

IJB/MS

31 July 2009

«Title» «FirstName» «LastName»
«JobTitle»
«Company»
«Address1»
«Address2»
«Address3»
«City»
«PostCode»

Dear «Name»

**The Scottish Premier League Limited (“the Company”)
The Scottish Premier League (“the League”)
Membership of and Promotion to the League for Season 2010/2011**

Enclosed with this letter is a copy of the Rules as at 16 July 2009. Words and phrases defined in the Rules have the same meaning in this letter. The Membership Criteria set out in those Rules apply to promotion to the League at the end of Season 2009/2010 and to Membership of the League in Season 2010/2011. Any changes in the Membership Criteria will be notified to you.

Take note that this letter proceeds on the basis that the structure of the League for Season 2010/2011 will be the same as for Season 2009/2010. The Company is considering the possibility of restructuring the League. In the event that any restructuring is to take place for Season 2010/2011 updated and revised guidance will be issued. Any such restructuring would require amendment to be made to the Articles of Association of the Company and to the Rules. At present clubs should proceed on the basis of the guidance set out below.

This guidance is being issued slightly earlier than usual because of the additional Membership Criteria relating to Financial Disclosure Requirements which becomes effective from 1 January 2010. These Financial Disclosure Requirements apply as from 1 January 2010 to existing members of the League during Season 2009/2010. Further, they apply from the same date to all members of the League and the Candidate Club for admission to the League for Season 2010/2011. It is essential that all Clubs in membership of the League during Season 2009/2010 and clubs which are members of the SFL and who wish to be eligible for membership of the League in Season 2010/2011 familiarise themselves and comply with the Financial Disclosure Requirements.

Membership Criteria

The Membership Criteria of the League and related Rules are to be found in Sections A and H of the Rules. Your attention is drawn, in particular, to Rules A1.1 to A2.9 (inclusive) and Rules H6.1 to H6.6 (inclusive). There are additional requirements in relation to stadia elsewhere in the Rules. In addition there are requirements in Section B which must be complied with as a condition of being permitted to Play in the League.

Cont’d.../

31 July 2009

«Title» «FirstName» «LastName»
«Company»

For details of the criteria, arrangements and requirements reference should be made to the Rules.

Set out below is a summary of the principal provisions of the Rules as they relate to, Membership of the League, promotion to and relegation from the League, Ground Registration, stadia requirements and Artificial Pitch requirements.

1. Rule A2.1; the 12 Clubs eligible to participate in the League in any Season shall be the 11 Clubs which comprised the first 11 places in the League in the preceding Season and, subject to it complying with the Membership Criteria of the League, the champion Club of the First Division of the Scottish Football League (“the Candidate Club”) for the same Season. The requirement that the Candidate Club meets the Membership Criteria of the League is to be found in Rule A2.2. If the Candidate Club fails to meet the Membership Criteria of the Scottish Premier League and is not granted a waiver, relaxation or a period of grace by the Board then it will not be promoted and will not be admitted entry to the League. In that circumstance the Club which would otherwise have been relegated will retain its place in the League. This is provided for in Rule A2.3.
2. If a Club fails to fully comply with the Membership Criteria then that Club is liable to such sanction or action as may be decided on at a General Meeting of the Company. This is provided for in Rule A2.4.
3. Rule A2.5; the Membership Criteria of the League are:-
 - membership of the SFA;
 - registration of a Club’s and Candidate Club’s home ground in accordance with the Rules of the League;
 - a Club participating in the League must either own its Registered Ground, whether by itself or through a holding or subsidiary company, or have such rights of occupation or tenure in its Registered Ground as may be approved by the Board;
 - a Club’s Registered Ground for a Season must, by not later than 31st March immediately preceding the relevant Season, satisfy the requirements of the Stadia Handbook, provide and have provided individually numbered seats in areas under cover of a roof for not less than 6,000 spectators and have adequate winter pitch protection as specified in the Rules. Where the Stadia Handbook and the Rules are in conflict then the Rules take precedence. Adequate winter pitch protection means under pitch or underground heated types as specified in Rule H6.6;
 - all Clubs are required to take such steps as the Board consider necessary to implement the development of youth football in Scotland in accordance with the requirements, philosophy and recommendations of the Company;

Cont’d.../

31 July 2009

«Title» «FirstName» «LastName»
«Company»

- a Club or Candidate Club intending to make use of a synthetic or artificial playing surface in The Scottish Premier League will need to comply with the procedures and obtain the appropriate approvals set out in the Rules with respect to such surfaces; and
- all Clubs and the Candidate Club must comply and have complied with the Financial Disclosure Requirements.

