



 BRUSSELS, 20 NOVEMBER 2014

Plenary Meeting
of the Sectoral Social Dialogue Sector
on “Professional Football”

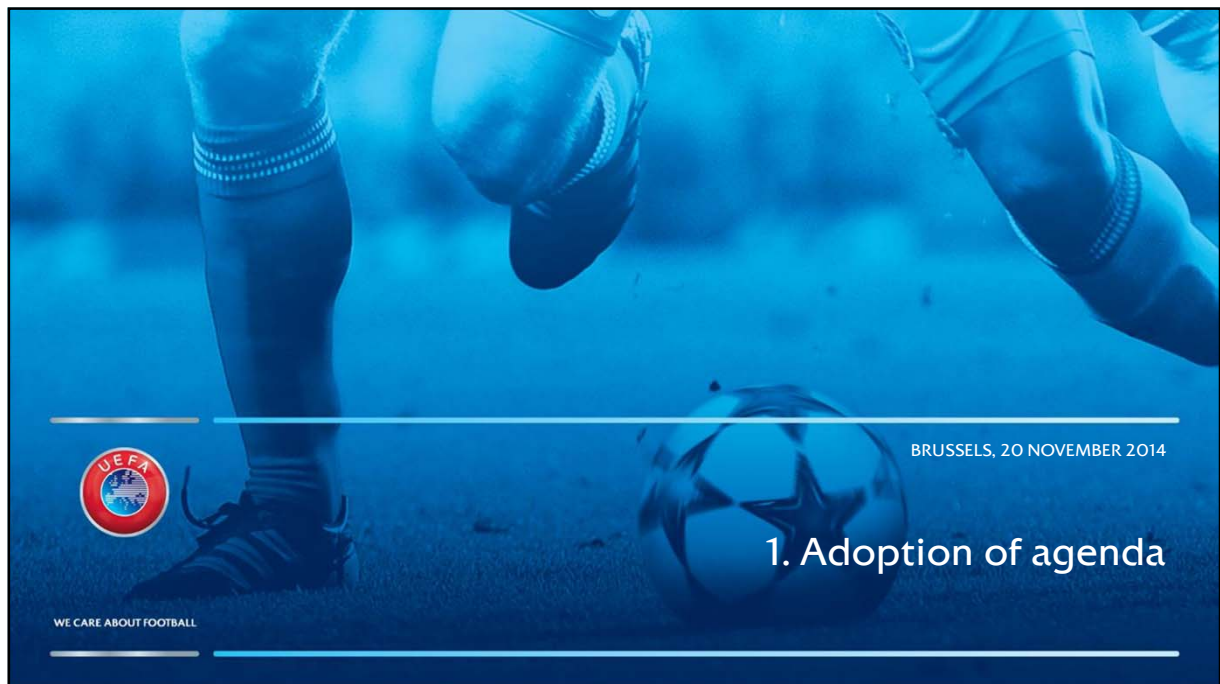
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 BRUSSELS, 20 NOVEMBER 2014

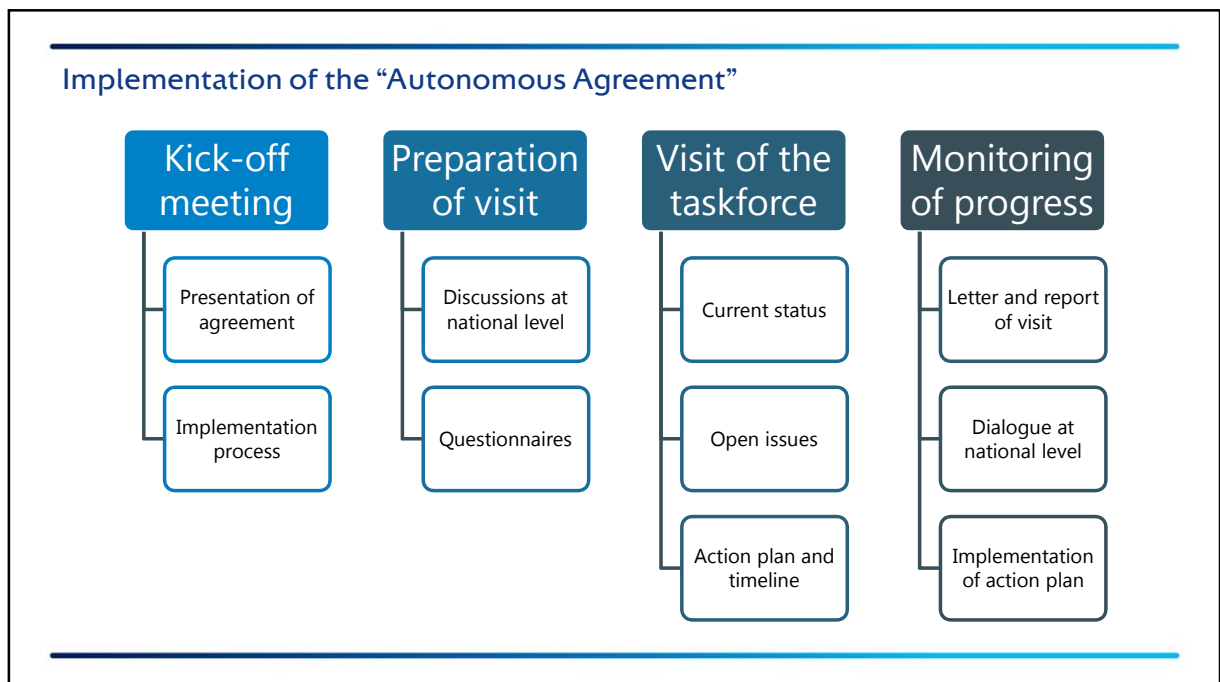
Welcome by the Chair

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Agenda

1. Adoption of the agenda
2. Report from the Steering group
 - a) Working group on implementation of the "Autonomous Agreement"
 - i. *Status quo*
 - ii. *Next steps*
 - iii. *Seminar on national dispute resolution chambers and club disciplinary procedures*
 - b) Working group on respect of contracts
 - i. *Update on UEFA and FIFA working groups*
 - ii. *Mapping of regulations on overdue payables*
 - iii. *Next steps*
 - c) Working group on career funds
 - i. *Status quo*
 - ii. *Career funds toolkit*
3. Work programme 2015
4. Information from the Commission on other sports-related initiatives
5. Study on sports organisers' rights in the EU
6. Calendar of meetings for 2015 (plenary meeting: 19 November 2015)
7. Any other business



Summary of visits to priority countries

- High quality feedback received from NA and stakeholders ahead of the meeting
- Positive effect of visits of European stakeholders
- Constructive and positive atmosphere in most meetings



Summary of visits to priority countries

- Each country has diverse issues and structures (Applicable legislation, existence of organisation representing social partners, etc)
- Case-by-case approach is required
- Progress following visit vary significantly

