interest**

- 5** A conflict of interest arises in any situation where a Covered Person has a personal or institutional interest that is, or may be sufficient to appear to be, in conflict with the objective exercise of that person's official World Rugby duties and/or obligations owed to World Rugby.

#### **Actual versus apparent conflicts of interest**

- 6** Conflicts of Interest can be either actual or apparent and derive from a Covered Person's own personal interests (a “personal” conflict of interest) and/or the interests of a World Rugby stakeholder (e.g. a Union or Association) or other third party with which a Covered Person is associated (an “institutional” conflict of interest).
- 7** An actual conflict of interest arises where a Covered Person's personal, and/or institutional interests do, in fact, conflict or compete with the way in which they perform their official World Rugby duties and/or result in a breach of the obligations which are owed to World Rugby.
- 8** An apparent conflict of interest arises where a Covered Person's personal and/or institutional interests appear, or may appear, to influence the objective exercise of that person's official World Rugby duties, and/or the ability to comply with their obligations to World Rugby, even though the person may not be influenced in this way.

#### **Personal conflicts of interest**

- 9** It is not possible to define all situations or relationships where a conflict may arise between the personal interests of a Covered Person and the objective exercise of that person's official World Rugby duties and/or obligations owed to World Rugby. However, such circumstances may include (but are not limited to) involvement by the Covered Person or any relative of the Covered Person with sponsors, suppliers, contractors, venue operators, broadcasters or customers of World Rugby including ownership of an interest in such entity, acting in any capacity for such an entity or accepting any form of benefit from such an entity.

- 10** It is important to recognise that interests that are not pecuniary may also amount to a conflict of interest. Friendship, membership of an association, society, trusteeship and many other kinds of relationship can sometimes influence (or be seen to influence) decision making and judgements and give an impression that personal motives are involved. In order to determine whether a personal conflict of interest exists, it is appropriate to consider whether a reasonable person viewing the relationship objectively would be of the opinion that a person's motives may be influenced by the relationship. If such reasonable person considered that a conflict could be present, or there is any doubt, the interest should be registered and disclosed/managed in accordance with this policy.

### **Institutional conflicts of interest**

- 11** A Covered Person must not promote the interests of any particular World Rugby stakeholder (e.g., a Union/Association) or other third party (such as a government or political body) which a Covered Person represents or with which they are associated (whether by virtue of employment, holding office or otherwise), where doing so would conflict with the objective exercise of that person's official World Rugby duties and/or obligations owed to World Rugby.
- 12** It is understood that World Rugby has a stakeholder representation model of governance and certain Covered Persons may owe duties to World Rugby stakeholders or other third parties (e.g. a member of the World Rugby Executive Committee being a representative on the World Rugby Council for a Union or Association). In such circumstances, the Covered Person:
- (a) may present the perspective of a particular World Rugby stakeholder or of any third party where they consider it relevant to the matter at hand, but must not pursue the interests of that stakeholder or third party in a manner that would conflict with the objective exercise of that person's official World Rugby duties and/or the primacy of their obligations owed to World Rugby; and
  - (b) may consult with and take into account the interests of the relevant World Rugby stakeholder or any third party, but must not agree to act or allow themselves to be influenced to act in their capacity as a Covered Person in a manner that would conflict with the objective exercise of that person's official World Rugby duties and/or the primacy of their obligations owed to World Rugby.

### **Avoiding a conflict of interest**

- 13** Conflicts of interest cannot be allowed to taint the activities/decisions of Covered Persons. Such activities and decisions must be taken and/or carried out on an entirely objective basis and situations in which a Covered Person's other interest and/or relationships could adversely influence their independent judgement or the manner in which they perform their functions and duties for World Rugby must be avoided.
- 14** It is not possible to define or describe all circumstances in which a Conflict of Interest, actual or apparent, may arise. However, the following situations provide a non-exhaustive list of Conflicts of Interest that all Covered Persons shall avoid. Covered Persons shall:
- (a) not engage in any activity directly or indirectly and/or own an interest in any entity that competes with the existing, planned and/or potential interests of World Rugby;
  - (b) not solicit or obtain for themselves or relatives, friends or any other person, a material benefit of any kind from his association with World Rugby; and

