

6 November 2023

**TO: SWPL CLUBS
SWF CHAMPIONSHIP CLUBS**

Circulated by email only

Dear Colleagues

**The Scottish Women's Premier League Limited ("the Company")
The Scottish Women's Premier League ("the SWPL")
Membership of the League for Season 2024/25**

Introduction

On 25 May 2022, SWPL Clubs signed a participation agreement, enabling them to participate in the newly formed SWPL. On that day, the Articles of Association, and the Rules were also agreed and adopted. As part of the adopted Competition Rules, Clubs must adhere to the Membership Criteria of the League.

Following the commencement of each Season, the SWPL will issue a letter in the same general form as this letter, which will be adjusted in appropriate terms from Season to Season, setting out to member "**Clubs**" and clubs which might potentially become a member of the SWPL through promotion ("**Candidate Clubs**"), the Membership Criteria of the SWPL and other related considerations for the next following Season.

The relevant Season to which this letter primarily relates is Season **2024/25** although there may be some information updates which may require attention during Season **2023/24**.

There have been no substantive amendments to the Membership Criteria of the SWPL from Season 2023/24 to Season 2024/25.

Copies of the Articles of the Company and the Competition Rules which have previously been circulated to Clubs, are attached for ease of reference, and are also available via the SWPL website ([Scottish Women's Premier League](#)). Capitalised words and phrases defined in the Articles and Rules have the same meanings in this letter.

The SWPL Membership Criteria set out at **Rule D4** and referred to in this letter, apply to membership of the SWPL in both Seasons 2023/24 and, unless amended, 2024/25. Any changes in the SWPL Membership Criteria which may be later adopted during Season 2024/25 will be notified to you.

SWPL Membership Criteria

Below is a summary of the principal provisions of the Competition Rules as they relate to, Membership of the SWPL, Ground Registration, Stadia requirements, Artificial Pitch requirements and Financial Fair Play. Reference is also made to Guidance relating to Unacceptable Conduct and to the Rules of the League Play-Off Competition.

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Existing Waivers etc

Please note that all existing waivers, periods of grace and approvals previously given will, unless expressly stated otherwise, expire at the end of Season 2023/24 and will not apply to Season 2024/25. All Clubs and Candidate Clubs must therefore carefully consider whether they require approval(s)/waiver(s)/periods of grace etc. for Season 2024/25 and make any required written applications to the Company Secretary for consideration by the SWPL Board on or prior to **31 March 2024**.

“Candidate Club”

The term **Candidate Club** refers to any club which, on sporting merit, may be eligible to participate in the SWPL either directly by winning SWF’s Championship, or as a consequence of winning a Play-Off Competition, subject to compliance with SWPL Membership Criteria; for present purposes this is a reference to the League Play-Off Competition at the end of Season 2023/24 and potential promotion to SWPL2 for Season 2024/25.

All Clubs in membership of SWF’s senior competition are potentially the Candidate Club and each should carefully consider now what measures/steps each would require to take to meet the SWPL Membership Criteria and/or any approvals/waivers/period(s) of grace each would require in order for it to be permitted to (i) participate in the League Play-Off Competition at the end of Season 2023/24; and (ii) to be promoted to SWPL 2 of the SWPL, if successful as the winner of that League Play-Off Competition for Season 2024/25.

Since the Membership Criteria compliance date is **31 March prior to any Season** this requires all clubs in SWF, which consider that they have any prospect of being a Candidate Club, to ensure compliance with the SWPL Membership Criteria and/or the making of any required applications for approval/waiver/period(s) of grace not later than **31 March 2024**, i.e. some weeks in advance of knowing which club will be the champion/play off club of the league.

SWPL Membership Criteria and SWPL Rules

The Membership Criteria of the SWPL and related Rules are to be found in **Sections D and H** of the SWPL Competition Rules. Your attention is drawn, in particular, to **Rules D1 to D8** (inclusive) and **Rules H1 to H21** (inclusive). In addition, there are requirements in **Section B** which must be complied with as a condition of being permitted to play in the SWPL and in **Section G** in relation to fixtures. **Section C** of the Rules describes the structure and operation of the League.