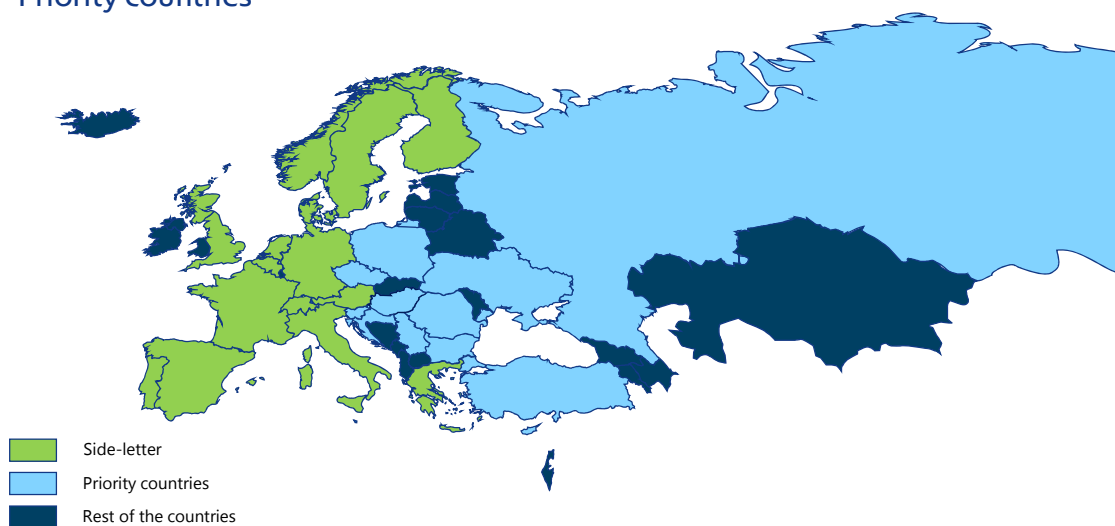


Development at European level

Extension of the agreement approved by the PFSC

2015 → **2017**

Priority countries

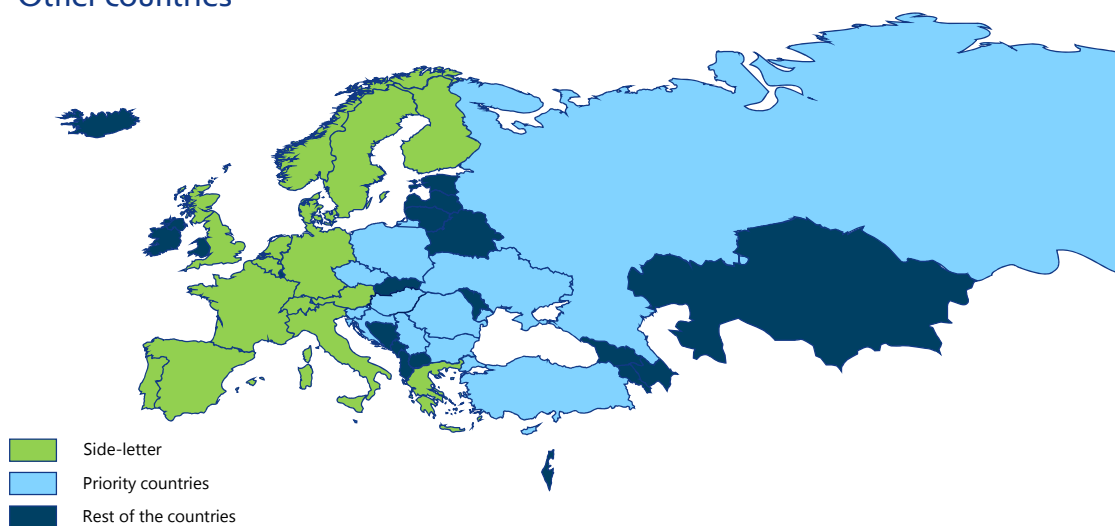


Timing for priority countries

What is the timeframe of the implementation?

2012 → **2015**

Other countries



Timing for other countries

What is the timeframe of the implementation?

2012 → **2016**

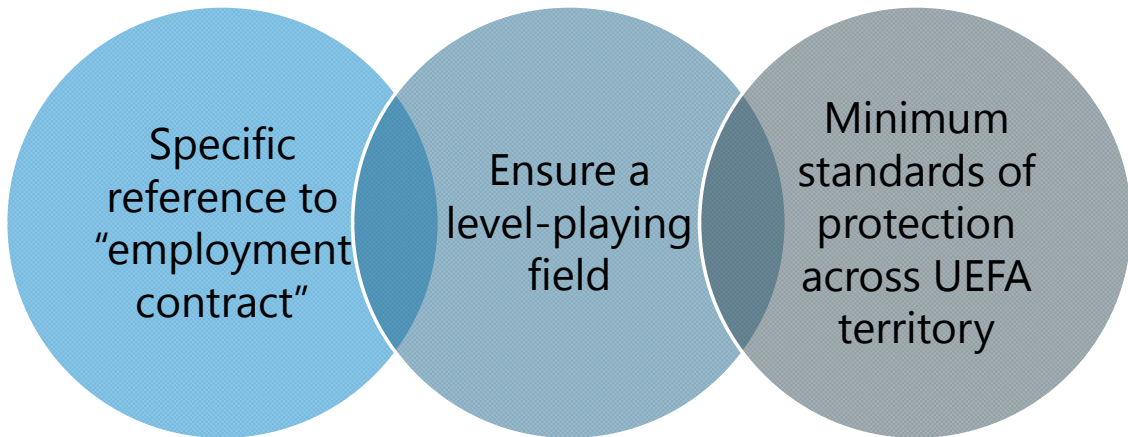
Prolongation of “Autonomous Agreement”

Deadline extension for implementation on a case-by-case basis

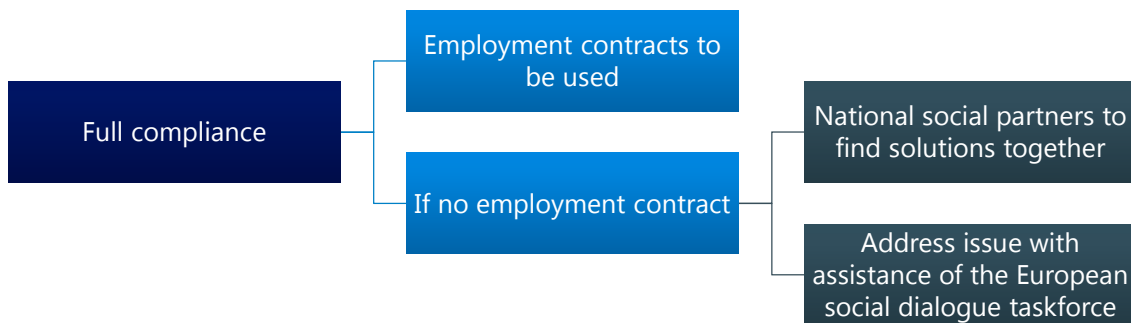
If additional time required, clear action plan to be agreed at national level

Increased monitoring and support in case of extended deadline

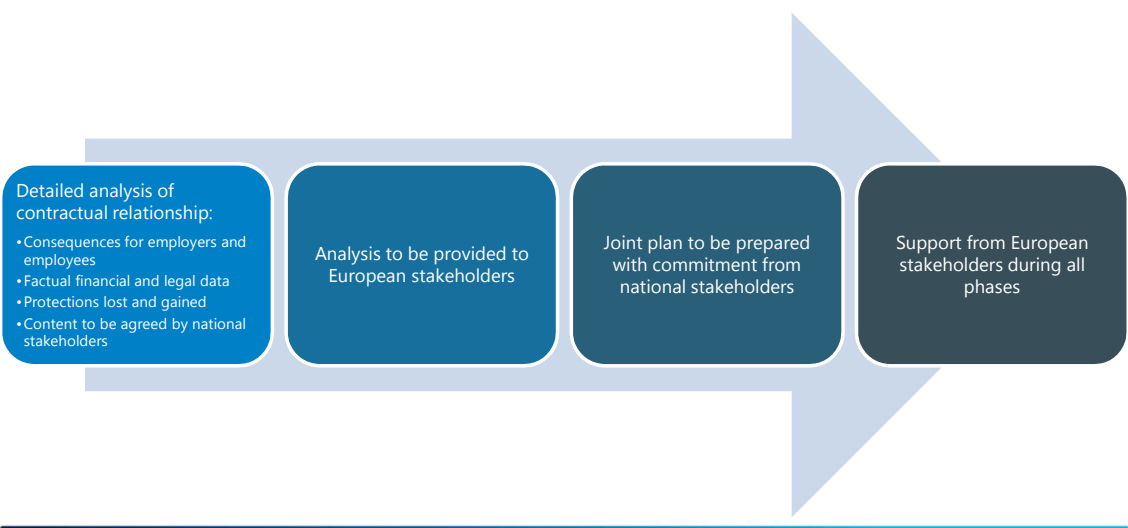
Self-employed contract: Position of steering group