- (c) not accept gifts or benefits of any kind or fail to declare gifts or benefits of any kind where such gifts and/or benefits would or may conceivably appear to improperly influence the Covered Person in the performance of his duties for World Rugby.
- 15 It is understood that avoiding a conflict of interest may not always be possible or practical. The required action for the Covered Person who does not or cannot avoid a conflict of interest is to register the conflict and to declare/manage the conflict in accordance with the process set out in this policy.
- 16 For the avoidance of doubt, Covered Persons are personally responsible for all decisions in relation to receipt of gifts or hospitality and for avoiding the risk of damage to public confidence in World Rugby.

### **Conflicts of Interest Register**

- 17 All Covered Persons shall subscribe to a Conflicts of Interest Register (the “Register”) which shall be maintained by World Rugby. The Register shall set out for each Covered Person all direct or indirect personal or institutional interests that are, may in the future be or may be sufficient to appear to be, in conflict with the objective exercise of that person’s official World Rugby duties and/or obligations owed to World Rugby. This includes without limitation:
  - (a) Contracts or arrangements proposed to be entered into between World Rugby and the Covered Person or any person, firm or company with whom the Covered Person is associated;
  - (b) Any directorship of a company or any partnership or any other profit, salary or fee earning activity not covered under (a) above;
  - (c) Any arrangement made, proffered or contemplated in consequence of his holding a position as a Covered Person within World Rugby with any third party (for this purpose, benefit includes financial support or allowance or advantage);
  - (d) Any benefit which a Covered Person receives from a sponsor of or donor to World Rugby and/or any other Union/Association, either personally or on behalf of a third party; and
  - (e) Any other arrangement, relationship or contract which may constitute a conflict of interest.
- 18 The Conflicts of Interest Register shall be completed at the time where such person is nominated or applies to become a Covered Person. The Conflicts of Interest Register shall be updated as soon as is practicable once an actual or apparent conflict arises and, at a minimum, shall be reviewed by each Covered Person on an annual basis.

### **Declaration/Management of conflicts of interests**

- 19 As well as the registration of conflicts of interest, it is necessary to manage and/or declare conflicts of interest in the context of discussions, meetings or other decision-making processes.
- 20 The procedure set out below is designed to allow for the effective declaration and management of interests (whether recorded on the Register or otherwise). In discussions, meetings and/or other decision-making processes, as soon as possible and practicable, the following procedure shall be applied:

- (a) Any Covered Person must declare any interest apparent or otherwise in matters to be discussed. The meeting or other persons involved in the discussion should require the Covered Person to leave the room/discussion at that stage;
- (b) In the absence of the Covered Person(s), the meeting and/or others involved in the discussion (excluding any other person who may have been seen to have an interest apparent or otherwise in the determination of the declared interest), will decide whether the Covered Person may, notwithstanding the declared interest, take part in the consideration or discussion or voting on any question relating to the matter in which the Covered Person has declared an interest. The relevant meeting of World Rugby concerned/ involved in the discussion shall be entitled to impose a condition that the Covered Person(s) who has declared the interest may take part in the meeting, discussions or otherwise but may not vote on any question relating to the matter affected by the interest and/or impose such other conditions as it sees fit. However, if a person has a financial interest in the transaction and/or decision, that person should not, in any event, be entitled to vote or participate in the discussions/deliberations;
- (c) If the meeting or those involved in the discussion decide that the Covered Person may take part in the consideration and discussion on the matter concerned, the Covered Person shall be entitled to re-join the meeting and/or discussion. For the avoidance of doubt, the procedures adopted in relation to the management of Conflicts of Interest, should be fully minuted;
- (d) Where a Covered Person becomes aware in advance of a meeting that they may have an interest in matters discussed at that meeting, the Covered Person shall notify the chairman of the relevant Board or committee. The chairman will at the start of the meeting report any such notification(s) received and further shall remind members of their obligation to make a declaration of any interest that they may have in matters to be discussed.