Summary of SWPL Membership Criteria and Related Matters

For full details of the SWPL Membership Criteria, arrangements and requirements reference should be made to the Competition Rules.

1. **Rule C1 and C2:** the 20 Clubs eligible to participate in the SWPL in any Season shall be the 20 leading women’s football clubs in Scotland. The same 20 Clubs will, subject to the result of the League Play-Off Competition at the end of Season 2023/24 and the provisions of the Rules summarised below, be the Clubs of the SWPL during Season 2024/25.
2. At the end of Season 2023/24 there is provision for a League Play-Off Competition in terms of **Rule C27**, in which the Club occupying the 19th position in the SWPL will, subject to the SWF club in position 2 of their top league meeting the SWPL Membership Criteria and having regard to SWPL Board decisions on approvals, waivers and/or period(s) of grace, be required

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to take part. The current Rules for the operation of the League Play-Off Competition are included in the SWPL Competition Rules.

3. **Rule D3:** if a Club, in the opinion of the SWPL Board, fails or would fail to fully comply with the SWPL Membership Criteria if it participates or were to participate in the SWPL in any Season and no relevant approval, waiver and/or period of grace is granted by the SWPL Board, then that Club is liable to such sanction or action as may be decided on by the SWPL Board.

4. **Rule D4:** the Membership Criteria of the League are:-
 - membership of the Scottish FA, which includes both full members and registered members. A club shall be admitted as a registered member automatically by reason of it participating in the SWPL;

 - Registration of a Club's and Candidate Club's Home Ground with the SWPL by 1 June, in accordance with Rule H13;

 - a Club participating in the League must have entered into and be entitled to participate, in terms of a Participation Agreement with the Company which is to be signed by a Candidate Club on promotion to the SWPL;

 - a Club and Candidate Club when participating in the SWPL 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 SWPL Board;

 - Clubs' and Candidate Clubs' Registered Grounds for a Season must, by not later than 31 March immediately preceding the relevant Season, comply with the stadia criteria at the Scottish FA Entry Level Standard;

 - Rules H18 (floodlighting) and H19-H20 (pitch dimensions) must be complied with;

 - a Club and Candidate Club must comply with Rule H23 and provide a copy of its safety certificate as referred to in Rule H22, unless it has previously been provided or it is not required by law, to the Secretary not less than one month prior to the start of each season;

 - all Clubs are required to take such steps as the SWPL Board considers necessary to implement the development of youth football in Scotland in accordance with the requirements, philosophy and recommendations of the Company;

 - Clubs and Candidate Clubs intending to make use of a synthetic or artificial playing surface for SWPL Matches must comply with the procedures and obtain the appropriate approvals, including from the SWPL Board, as set out in Rule H4;

 - all Clubs and Candidate Clubs must have sent to and had received by the Secretary, a fully completed and signed declaration and certificate confirming compliance with No Overdue Payables as at 31 January 2024 in a form specified by the Board and in accordance with

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Rule E31.7. The date by which the required declaration and certificate must be provided is 31 March 2024.

Approvals, Waivers and Periods of Grace

Any application for a waiver, relaxation or period(s) of grace from compliance with any part of the SWPL Membership Criteria or for an extension of the period, within which a ground may be registered with the SWPL in relation to Season 2024/25, must be made in writing to the Company Secretary, by not later than **31 March 2024**. This time limit is specified in **Rule D5**.

Rule D6: The SWPL Board may, in its absolute discretion, waive, relax or grant a period of grace in respect of any Club or the Candidate Clubs requirement to comply with any part of the SWPL Membership Criteria and/or the time limit for applications for approval, waiver, relaxation or period(s) of grace etc. and/or for registration of a ground with the SWPL.