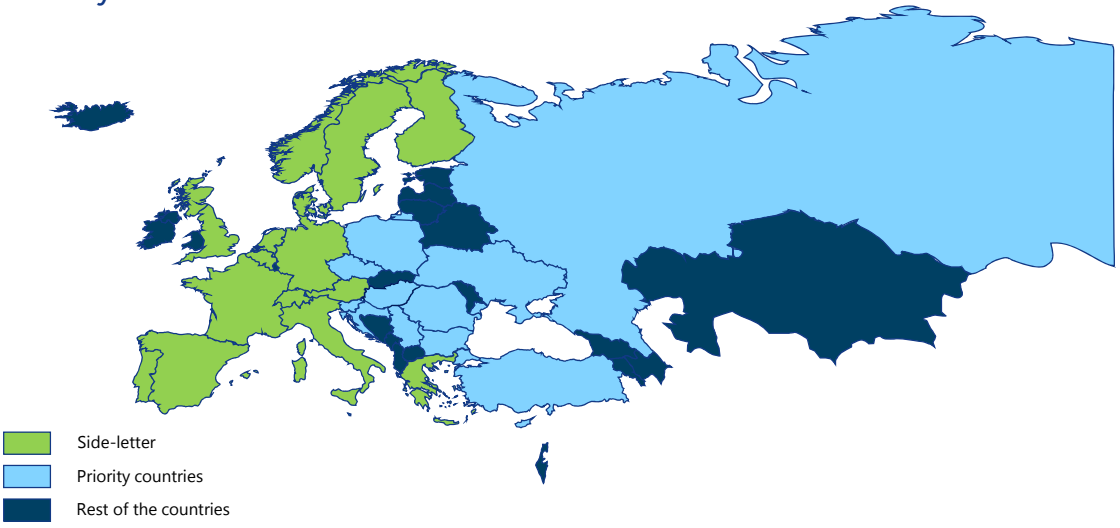
Self-employed contract: Position of steering group



Self-employed contract – Step-by-step approach



Priority countries



Priority countries

- Bulgaria
 - Croatia
 - Cyprus
 - Czech Republic
 - Hungary
 - Poland
 - Romania
 - Russia
 - Serbia
 - Slovenia
 - Turkey
 - Ukraine
-

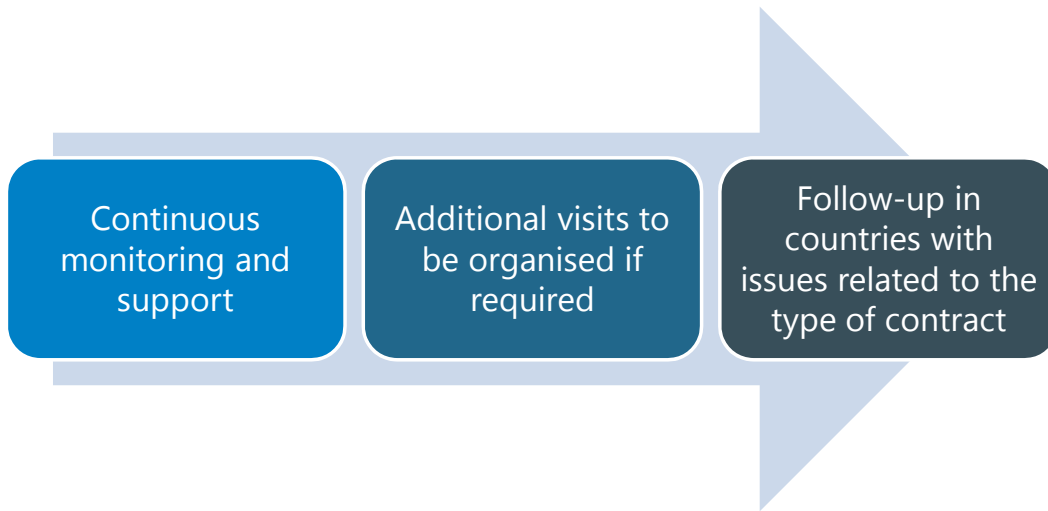




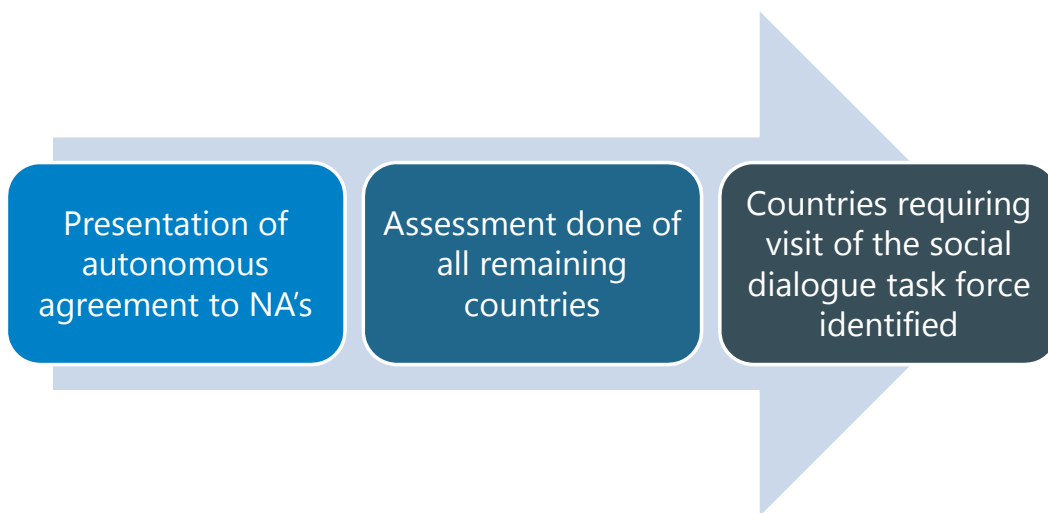
2. Report from the steering group
a. Working group on implementation of the “Autonomous Agreement”
ii. Next steps