#### **Guidelines on the implementation of the declaration/management of conflicts of interest**

- 21** It is important that conflicts of interest are properly identified and managed. However, it is not necessary to declare an interest that is too remote or insignificant that could not reasonably be regarded as having in any way influenced a Covered Person in the discussion or voting of an issue. To do so, would impede the effective administration of World Rugby business. However, if in doubt, an interest should be declared and the responsibility to do so rests with the individual Covered Person.
- 22** Conflict of Interest should be declared as soon as practicable after they have arisen and/or the Covered Person becomes aware of such conflict.

## SCHEDULE 8

### Gifts and Hospitality Policy

#### **INTRODUCTION**

##### **1 Responsibility for the Policy**

The Chief Executive of World Rugby is responsible for this Policy which has been approved by the World Rugby Executive Committee and World Rugby Council. The Chief Executive may consult with the Ethics Officer in relation to any of his duties and responsibilities set out in this Policy and may delegate any such responsibilities to the Ethics Officer in writing.

##### **2 Application**

World Rugby, World Rugby Limited and each of its group companies (including, without limitation, World Rugby Tournaments Limited and Rugby World Cup Limited) ("**World Rugby**") expects the highest standards of conduct from all those who represent it, including employees, directors, agents, council members, executive committee members and committee members ("**World Rugby Representatives**" or "**you**").

Unless the context otherwise requires, capitalised terms used in this Policy are defined herein, or if undefined herein shall have the same meaning as in the Integrity Code.

World Rugby operates on an international basis, it is and you are therefore subject to various anti-bribery/corruption laws. World Rugby has introduced this Policy to assist you in complying with your anti-bribery/corruption related obligations and to promote the highest standards of business integrity.

You agree to be bound by this Policy as a pre-condition to doing any business for and on behalf of World Rugby. It is therefore very important that you read this Policy carefully.

##### **3 Dual roles**

World Rugby recognises that you may have roles and responsibilities outside of World Rugby, particularly if you have a role with a rugby stakeholder such as a Union or Association. You may therefore receive gifts and hospitality entirely unconnected with World Rugby but connected to a different rugby stakeholder. If you are acting in a World Rugby capacity and/or on World Rugby business you should follow the reporting and other obligations in this Policy. If not, you should follow the reporting and other obligations which are relevant to the third party.

##### **4 Clarity and further guidance**

If you are unclear about any of your obligations you should seek further guidance from any of the following officers of World Rugby prior to carrying out the action you are unsure of:

Chief Executive  
Chief Financial Officer  
General Counsel  
Head of Development & International Relations

The Appendix contains some Key Principles which you should consider for guidance on the application of the Policy.

## **PRACTICAL IMPLEMENTATION**

### **5 Register**

World Rugby's gifts and hospitality register (the "**Register**") is kept centrally by the Chief Executive's Office. Where this Policy requires you to record gifts or hospitality in the Register, you are responsible for ensuring the details are recorded as soon as reasonably practicable (and in any event within a week of the relevant reporting obligation arising) and that your report is accurate.

World Rugby will undertake a quarterly review of the Register and a copy of the Register will be provided in the annual anti-bribery report to Exco.

### **6 Breaches**

Any breaches of this Policy will be dealt with very seriously by World Rugby and could lead (amongst other things) to: (i) disciplinary action (in accordance with your employment or service contract or the Integrity Code), (ii) the prevention of holding a certain office or position with World Rugby, or (iii) in extreme circumstances World Rugby or you being charged with a criminal offence.

If you consider that a World Rugby Representative is not complying with this Policy, you should consult with and inform the Chairman of Council or Chief Executive.

### **7 Training**

World Rugby will provide training on this Policy and your attendance is mandatory.

### **8 Amendments to this Policy**

World Rugby (through either the Executive Committee or Council) reserves the right to amend this Policy at any time and will draw your attention to any changes as soon as reasonably practicable.