This is a new requirement for Season 2010/2011. The Financial Disclosure Requirements are set out at Appendix 3 to the Rules.

In effect, the Financial Disclosure Requirements are that Clubs and the Candidate Club must by the dates set out in the Scottish Football Association National Club Licensing Manual provide to the Company the information required by the Criteria listed in section 7 and all of the relevant Criteria in section 8 of the manual. There are additional requirements for information as set out in Appendix 3. The date by which this material will require to be provided to the Company in any year is 31 March.

Depending on the content of the material provided to the Company, and the assessment undertaken, certain further material may be required as set out in section 8 of the National Club Licensing Manual.

The Rules require compliance with the Membership Criteria by 31 March preceding any Season. Accordingly clubs in membership of the Scottish Football League which may become the Candidate Club will require to have complied with the Financial Disclosure Requirements by 31 March 2010 if they wish to fulfil the criteria to become the Candidate Club for Season 2010/2011.

4. Rule A2.5.3.2; if a Club or a Candidate Club wishes, in relation to any Season, to have, as its Registered Ground, one which it does not own or which is not owned by a subsidiary or holding company of the Club or Candidate Club concerned, then any application for approval of a basis of tenure or occupancy other than such ownership must be made to me by not later than 31st March preceding the Season for which the approval is sought. Likewise any application for waiver, relaxation or period of grace from compliance with any part of the Membership Criteria or for an extension of the period within which a ground may be registered with the League in relation to any Season, must be made in writing to me, by not later than 31st March immediately preceding the Season for which the application is made. These time limits are specified in Rule A2.6.
5. Rule A2.7; the Board may, in its absolute discretion, waive, relax or grant a period of grace in respect of any Club or Candidate Club's requirement to comply with any part of the Membership Criteria and/or the time limit for applications for approval, waiver, relaxation or period of grace etc. and/or for Registration of a ground with the League.

Cont'd.../

31 July 2009

«Title» «FirstName» «LastName»
«Company»

6. The Board is given wide ranging powers of investigation and verification in Rule A2.8 in order to ensure that there is compliance with the Membership Criteria by Clubs and by a Candidate Club.
7. Rule H6.1; all Clubs and the Candidate Club must have Registered or be deemed to have Registered their ground, in writing, with the Secretary, by not later than 1st June immediately preceding each Season.
8. Clubs and prospective Candidate Clubs are reminded of the continuing requirements of Rules H6.2 to H6.5 (inclusive) which require:-
 - non-seated areas of a ground may not be utilised in a Match in the Scottish Premier League;
 - Registered Grounds are required to have floodlights which give a lux value of between 1200 and 1600 lux;
 - there are minimum, recommended and maximum pitch dimensions specified; and
 - Clubs are under obligation to take all reasonable steps to maintain the pitch of their Registered Ground in good order. The Board are entitled to direct a Club to take such steps as it considers necessary in order that an adequate standard of pitch may be secured.
9. Rule H6.6; each Club in membership of the League must ensure that there is an efficient and effective system of winter pitch protection at its Registered Ground and that the system is efficiently and effectively operated. All such systems must be under pitch or underground heated types. Clubs are required to fully utilise those systems where there is a reasonable possibility of a pitch otherwise being frozen or covered in snow or ice such that a League Match may be compromised.

Stadium Tenure and Occupation Arrangements

If a Club or Candidate Club intends to have as its Registered Ground a ground other than one owned by the Club concerned, then such an arrangement requires the approval of the Board in terms of Rule A2.5.

In considering an application for approval of such an arrangement, which includes but is not limited to "groundsharing" the Board is likely to regard the following as relevant:-

- a. that any such arrangement would require to be constituted in the form of a legally binding agreement with the owner, or such other appropriate party who shall have a right of occupation of the ground in question for the whole of the Season;
- b. that any such legally binding agreement must be unambiguous and be in formal legal form;
- c. that the term of any such agreement must be for the whole of the Season;

Cont'd.../

31 July 2009

«Title» «FirstName» «LastName»
«Company»

- d. that such an agreement must contain provisions, satisfactory to the Board, that the Club in question will be able to fulfill each and all of its home fixtures in the League, Scottish Cup and League Cup and make adequate provision for any European competition in which that Club will be involved in the Season, including whether the agreement contains provisions satisfactory to the Board concerning the consequences of failure on the part of a party to the agreement to comply with its obligations in terms of the agreement;
- e. that the terms of such an agreement will be such as will satisfy the Board that the Club in question will be able to fulfill each and all of its relevant obligations as regards facilities, including both for the transmission and broadcasting of home matches, as set out in the Rules of the League and such other football organisations in whose competitions the Club in question will take part during the Season;
- f. whether the Board is satisfied that there will be compliance with Rule H6.5;
- g. that the ground shall satisfy each and all of the requirements of the Rules, or alternatively, that the Club shall have obtained such waiver, relaxation or period of grace from the Board that the Club concerned may require;
- h. that a like application has been made by the same Club for a previous Season; and
- i. any conditions and compliance with such conditions and/or any guidance given in respect of or in relation to a previous like application by the same Club and/or in respect of the same ground.