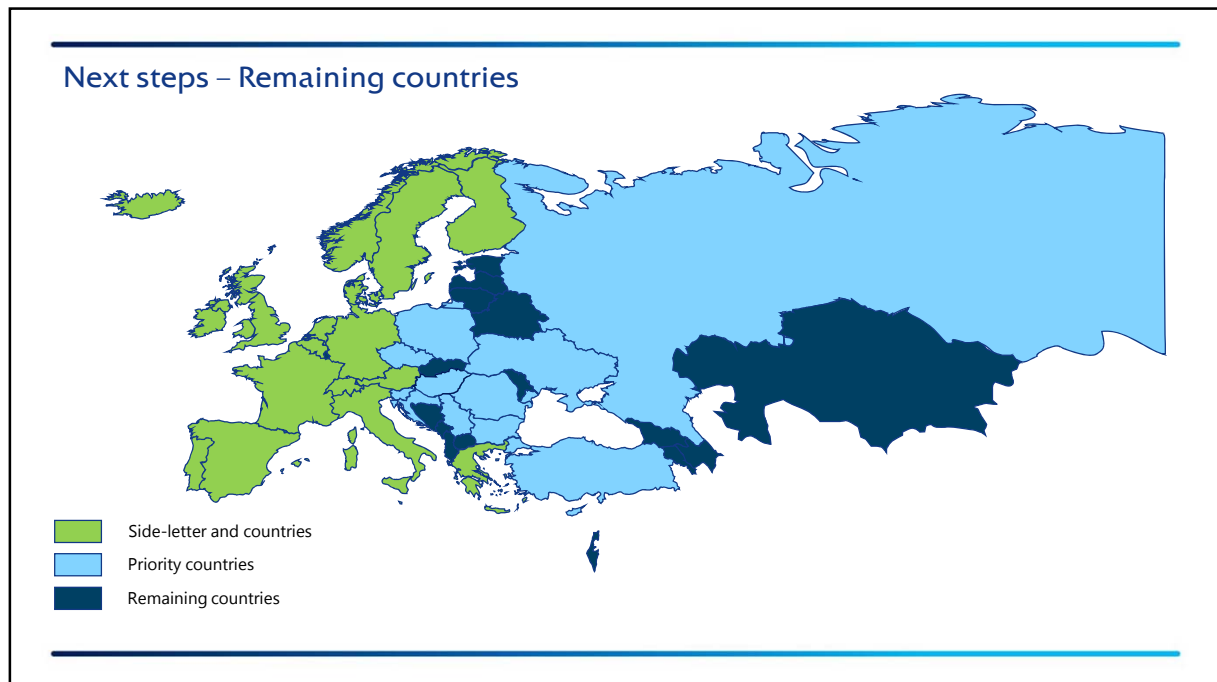
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Next steps – Priority countries



Next steps – Remaining countries





Next steps – Remaining countries

- November: Montenegro
- December: FYR Macedonia, Lithuania, Estonia
- January: Malta, Slovakia
- February: Latvia, Georgia, Azerbaijan, Armenia
- March: Israel, Moldova
- April: Kazakhstan, Belarus
- TBD: Albania, Bosnia-Herzegovina





2. Report from the steering group

- a. Working group on implementation of the “Autonomous Agreement”
- iii. *Seminar on national dispute resolution chambers and club disciplinary procedures*

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2. Report from the steering group

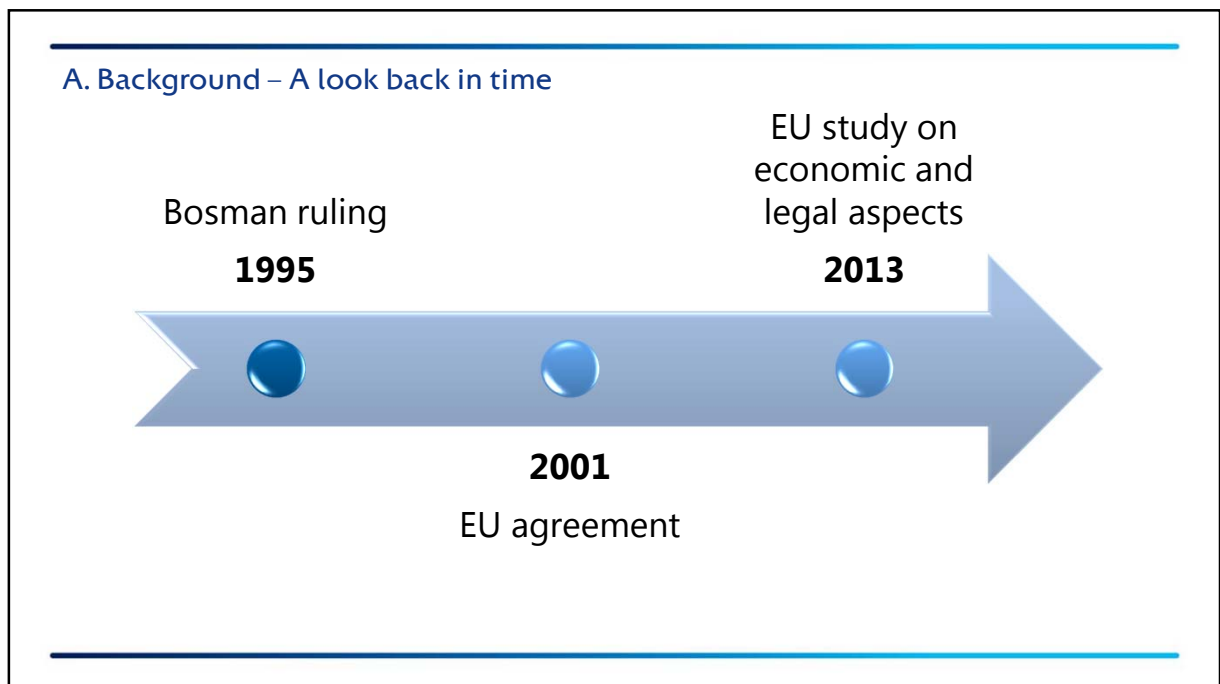
- b. Working group on respect of contracts
 - i. Update on UEFA and FIFA working groups

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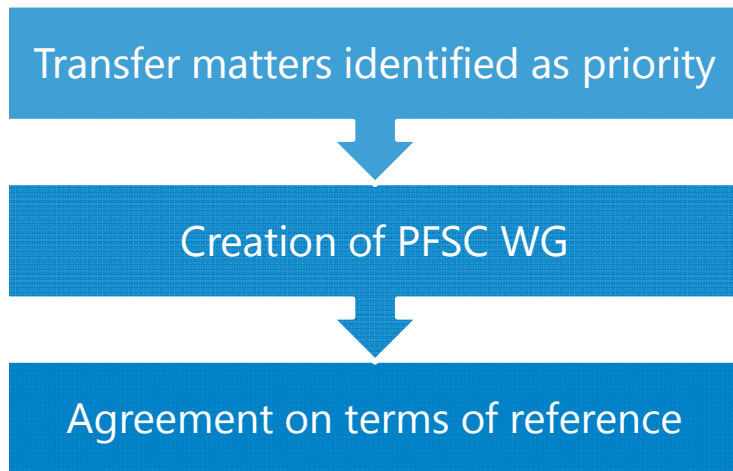


Agenda

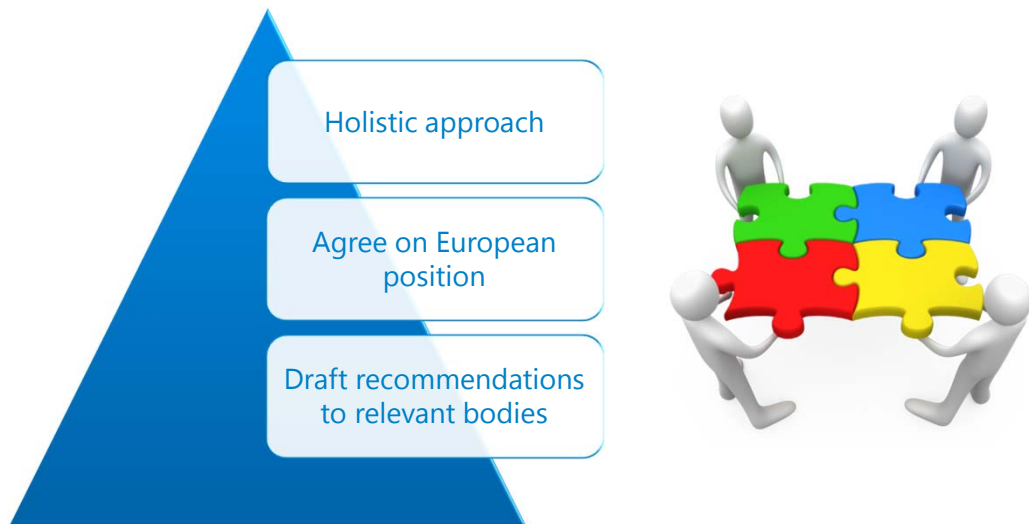
- Background
- PFSC recommendations
- Follow-up