## **GIFTS**

### **9 Receiving gifts**

As a general rule, gifts from third parties should not be accepted (and should be returned to the third party with an explanation to the effect that it is not World Rugby policy to accept gifts), except where:

- it is of nominal value; or
- it would be ungracious or otherwise difficult not to accept (but note that the risks of accepting such gift (i.e. whether such action could amount to a bribery offence) should always be weighed against the risks of not accepting the gift); or
- it would be disproportionate to return the gift (i.e. the costs and effort involved would outweigh the value of the gift); or
- you have otherwise determined that the gift is acceptable in light of the Key Principles, in particular, that the gift has not been given to you with any intention of influencing your decision making process (e.g. as to whether to obtain or retain business), or to influence you in exercising your function improperly;

and, in each case, you must ensure that you comply with the procedures set out in Section 11 below.

Money may never be accepted under any circumstances.



## 10 Giving gifts

The giving of gifts to third parties is discouraged unless there is a clear business objective. When determining whether it is appropriate to give a gift to a third party, consideration should always be given to the Key Principles and in particular, that you are not intending to give the gift with any intention of influencing the recipient's decision making process (e.g. as to whether to obtain or retain World Rugby's business), or to influence them in exercising their function improperly.

All gifts should fall within a World Rugby budget and you must ensure that you comply with the procedures set out in Section 11 in respect of all gifts that you intend to give to third parties.

Money may never be given under any circumstances.

## 11 Procedures for the giving or receiving of gifts

| Gift   | Procedure for receiving gift  | Procedure for giving gift  |
|--|---|--|
| Gift of nominal value ( <b>up to €125/£100</b> ) (e.g., diaries, pens, items of apparel/kit, etc.)                               | No requirement to record in Register and no approval required.  | Ensure that there is budgetary sign off prior to giving the gift.  |
| Gift <b>in excess of €125/£100</b> (e.g., expensive bottles of wine/ champagne or spirits, hampers and other expensive presents) | Where inappropriate to return/refuse the gift, you may accept on the condition that you: <ul style="list-style-type: none"><li>• record the gift in the Register; and</li><li>• surrender the gift to World Rugby (Chief Executive's Office) which will be disposed of at the Chief Executive's discretion (e.g., charitable and/or corporate social responsibility purposes)</li></ul> | You may only give such gift if you have received the prior written approval of the Chief Executive. You must then record the gift in the Register.   |
| Gifts with a <b>cumulative value in excess of €1,250/£1,000</b>  | You must not continue to receive nominal value gifts from the same third party (or connected parties to that third party) which over a reasonable timeframe have an excessive value. Any cumulative gifts of this nature should be surrendered to World Rugby (Chief Executive's Office) and recorded in the Register.  | You may only give such gifts if you have received the prior written approval of the Chief Executive and they are within a World Rugby budgetary authority. You must then record the gifts in the Register. |

## **HOSPITALITY**

### 12 Hospitality Principles

Hospitality encompasses all forms of entertaining, including for example but without limitation, attendance at rugby matches/other sporting events, non-sports related corporate hospitality and meals/drinks.

World Rugby recognises that the giving and receiving of hospitality is often inherent in roles carried out by World Rugby Representatives. Nevertheless, World Rugby expects World Rugby Representatives

to use their judgment in determining whether the giving or receiving of hospitality is appropriate considering the Key Principles and to follow the procedures set out below.

### **13 Hospitality must be “reasonable and proportionate”**

Further guidance regarding what is considered to be “reasonable and proportionate” is set out in the Appendix.

Any hospitality that is considered under this Policy to be reasonable and proportionate may be accepted or offered without any prior authorisation and does not need to be recorded in the Register.

Any hospitality which is not considered to be “reasonable and proportionate” under this Policy should be politely declined or not offered unless the following paragraph applies.