The above is not intended to be an exhaustive list. Other factors may also be relevant.

The Board is unlikely to be satisfied that a legally binding agreement referred to in paragraph (a) above, will be sufficient to secure an assurance of occupation if the agreement permits the "landlord" to terminate the club's right of occupation if the club in question breaches its obligations in terms of the agreement during the course of the Season. This would include, for instance, a right for the landlord to terminate the club's right of occupation during the course of a Season, if the club concerned failed to meet its financial and/or other obligations under the agreement with the landlord.

In the event that an application in terms of Rule A2.5 is received, then any legally binding agreement which is put forward for consideration to the Board will be examined to ensure that the right of occupation of the ground in question for the whole of the relevant Season is assured, such that the club concerned will be able to fulfill all of its fixture obligations at its Registered Ground (which will be the ground in relation to which the application under Rule A2.5 is made) for the whole of the Season, whether or not that club fulfils its obligations to its landlord.

Synthetic and Artificial Pitches

Rule B23.1 contains a prohibition on League matches being played on a synthetic or artificial playing surface unless certain conditions are met.

Cont'd.../

31 July 2009

«Title» «FirstName» «LastName»
«Company»

In order to be used in a League match a synthetic or artificial playing surface must be designed and constructed to the relevant FIFA standard and it must be demonstrated to the Board that the pitch in question meets and continues to meet the relevant FIFA quality and performance criteria. That standard and the relevant quality and performance criteria is, at present, the "FIFA two star standard".

In **addition** the Board must approve the use of such a synthetic or artificial playing surface in League Matches. Any such application for approval must be submitted to the Secretary by not later than 31st March immediately preceding a Season in which a Club or Candidate Club proposes to use a synthetic or artificial playing surface in League matches. **There is no procedure by which the Board can consider applications for approval received after 31st March in any year where the approval is sought for the immediately succeeding Season.**

Key Dates

1 January 2010 – Financial Disclosure Requirements come into effect.

31 March 2010 – the date by which the Financial Disclosure Requirements must be complied with. **NB for SFL clubs this is one month earlier than the date for compliance with relevant SFA National Club Licensing Requirements by SFL clubs.**

31 March 2010 – the date by which the ground which a Club or Candidate Club intends to Register as its Home Ground for Season 2010/2011 is required to meet the Membership Criteria relating to stadia in Rule A2.5.4.

31 March 2010 – the last date for the making of applications for approval of a basis of tenure or occupation, other than ownership, in relation to a Club's or Candidate Club's prospective Registered Ground for Season 2010/2011.

31 March 2010 - the last date for making an application for a waiver, relaxation or period of grace in relation to all or any part of the Membership Criteria for Season 2010/2011.

31 March 2010 – last day for making an application for approval of the use of a specified synthetic or artificial playing surface and pitch in League Matches in Season 2010/2011.

1 June 2010– the last date for Registration of a Club's or Candidate Club's Home Ground for Season 2010/2011.

Any of the above applications and Registration must be made/notified to me in writing not later than the relevant specified date.

SFL first division clubs are reminded that the above key dates apply whether or not the Candidate Club for Season 2010/2011 has or has not been identified by the relevant date.

Cont'd.../

31 July 2009

**«Title» «FirstName» «LastName»
«Company»**

Any SFL first division club which considers that there is the slightest possibility of it becoming the Candidate Club for Season 2010/2011 is advised to make any and all of the above applications which it might require to make in order for it to become a Member and to play in the League for and during Season 2010/2011 by the relevant date(s).

Please contact me if you have any difficulties or queries regarding any aspect of the above.

A copy of this letter will be placed on the Clydesdale Bank Premier League website.

Yours sincerely

Iain Blair
Company Secretary
The Scottish Premier League Limited

Enc

cc SPL Board Members
Gordon Smith, Chief Executive, SFA
David Longmuir, Chief Executive, SFL