A. Background – Creation of PFSC WG



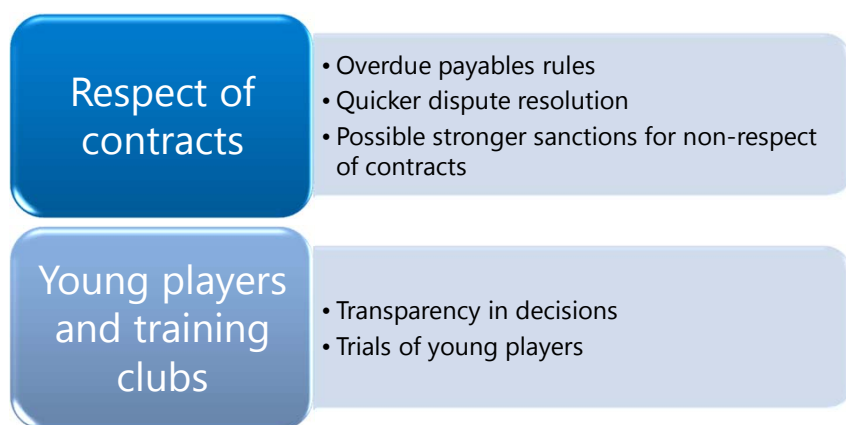
A. Background – Defining objectives of PFSC WG



A. Background – Identifying priorities



A. Background – Identifying priorities



A. Background – Reaching results

Concrete ideas proposed by parties

Agreement on proposals

Creation of drafting sub-WG

Initial draft recommendations

Feedback from parties



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B. First PFSC recommendations

B. PFSC recommendations – A product of teamwork

Extensive consultation with all the parties

Fair and balanced consensus taking account input of all parties

Set of **recommendations** approved by PFSC



B. PFSC recommendations – A product of teamwork

Respect of contracts

Young players and training clubs

Overdue payables towards clubs

Overdue payables towards players

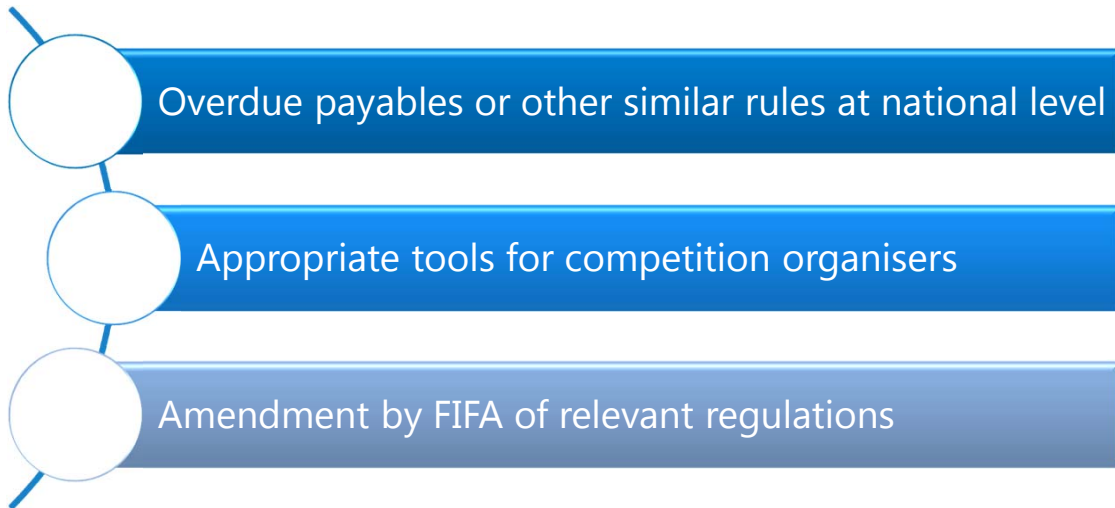
Monitoring and transparency

Dispute resolution

Transparency of decisions

Trials of young players

B. Overdue payables towards clubs



B. Overdue payables towards players



B. Monitoring, transparency and clearing houses

- Clearing houses or other systems for the payment of transfer fees
 - Inclusion of relevant details of each player passport in FIFA TMS
 - Monitoring systems via FIFA TMS to identify recidivist behaviour
 - Monitoring of payment obligations added in FIFA TMS
-

B. Dispute resolution

- Reform and improvement of the operational efficiency of the FIFA DRC
 - Encouragement, promotion and monitoring of NDRCs by FIFA
 - Access to arbitration ensured for clubs and players as a means of dispute resolution in accordance with the standards of the FIFA DRC
 - Adoption of NDRCs by national associations or leagues as per the recommended FIFA standards
-

B. Young players and training clubs



Publication of decisions by the FIFA Sub-Committee on the transfers of minors



Regulations on trials to be provided by national associations and leagues

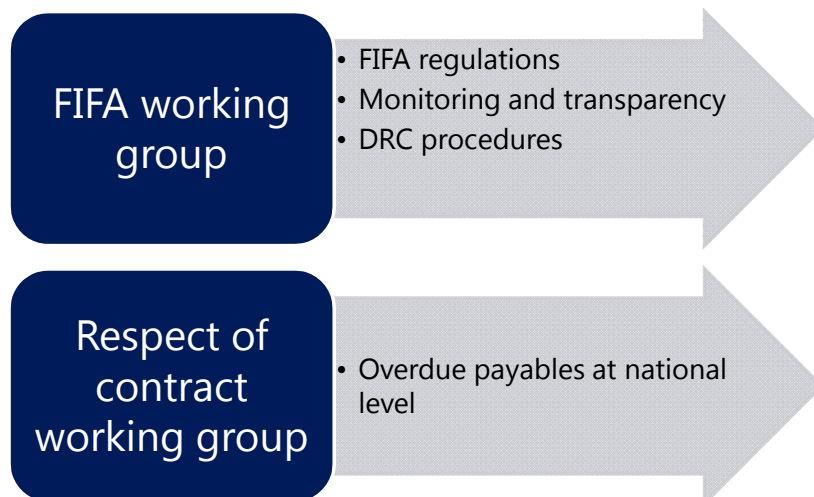


C. Follow-up

- PFSC recommendations formally approved by PFSC, UEFA Executive Committee and other relevant bodies
- Ready for submission to relevant bodies for possible implementation:
 - **FIFA**
 - **Social dialogue respect of contract working group**
- Ongoing work of PFSC working group



C. Follow-up



C. Follow-up

FIFA PSC working group on players' status matters

- Recommendations of PFSC WG:
Overdue payables, procedural aspects, TMS, etc
- Training compensation
- Short-term loans
- Protection of minors
- Implementation of NDRC
- Amendments to Regulations on the Status and Transfer of Players



C. Follow-up

FIFA PSC working group on third-party ownership of players

- Principle of banning TPO approved by FIFA Executive Committee
- Transitional period to be defined
- Continued work in FIFA working group



Next topics – PFSC WG on transfer matters

- **Creation of sub-working group on intermediaries:**

- Support of all stakeholders for European approach:
 - Uniform approach applicable to all UEFA member associations
 - Potentially higher standards than FIFA minimum requirements
- Topics to be looked at:
 - ✓ Potential cap
 - ✓ Transparency and disclosure mechanisms
 - ✓ Enforcement of regulations and related sanctions
 - ✓ Protection of minors
 - ✓ Other items

Next topics – PFSC WG on transfer matters

- **Other matters to be discussed in future:**

- Loans
- Transfer windows
- Squad size limits
- Unilateral breach of contract
- Others





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2. Report from the steering group
b. Working group on respect of contracts
ii. Mapping of regulations on overdue payables

The slide features a blue-tinted background image of a soccer player's legs and feet on a field. A soccer ball is visible on the ground. The UEFA logo is positioned on the left side, and the text is on the right. A horizontal line is drawn across the slide, with the text placed below it.