If you believe that there is a genuine business reason to accept and/or give hospitality which goes beyond what may be considered under this Policy to be “reasonable and proportionate” then prior written approval should be sought from the Chief Executive in advance of giving and/or receiving such hospitality where circumstances allow.

If: (i) it is not possible to pre-authorise the giving and/or receiving of such hospitality; and/or (ii) permission is given to accept such hospitality then it must be recorded in the Register.

### **14 Meals**

The receiving of any meal (including drinks) which is known to be in excess of €175/£150 per person must be recorded in the Register. If you are aware in advance that the offer of any meal (including drinks) will be in excess of this value, you must obtain the prior written authorisation of the Chief Executive before accepting the relevant invitation.

You must ensure that any offer you make to provide a meal (including drinks) is reasonable and proportionate. If you know in advance that the offer is likely to be in excess of €175/£150 per person you must seek the prior authorisation of the Chief Executive. Any meals (including drinks) that you have provided on World Rugby’s behalf in excess of €175/£150 per person must be recorded in the Register.

## **APPENDIX**

### **KEY PRINCIPLES**

#### **1 Overview**

To assist you with your understanding and implementation of this Policy, World Rugby draws your attention to the following “**Key Principles**” and related guidance which should be considered on each occasion that you are intending to give or receive a gift or hospitality.

Anti-bribery/corruption laws are designed to protect the integrity (including the perception thereof) of World Rugby. They are not intended to ban the provision or receipt of gifts and hospitality by World Rugby Representatives in the usual course of business and which are:

- Reasonable and proportionate;
- Transparent;
- Clearly connected with the legitimate business in case;
- Not intended to improperly influence the recipient; and
- Not reasonably seen as compromising the personal judgement and integrity of the World Rugby Representative.

#### **2 Reasonable and proportionate**

You should interpret these words on their ordinary meaning.

The following examples are a non-exhaustive list of hospitality that would **not** be considered by World Rugby to be either reasonable or proportionate:

- Overnight accommodation for a hospitality event (unless it is not practicable to travel to, or back from the relevant hospitality event on the same day).
- Free travel (in particular air fares) alongside a hospitality invite, unless of incidental value (such as a shuttle to/from a venue and the public transport system).
- An invite to multiple days of the same event.
- Multiple invites from or offered to the same third party (or connected parties to that third party).

| <b>Key Principles Guidance</b>  | <b>Practical scenarios</b>   |
|---|--|
| <p><b>Intention</b> – gifts and hospitality should never be given if they are intended to influence the recipient to perform his or her function improperly (e.g., as to whether to obtain or retain business or to influence the outcome of an election).</p> <p>Note that this Policy does not prevent you from giving or receiving gifts and hospitality where the intention of giving or receiving the gift/hospitality is to establish or maintain close business relationships or improve or maintain World Rugby’s image and reputation for example, and which in each case complies with this Policy.</p> | <p>A bottle of champagne worth £50 is given to you by a potential host union one week before you are due to announce the results of a hosting process. You should not accept this because it could be viewed as intending to influence your decision on the outcome of the hosting process.</p> <p>You are invited to the British Grand Prix with a Dublin based law firm which currently advises World Rugby. This is acceptable in principle given that the intention is to maintain a close working relationship. However, depending on whether or not the hospitality being offered is “reasonable and proportionate”, you may still</p> |

