

IN THE MATTER OF A BREACH OF THE EFL REGULATIONS

BETWEEN:

THE FOOTBALL LEAGUE

The EFL

- and -

PETERBOROUGH UNITED FOOTBALL CLUB

The Club

AGREED DECISION

Introduction and Factual Background

1. This is an Agreed Decision pursuant to EFL Regulation 86.
2. The EFL conducted an investigation into the Owners' and Directors' Test Declaration for Mr David Paton, which was submitted to the EFL by the Club in relation to the role of Chief Executive Officer in relation to Mr Paton's appointment to the role of Chief Executive Officer at the Club.
3. As a result, the Club was charged with failing to comply with Rules 2.5.1, 2.6 and 4.4 of Appendix 3 of the EFL Regulations (the "**Charges**").
4. The relevant Regulations provide:

Appendix 3

2.5 *If any person proposes to become a Relevant Person of that Club (including for the avoidance of doubt by virtue of being a shadow director or but not including any instance where a Person is proposing to acquire Control of the Club):*

2.5.1 *the Club shall no later than 10 Normal Working Days prior to the date on which it is anticipated that such person shall become a Relevant Person submit to The League a duly completed Declaration in respect of that person, at which point that person shall be bound by and subject to the Regulations; and*

2.5.2 *within 5 Normal Working Days of receipt thereof The League shall advise the Club of the time-frame within which The League, acting reasonably, expects to be able to finalise its enquiries in respect of that person; and*

2.5.3 *following completion of those enquiries, The League shall advise the Club in accordance with Rule 4.1 whether or not The League considers that the person is subject to a Disqualifying Condition*

2.6 *A person who proposes to be a Relevant Person may not do anything that brings them within the definition of a Relevant Person, and the Club may not permit them to do anything that brings them within that definition, unless and until the Club has received confirmation from The League in accordance with Rule 2.5(c) that as far as The League is aware the person is not subject to any Disqualifying Condition.*

4.4 *A Club must not permit any person who is subject to a Disqualifying Condition either to become a Relevant Person or (if they were already a Relevant Person before the Disqualifying Condition arose) to continue to be a Relevant Person for the Club, for so long as the Disqualifying Condition subsists.*

5. The Club admitted the Charges.

Agreed Decision and Sanction

6. Regulation 86 allows the EFL and a Club to enter an Agreed Decision where it is appropriate in the circumstances to conclude a matter effectively and equitably without referring the matter to a Disciplinary Commission.

7. Accordingly, the EFL Board invited the Club to consider the following proposed sanction in respect of the Charges:

a. a suspended 3-point deduction to be immediately activated in the event that on or before 31 December 2023 the Club is found to have breached Paragraphs 2 and/or 4 of Appendix 3 of the EFL Regulations;

b. the Club is fined £50,000. The fine shall be payable by way of 12 equal monthly instalments, on the final working day of each month, the first such instalment to be paid no later than 31 January 2023;

c. the Club agrees to bear the costs of the EFL and ratification of the Agreed Decision;
and

d. the Agreed Decision is to be published on EFL.com,

together the “**Proposed Sanction**”.

8. The Club accepted the Proposed Sanction.
9. The parties agree that entering into this Agreed Decision shall not constitute a waiver by the EFL of its rights or remedies (however so arising) in respect of any future breaches of the EFL Regulations by the Club, including but not limited to any further breaches of Regulation 63.7.

A handwritten signature in black ink, appearing to read 'Katherine Apps', written in a cursive style.

Katherine Apps

10th January 2023