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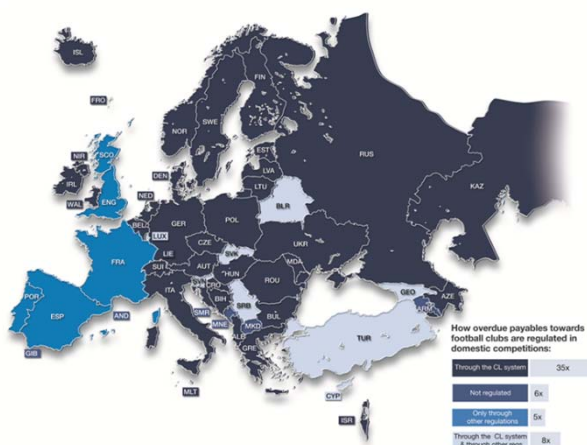
Overdue payables at domestic level –
Analysis of current rules and regulations

The slide features a blue-tinted background image of a soccer player's legs and feet on a field. A soccer ball is visible on the ground. The UEFA logo is positioned on the left side, and the text is on the right. A horizontal line is drawn across the slide, with the text placed below it.

Overdue payables at domestic level – *Analysis of current rules and regulations*

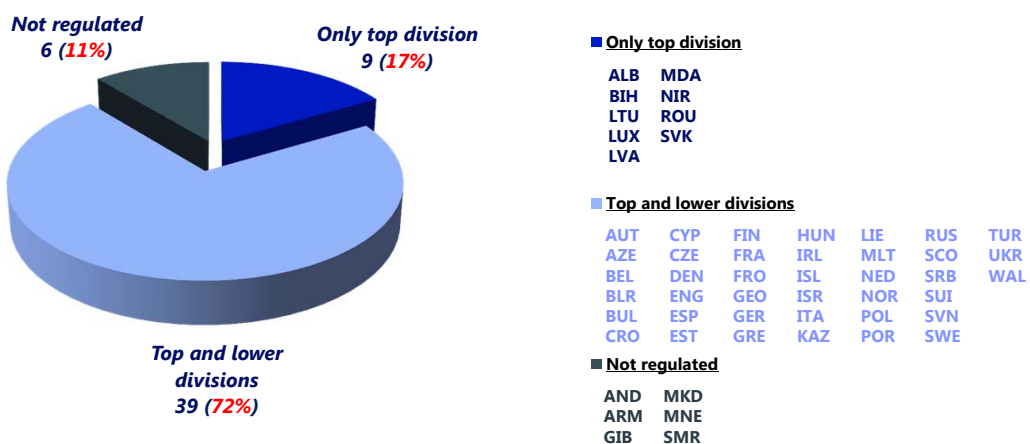
- As part of on-going EU discussions concerning social dialogue and the respect of contracts, and following the recommendations of the Professional Football Strategy Council (PFSC) in relation to transfer matters, the UEFA Club Licensing and Financial Fair Play unit performed an analysis of how overdue payables are currently regulated in respect of domestic competitions:
 - a questionnaire was sent to the licensors of all 54 UEFA member associations in April 2014;
 - an analysis was performed based on the information received from all the licensors.

Regulation of overdue payables towards football clubs in respect of domestic competitions

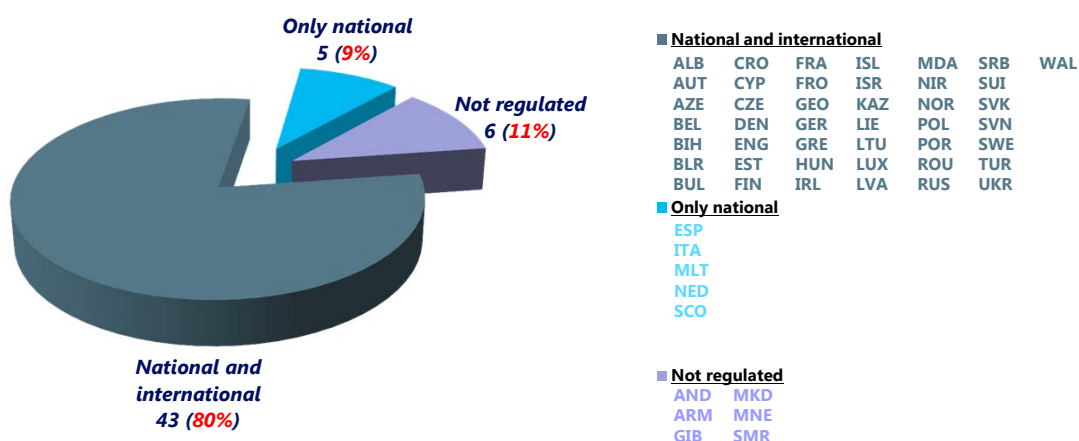


- **48 out of 54 (89%)** NAs have some form of regulation of overdue payables towards football clubs;
- The majority of NAs which regulate OP towards football clubs perform their assessments through the existing licensing system;
- Other rules and regulations of the NAs are also used to govern overdue payables in respect of domestic competitions.

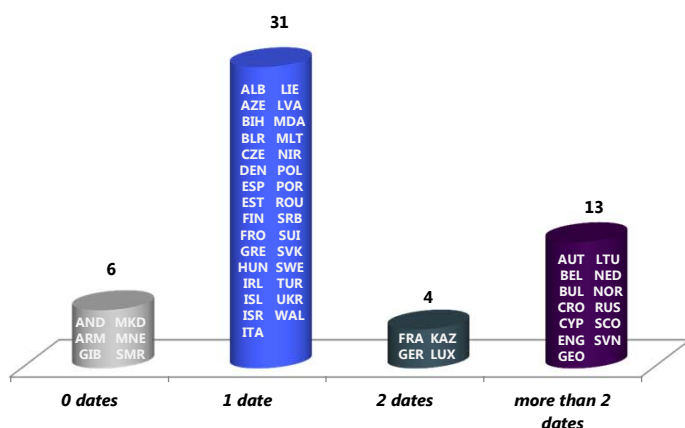
Scope of clubs assessed for overdue payables towards other football clubs



Scope of transfers assessed



Assessment dates (OP towards football clubs)