| Key Principles Guidance   | Practical scenarios   |
|---|---|
|   | <p>need to record this on the Register and/or obtain prior approval.</p> <p>You take two directors of an official partner of the Rugby Sevens tournament out for dinner following the signing of the official partner's commercial agreement. Provided the value is reasonable and proportionate, this is acceptable given that the contract process has concluded, and you are not intending to influence the outcome of the contract negotiations.</p>  |
| <p><b>Timing</b> – when is the gift or hospitality being given? If the gift or hospitality is being offered before the award of a contract or during a host tender process for example, it is more likely to be inferred that there was an intention to improperly influence the recipient.</p>   | <p>A World Rugby Representative offers a potential Rugby World Cup sponsor, tickets to the event, on the condition that they sign the sponsorship contract in the next week. This offer should not be made because it is being made prior to the finalisation of the contract and could be construed as intending to influence the outcome of the negotiations.</p> <p>A team of World Rugby directors take out few members of a host union for drinks to celebrate the completion of a hosting agreement for the Women's Rugby World Cup. Given that the contractual negotiations have completed this is acceptable in principle, provided that the hospitality is reasonable and proportionate.</p>                                       |
| <p><b>Transparency</b> – is the gift or hospitality being concealed? Are you required to record the gift or hospitality in the Register?</p>  | <p>You and two of your colleagues are invited to an expensive restaurant by one of your media partners. The CEO of the company asks you not to tell your boss. You should politely decline the offer and explain that World Rugby has a transparent culture around the giving and receiving of gifts and hospitality and it is not something you would be comfortable to conceal.</p>   |
| <p><b>Reasonable and proportionate/self-awareness</b> – how would the giving or receiving of the relevant gift or hospitality look if it became <b>public</b> (i.e., would it appear disproportionate and lavish)?</p> <p>When assessing whether a gift or hospitality is reasonable and proportionate, it is key to consider the value or number of the gifts/hospitality being offered in light of:</p> <ul style="list-style-type: none"> <li>• the value of any deal/contract that is connected to the gift or hospitality being offered;</li> <li>• the number of people who have been involved with the relevant company/deal/contract; and</li> <li>• the number of hours spent working on a particular matter/burden of work involved.</li> </ul> | <p><b>Acceptable</b></p> <p>You send a £300 hamper to an official partner of the World Rugby Sevens tournament following the signing of the official partner's commercial agreement. The value of the contract is £500,000 so in principle this gift is proportionate but you should obtain the prior written approval of the Chief Executive and record this in the Register.</p> <p>You are asked to attend a one-day meeting abroad by a member union which is due to start at 8am and finish at 8pm. You are offered economy class flights and two nights' accommodation (plus reasonable meal expenses). Given the proposed length of meeting it is reasonable and proportionate to accept overnight accommodation and flights for</p> |

| Key Principles Guidance  | Practical scenarios  |
|--|--|
|  | <p>attending a business meeting (as opposed to a hospitality event).</p> <p><b><u>Unacceptable</u></b></p> <p>A team of 10 World Rugby employees are invited to a concert with one of the Rugby World Cup production companies. There were only four employees working on the contract negotiation/project implementation process.</p> <p>Rugby World Cup tickets worth £10,000 are given to a supplier whose contract is only worth £20,000.</p> <p>You are asked to attend a two-day meeting. You are offered five nights' accommodation.</p> <p>You are offered overnight accommodation for an event from which you can be reasonably expected to travel home.</p> <p>You are offered an all-expenses paid trip (including flights, accommodation and meals) to watch a 3-day golf tournament being played in the host country where the next Rugby World Cup is being played.</p> <p>You are taken out for three expensive meals with your accountants during a fortnightly audit process.</p> |
| <p><b><i>Hosting process/tenders</i></b> – hosting tender processes relating to World Rugby events and other contractual tender processes are particularly sensitive periods during which gifts and hospitality <b><u>should never be</u></b> given or accepted unless there are exceptional circumstances and you receive prior written approval from the Chief Executive. This is because any gifts or hospitality offered during these periods are more likely to be interpreted as an attempt to influence the outcome of the relevant tender process.</p> |  |
| <p><b><i>Non-solicitation</i></b> – gifts and hospitality <b><u>should never be</u></b> solicited from third parties.</p>  |  |
| <p><b><i>Who is giving or receiving the gift or hospitality</i></b> – if a <b><u>foreign public official</u></b>, prior written approval must be given by Chief Executive (as applicable).</p> <p>The Chief Executive may give a blanket pre-approval in certain circumstances, such as the invitation of ambassadors to matches at venues in which their country is playing.</p>  |  |
| <p>Gifts and hospitality given and received must be consistent with the policy of the applicable third-party organisation.</p>   |  |

## Gift and Hospitality Declaration Form

### Introduction

Please submit all forms to the Chief Executive Officers' office:

Please surrender all gifts in excess of €125/£100 along with this form (or if this is not practicable to do so please liaise with Chief Executive Officers' office to confirm how and when the gift will be surrendered).

