



WE CARE ABOUT FOOTBALL

BRUSSELS, 17 NOVEMBER 2017

Plenary Meeting of the Sectoral Social Dialogue Committee for Professional Football



SOCIAL DIALOGUE, PLENARY MEETING – BRUSSELS, 17 NOVEMBER 2017

1. Welcome to and opening of the meeting

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SOCIAL DIALOGUE, PLENARY MEETING – BRUSSELS, 17 NOVEMBER 2017

2. Approval of the agenda

Agenda (1/2)

1. Welcome to and opening of the meeting
 2. Approval of the agenda
 3. Minutes from the previous meeting (17th November 2016)
 4. Update and information to be shared by the parties
 5. Working group on the implementation of the Autonomous Agreement
 - 5.1. Assessment of implementation process
 - 5.1.1. National updates
 - 5.1.2. Examples of good practice
 - 5.1.3. Other remarks or observations
 - 5.2. Next steps
- ...
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Agenda (2/2)

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6. Working group on labour market regulations
 - 6.1. Resolution on intermediaries/agents
 - 6.2. Other remarks or observations
 7. Initial discussion on 2018 work programme
 8. Information from the European Commission on other EU sports-related initiatives
 9. Calendar of meetings in 2018
 10. Any other business
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3. Minutes from the previous meeting (17th November 2016)

3. Minutes of the previous meeting (17th November 2016)



Brussels, 10 February 2017

Sectoral Social Dialogue Committee on Professional Football

DRAFT Minutes of the Plenary Meeting

17 November 2016

1. Welcome and adoption of the agenda

The meeting was chaired by Mr Zylberstein (UEFA).

In their introductory remarks the heads of all delegations stressed their commitment to social dialogue and their intention to invest further, so to improve the situation in the sector. Speakers indicated that they saw some progress towards a culture of dialogue in the sector. On behalf of EPFL Mr. Pangl stressed that he feared the decision taken on 26 August by the UEFA Executive Committee could have strong negative impact on smaller clubs. The chair intervened, explaining that this topic should not be part of the work of this Committee but that other fora were better placed, also indicating that one could come back to some more concrete points under later points of the agenda. This position was accepted by the members of the Committee.

The agenda for the meeting was approved.

The minutes of the previous plenary meeting were adopted with a change in point 3.

2. Working Group on Implementation of the Autonomous Agreement

2.1. The Implementation Process

In 2016 there were only two site visits, but other ways of promoting and monitoring the implementation of the autonomous agreement were used. Amongst those was a survey on the status of implementation which was sent out to national associations, clubs, leagues and trade unions. The responses give a good picture of the situation in almost all concerned countries. Positive conclusions being that there is (social) dialogue in the vast majority of them and that progress has been made with the standard contract requirement. The importance of dialogue with public authorities and of the systematic case-by-case approach was also highlighted.

The main reason for the still varying progress and some of the peculiarities was seen in a lack of shared will of the national stakeholders. Discussions with national authorities have helped to facilitate the transition from civil law to labour law employment contracts in some countries, whereas in other countries civil law contracts are still prevailing

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4. Update and information to be shared by the parties

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UEFA “good-governance” reforms voted in April 2017 (1/2)

-  **“Ethics” and “good governance” as statutory objectives**
 -  **Term-limits for UEFA President & ExCo members**
 -  **Stakeholder representation in UEFA ExCo**
 -  **‘Active office’ requirement for UEFA ExCo members**
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UEFA “good-governance” reforms voted in April 2017 (2/2)



Transparency of bidding procedures



Ethical provisions in UEFA disciplinary framework



UEFA committee structure



Strengthened ‘Governance & Compliance committee’





ECA Governance Changes

LEADING THE WAY FOR FOOTBALL CLUBS IN EUROPE

- New ECA Statutes approved by the ECA General Assembly (09/17) and new organisational regulations were approved by the ECA Executive Board (10/17)
- Evolutions based on:
 - Greater member participation and representation
 - Promotion of trustful and closer working relationship between Executive Board and Members
 - Enhanced process and involvement/influence of members in shaping key ECA decisions
 - Strengthened connection among clubs from different sizes and regions
 - Maintaining continuity at top level representation