Verification of Compliance with SWPL Membership Criteria

The SWPL Board is given wide ranging powers of investigation and verification in **Rule D7** in order to ensure that there is compliance with the SWPL Membership Criteria by Clubs and by the Candidate Clubs.

Financial Fair Play

Rule E31.7 required that Clubs and the Candidate Clubs are under an obligation to certify that they have no Overdue Payables as regards other football clubs, football authorities (primarily SWPL and Scottish FA), overdue payments to players and coaching staff (primarily remuneration and pension obligations) and no overdue sums in relation to employment taxes **as at 31 January** of that year and provide certification by no later than **31 March of the same year**. Additionally, by the same date, Clubs and the Candidate Clubs must declare and certify that they were in compliance with National Minimum Wage requirements as at **31 January of that year**. This declaration and certification now form part of the Membership Criteria of the SWPL.

Please ensure that the Certificates of No Overdue Payable and Undertaking of Compliance with National Minimum Wage requirements **are not** submitted prior to the 31 January 2024 reference date.

Please note that in terms of **Rule E17**, any failure by a Club to meet pensions obligations and/or to deliver on employment contract benefits in kind is a Remuneration Default.

Registration of Grounds

Rule H13: all Clubs and the Candidate Club must have registered or be deemed to have registered their Home ground for SWPL Matches for Season 2024/25, in writing, with the Company Secretary, by not later than **1 June 2024**. If a Club's Home Ground is already registered with the SWPL for Season 2023/24 that registration will be deemed, providing there has been no relevant change in circumstances, continued for Season 2024/25 (**Rule H16**).

Other Stadia Requirements

Clubs and the Candidate Clubs are reminded of the continuing requirements of:-

- **Rule H11:** Each Club is under an obligation to ensure that the pitch at its Registered Ground or other ground at which it is authorised by the SWPL Board to play its Home

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Matches is smooth and in good condition and repair and that it has an efficient and effective drainage system so that it does not become unplayable due to flooding;

- **Rule H12:** The SWPL Board is entitled to direct a Club to take such steps as the SWPL Board considers necessary in order that the pitch at its Registered Ground or other ground where it is authorised to play its Home Matches is put into and maintained in good condition and repair;
- **Rule H18:** Registered Grounds or other grounds authorised for the playing of Home Matches are required to have floodlights which give minimum lux and other values based on the Division in which the Club plays: The Scottish Football Association Women's National Club Licensing Manual Silver Standard (SWPL1 Clubs) and Bronze Standard (SWPL2); and
- **Rule H19:** there are minimum and maximum recommended pitch dimensions,

A failure to comply with these requirements is a breach of the Rules and would result in the relevant Club being liable to a range of possible sanctions.

Stadium Tenure and Occupation Arrangements

Rule D4.4.2: if a Club or Candidate Club wishes, in relation to Season 2024/25, 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 the Company Secretary for consideration by the SWPL Board, by not later than **31 March 2024**.

In considering an application for approval of such an arrangement covering Season 2024/25, which includes but is not limited to "ground sharing", the SWPL Board is likely to regard the following as relevant:-

- a. such an agreement must contain provisions, satisfactory to the SWPL Board, that the Club in question will be able to fulfil each and all of its Home fixtures in the SWPL, Scottish Cup and League Cup and make adequate provision for any European competition in which that Club may 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;
- b. the terms of such an agreement are such as will satisfy the Board that the Club in question will be able to fulfil each and all of its relevant obligations as regards facilities, including for the recording, transmission and broadcasting of Homes matches, as set out in the Rules and such other football organisations in whose competitions the Club in question will take part during the Season;
- c. whether the Board is satisfied that there will be compliance with **Rule H11** (Pitch Condition);
- d. that the relevant 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 may be required;

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- e. whether a like application has been made by the same Club for a previous Season; and
- f. 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.

All Clubs and clubs in membership of SWF should consider the basis on which they occupy their Home Ground and consider whether they require to make an application for approval by the SWPL Board for Season 2024/25, on or prior to **31 March 2024**, in terms of **Rule D4.4.2**.