Please refer to world rugby's gift and hospitality policy for full details of your reporting obligations.

### Personal Details

If handwritten, please complete in CAPITALS:

|                       |  |
|-----------------------|--|
| Name:                 |  |
| World Rugby position: |  |

### Gift or Hospitality Detail

If handwritten, please complete in CAPITALS:

|  |  |
|--|--|
| Date of gift/hospitality:                    |  |
| Received from / Given to:                    |  |
| Value of gift/hospitality. State if unknown. |  |
| Details:                                     |  |
| Business reason:                             |  |



## SCHEDULE 9

### World Rugby Official Host Selection Policy

#### 1 INTRODUCTION AND OBJECTIVES

- 1.1 A World Rugby Official may be involved in a bid for or the decision-making process for the selection of a host for an event or tournament sanctioned by World Rugby or any World Rugby Group Company (including for example the Rugby World Cup Finals (men's and women's), the Rugby World Cup Sevens Finals, age grade tournaments and the Sevens World Series) (a **"World Rugby Event"**).
- 1.2 It is acknowledged that candidates to host certain World Rugby Events will be subject to "Terms and Conditions of Bidding" which set out the obligations on candidates in respect of the bidding process and to the extent that a World Rugby Official is involved in bidding for a World Rugby Event this Policy shall also apply to that Official's conduct.
- 1.3 The focus of the World Rugby Official Host Selection Policy (the **"Host Selection Policy"**) is to provide guidance in relation to the conduct required by World Rugby Officials involved in a host selection process in respect of a World Rugby Event.
- 1.4 The Host Selection Policy is designed to provide a "level playing field" for all candidates wishing to host a World Rugby Event and to provide an honest, fair and transparent host selection process in which all stakeholders can have full confidence.
- 1.5 Each World Rugby Official acknowledges that compliance with this Host Selection Policy is vital to the success of any host selection process and to World Rugby's reputation.
- 1.6 Unless the context otherwise requires, capitalised terms used in this Host Selection Policy are defined herein, or if undefined herein shall have the same meaning as in the Integrity Code.

#### 2 OBLIGATIONS

- 2.1 A World Rugby Official involved in bidding for or in the decision-making process for the selection of a host for a World Rugby Event must:
- 2.1.1 conduct all of their own activities in relation to bid and the host selection process in an ethical, fair and professional manner;
- 2.1.2 uphold and promote compliance with any applicable "Terms and Conditions of Bidding" in respect of any World Rugby Event;
- 2.1.3 not engage in any conduct and/or behaviour that may:
- (a) result in any unfair or biased decision;
  - (b) bring (or has the potential to bring) the bid or host selection process, World Rugby, the relevant World Rugby Event and the host candidates into disrepute, or otherwise damage their image and/or reputation; or
  - (c) lead to the making of any decision which is not in the best interests of rugby;
- 2.1.4 not make any public comments (during the host selection process or following a decision to select the host) in relation to any host candidates or the host selection process (including any decision to select the host);



- 2.1.5 comply with all applicable laws in connection with assessing bids and their participation in the host selection process, including without limitation, all applicable anti-corruption and anti-bribery laws;
- 2.1.6 not visit (or accept any invitation to visit) the host candidates involved in the host selection process for any purposes related to the host selection process save for official visits which form part of the selection process;
- 2.1.7 comply with the Gifts and Hospitality Policy as it applies in the context of a host selection process;
- 2.1.8 not disclose any information to a host candidate which would provide such host candidate with an unfair advantage in the selection process; and
- 2.1.9 immediately report to the Ethics Officer any attempt from a host candidate (or any of their representatives) to seek a direct or indirect benefit or influence a World Rugby Official in relation to the host selection process.