Key changes to ECA Statutes and Organisational Regulations

LEADING THE WAY FOR FOOTBALL CLUBS IN EUROPE

A. Enlarged participation & enhanced process

- Subdivision representative in addition to elected Board Members
- Deepening consultation in decisions (Platform for Executives' Consultation "PEC")
- Strengthening link between Working Groups and Executive Board (WG Bureaus)

B. Cycle & Membership

- Membership Cycle increased from 2 to 4 years (more stability and alignment with UEFA Cycle)
- Clubs from newly affiliated countries entitled to ECA Membership



Key changes to ECA Statutes and Organisational Regulations

LEADING THE WAY FOR FOOTBALL CLUBS IN EUROPE

C. ECA Internal Governance

- Term limits for ECA Chairman and Board Members
- Open and transparent procedures for appointments of ECA representatives in football bodies
- Limitation on number of positions in football bodies held by individual ECA representatives
- Obligations on anyone holding a function within ECA or is appointed by ECA (avoid conflict of interests, comply with Statutes etc.)

D. ECA Representation

- Two ECA representatives are elected by Executive Board as full members to the UEFA ExCo

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New EPFL Statutes



- **Overall revision of EPFL's bylaws**
- **Clear and straightforward statutes**
- **Good governance principles**
(democracy, term limits, transparency, inclusion of stakeholders, etc)

New EPFL Statutes



«To enhance and protect competitive balance within domestic football competitions» has been included in

- **Objectives**

«Inactive members» as a new category has been created in

- **Membership**

Faster and more efficient decision-making processes led to

- **Power and competences of EPFL bodies**

New EPFL Statutes



- **New quorum for**
 - **General Assembly / Supreme body of the EPFL**

- **New quorum and term limits for**
 - **Board of Directors / Executive body**

- **New title for**
 - **President / Former chairman**

New EPFL Statutes



- **Advisory Platform**
 - Strategic Committee for Football Matters
 - Strategic Committee for Business, Regulatory and EU Matters
- **New Club Advisory Platform**



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5. Working-group on the implementation of the Autonomous Agreement

5. Autonomous Agreement – National updates



Malta (29 November 2016)



Serbia (7 February 2017)



Georgia (6 March)



Romania (11 April)



Kazakhstan (3 May)



Slovakia (12 June)



Gibraltar (27 October)



Turkey (11 December)



5. Autonomous Agreement – National updates

Approach during visits:



In-depth assessment of national situation



Strengthened assistance on open issues



**Custom-made action plan
(including strict deadlines)**



Increased monitoring

5. Autonomous Agreement – Examples of good practice



Croatia

- Progress re: use of employment contracts
- Equal representation within NDRC
- Clubs/players represented within FA General Assembly
- Extensive support from FA re: overdue payables / insolvency proceedings



Slovakia

- Switch from self-employment to employment contracts
 - Working group involving FA, players, clubs
 - Social dialogue as a means to address other issues
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6. Working group on labour market regulations

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6. Resolution on Intermediaries/Agents – Context



Resolution on Intermediaries/Agents – Findings (1/3)

New FIFA regulations failed to address serious concerns



Implementation process



Transparency in financial transactions



Increased number of “intermediaries”



Decreased quality of services provided to clubs / players



Fuelled inflation of intermediary fees

Resolution on Intermediaries/Agents – Findings (2/3)

New FIFA regulations failed to address serious concerns (cont.)



Increased conflicts of interest



Lack of consistency in national implementation



Increased administrative burden



Sanctions not far reaching enough



Rules can be circumvented too easily

Resolution on Intermediaries/Agents – Next steps



Towards a harmonised approach for intra-European transactions?



cap on fees for intermediaries/agents



enhanced transparency, disclosures and accountability



appropriate and dissuasive sanctions



stronger provisions to protect minors



efficient monitoring and enforcement framework



6. Working group on labour market regulations



Does the Plenary
approve the proposed
resolution on
intermediaries/agents?

6. Working group on labour market regulations

Resolution
approved





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7. Initial discussion on 2018 work programme

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8. Information from the European Commission on other sports-related initiatives



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SOCIAL DIALOGUE, PLENARY MEETING – BRUSSELS, 17 NOVEMBER 2017

9. Calendar of meetings in 2018

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Working Groups

- 5 February
- 17 September



Steering Group

- 17 May
- 11 October



Plenary

- 22, 23 or 30 November





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10. Any other business