Synthetic and Artificial Pitches

Rule H4 contains a prohibition on Official Matches being played on a synthetic or artificial playing surface unless certain conditions are met.

In order to be used in an Official Match a synthetic or artificial playing surface must be designed and constructed to the relevant FIFA standard (currently 'FIFA Quality Programme for Football Turf'¹) and it must be demonstrated to the SWPL Board that the pitch in question meets and continues to meet the relevant FIFA quality and performance criteria which, from 26 October 2015, is 'FIFA Quality Pro'.

Per **Rule H4.2** it is the highest FIFA standard which is applied to synthetic or artificial playing surfaces used in SWPL Matches; accordingly, all artificial and synthetic surfaces used in SWPL Matches must be played on surfaces which have a current FIFA Quality Pro certification.

In addition to meeting the relevant FIFA criteria, the Board must approve the use of any synthetic or artificial playing surface proposed to be used in an Official Match. Any such application for approval for Season 2024/25 must be submitted to the Company Secretary by not later than **31 March 2024**. Such Board approval, when given, has continuing effect and does not require to be renewed annually unless and until the Board becomes concerned that a particular synthetic or artificial playing surface proposed to be used in SWPL Matches may no longer be compliant with the relevant FIFA standard, in which case further procedures may be applied and/or the approval be required to be issued by the SWPL.

Appeals

Clubs and clubs in the SWF have a right to appeal to the Scottish FA Appeals Judicial Panel against decisions of the Board of the SWPL in relation to compliance with SWPL Membership Criteria and related decisions. Time limits apply to such appeals. For details of appeals procedures, time limits and requirements see the Scottish FA Judicial Panel Protocol.

Key Dates Summary

31 March 2024 – the date on which the ground which a Club or Candidate Club intends to Register as its Home Ground **for Season 2024/25** is required to meet the SWPL Membership Criteria relating to stadia in **Rule D4.4**.

¹ https://football-technology.fifa.com/media/1026/fifa_quality_programme_for_football_turf.pdf

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31 March 2024 – the last date for the making to the SWPL of an application for approval of a basis of tenure or occupation, other than ownership, in relation to a Clubs' and the Candidate Clubs prospective Registered Ground **for Season 2024/25**.

31 March 2024 - the last date for making an application to the SWPL for a waiver, relaxation or period of grace by Clubs and the Candidate Club in relation to all or any part of the Membership Criteria for **Season 2024/25**.

31 March 2024 – the last date for the making to the SWPL of an application by Clubs and Candidate Clubs for approval of the use of a specified synthetic or artificial playing surface and pitch in League Matches and League Play-Off Matches for **Season 2024/25**.

31 March 2024 – the date by which Clubs and Candidate Clubs are obliged to declare and certify that **as at 31 January 2024** they had no overdue payables etc. and that they were in compliance with the NMW.

1 June 2024 – the last date for registration or deemed registration with the SWPL of Clubs' and the Candidate Clubs Home Ground for **Season 2024/25**.

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

League Play-Off Competition

Provision is made in **Rule C23** for a League Play-Off Competition to take place at the end of each Season between the Club in 19th place in the SWPL and the second placed team of SWF's top League in a single League Play-Off Match.

In order to be entitled to participate in League Play-Off Competition Matches the SWF club must first have either complied with the SWPL Membership Criteria or have secured from the Board of the SWPL any necessary approval, waiver and/or period of grace. If the SWF club fails to so comply and/or secure, then it/they are prohibited from participating in the League Play-Off Competition.

Conclusion

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 SWPL website at [Scottish Women's Premier League](#).

Yours sincerely



Molly Hyde
Company Secretary
The Scottish Women's Premier League Limited

cc SWPL Board Members
Ian Maxwell, Chief Executive, Scottish FA
Aileen Campbell, Chief Executive, Scottish Women's Football