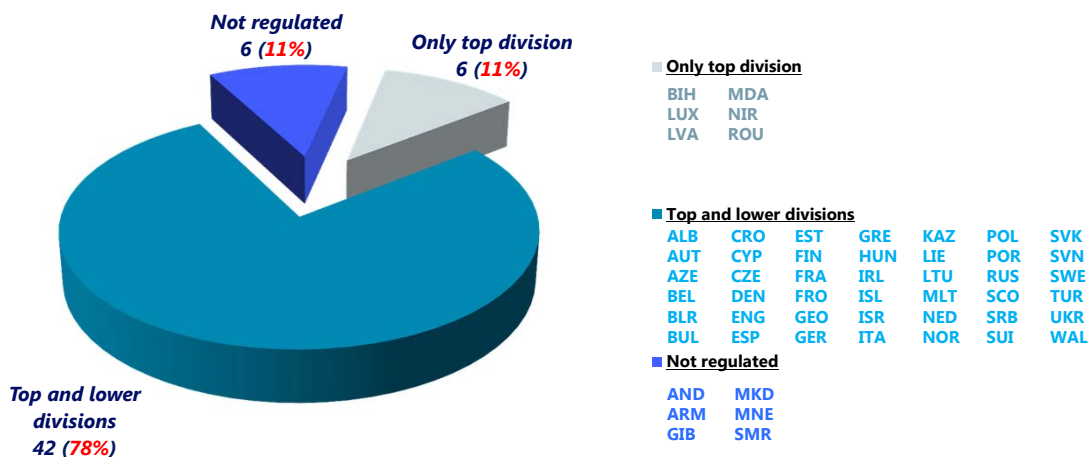
- **Majority of NAs (57%)** have 1 assessment date for overdue payables towards football clubs. In most cases (18 NAs) clubs have to prove that they have no overdue payables at 31 March.
- **4 NAs out of 54 (7%)** have 2 assessment dates.
- **13 out of 54 (24%)** have more than 2 assessment dates, eg.:
 - *ENG*: assessments performed on a rolling basis via transfer clearing house;
 - *NED, SCO*: continuous monitoring with several dates.

Regulation of overdue payables towards employees and social/tax authorities in respect of domestic competitions

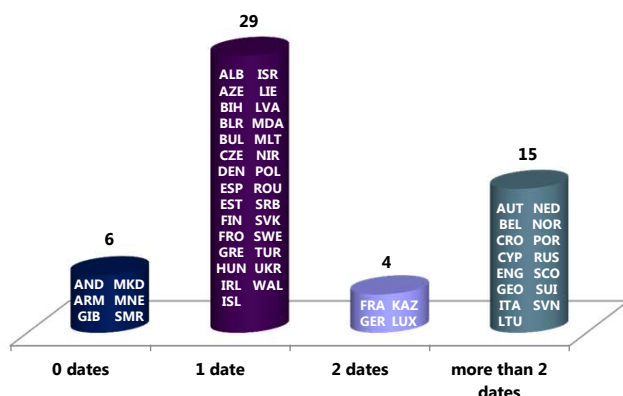


- **48 out of 54 (89%)** NAs – same as for overdue payables towards clubs - have some form of regulation of overdue payables towards employees and social/tax authorities;
- The majority of NAs which regulate overdue payables towards employees and social/tax authorities perform their assessments through the existing licensing system;
- Other rules and regulations of the NAs are also used to govern overdue payables in respect of domestic competitions.

Scope of assessment on overdue payables towards employees and social/tax authorities



Assessment dates (OP towards employees and social / tax authorities)



- **Majority of NAs (54%)** have 1 assessment date for overdue payables towards football clubs. In most cases (17 NAs) clubs have to prove that they have no overdue payables at 31 March.
- **4 NAs out of 54 (7%)** have 2 assessment dates.
- **15 out of 54 (28%)** have more than 2 assessment dates, eg.:
 - *ENG*: quarterly reporting;
 - *NED, SCO*: continuous monitoring with several dates.

Prevalence of overdue payables v no. of assessment dates

- The FIFPro Division Europe national player union survey classified 13 out of 26 countries as having a high/very high prevalence of overdue payables towards employees and the other half as having a low or medium prevalence.



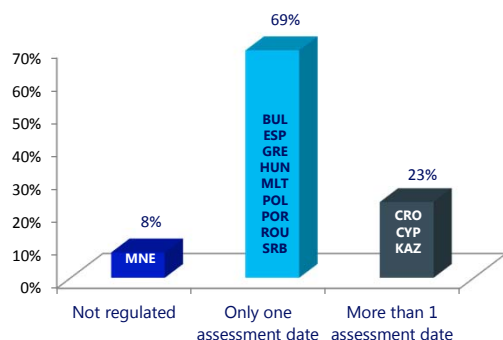
69% of high/very high prevalence countries only have one assessment date



62% of low/medium prevalence countries have two or more assessment dates

Based on the report of FIFPro Division Europe covering 26 National player unions

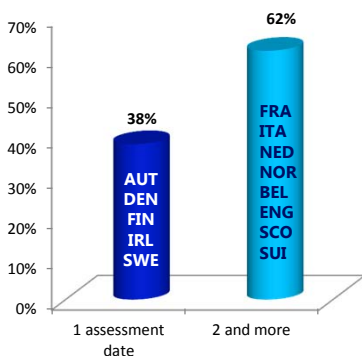
The number of assessment dates in those associations where overdue payables towards players have **high** prevalence (13 NAs):



- 9 countries out of 13 (or 69%) have only 1 assessment date. 5 out of 9 assess overdue payables at March, 31
- 3 countries assess overdue payables twice or more times per year:
 - CRO – quarterly
 - CYP – monthly
 - KAZ – on 15th, January and 31st, March
- In MNE overdue payables at the domestic level are not regulated

Based on the report of FIFPro Division Europe covering 26 National player unions

The number of assessment dates in those associations where overdue payables towards players have **low or medium** prevalence (13 NAs):



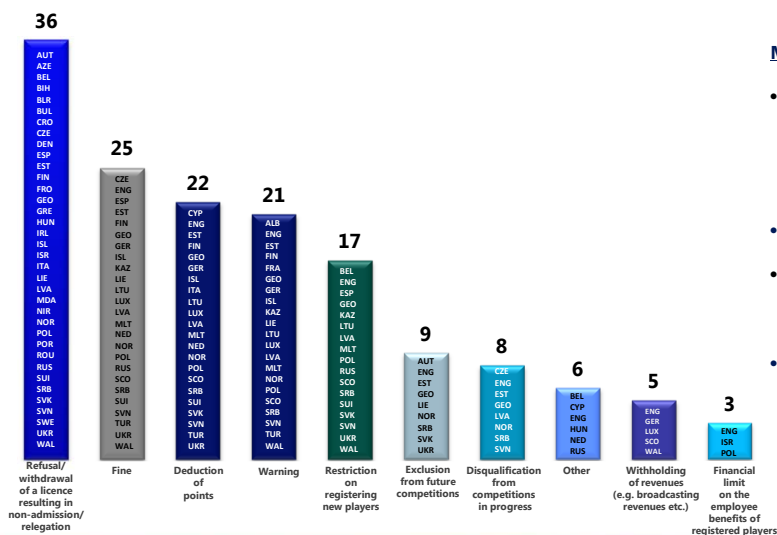
8 countries assess overdue payables twice or more times per year:

SUI	monthly
SCO	continuous monitoring
NOR, BEL, ENG	quarterly
ITA	30 June + additional dates
FRA	31 March and 30 June
NED	several dates

5 countries assess overdue payables only once per year:

AUT, DEN	31 March
FIN, IRL, SWE	31 October (FIN), 30 November (IRL), SWE (31 August)

Potential sanctions in case of existing overdue payables



Most common types of sanctions:

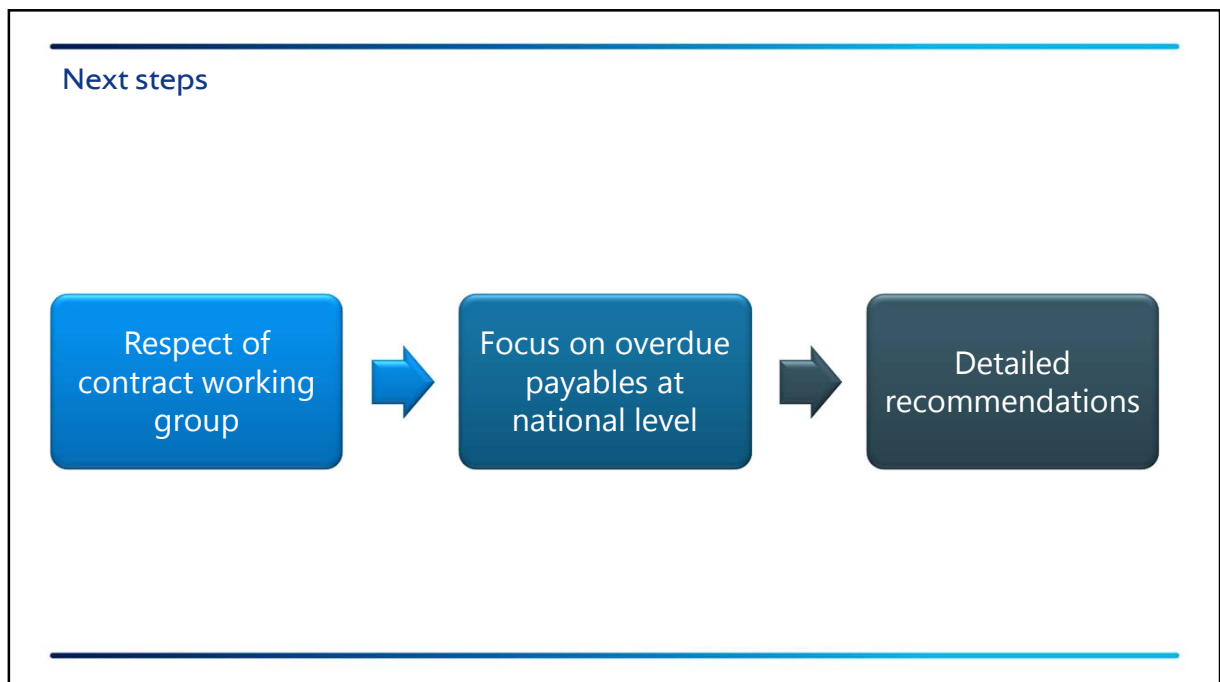
- 'Refusal / withdrawal of a licence to participate in a domestic competition resulting in non-admission / relegation' available in **36** NAs
- 'Fines' available in **25** NAs
- 'Deduction of points' and 'Warning' available in **more than 21** NAs
- 'Restriction on registering new players' available in **17** NAs



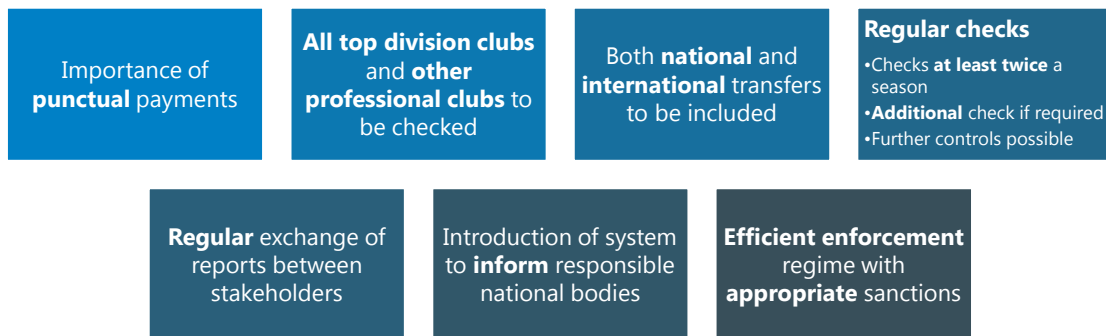


2. Report from the steering group
b. Working group on respect of contracts
iii. Next steps

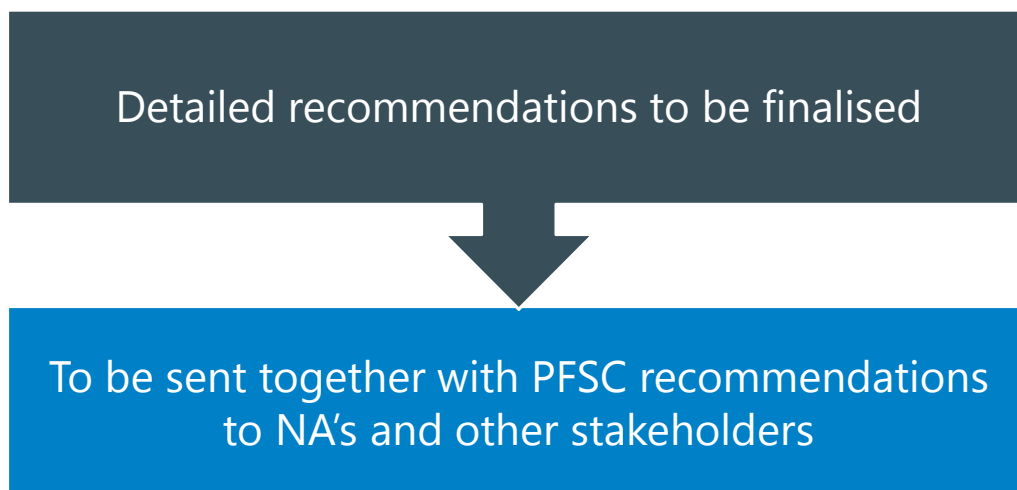
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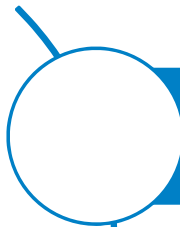
Next steps



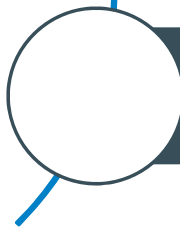
Next steps



Next steps



Overdue payables recommendations to be included in country visits



Other topics to be further investigated to be defined and agreed





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2. Report from the steering group

- c. Working group on career funds
- ii. Career funds toolkit

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3. Work programme 2015

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Work programme for 2015



Work programme for 2015

A stylized illustration of a construction worker in a white uniform and hard hat, holding a briefcase and pointing towards the right. The worker is positioned on the left side of a blue rounded rectangle.

Implementation

- Overseeing implementation
- Monitoring compliance
- Assessing progress
- Promoting activities
- Overseeing expert groups

Work programme for 2015

Implementation



Nature of contract



NDRC and club disciplinary

Work programme for 2015

Nature of contract

Focusing on assistance

Collecting of factual data

Providing guidance

Follow-up of action plans

Assessing progress achieved

Work programme for 2015

NDRC and club disciplinary

Sharing of
best
practices

Providing
assistance

Assessing
progress
achieved

Work programme for 2015



Respect of contract

- Follow-up of PFSC recommendations
- Concluding detailed recommendations on overdue payables
- Including overdue payables as a topic in country visits when necessary
- Focusing on topics as requested by PFSC working group on transfer matters

Work programme for 2015

**Does the plenary
approve the 2015
work programme?**

Implementation

Respect of
contract

Work programme for 2015

**Work programme
2015 approved**







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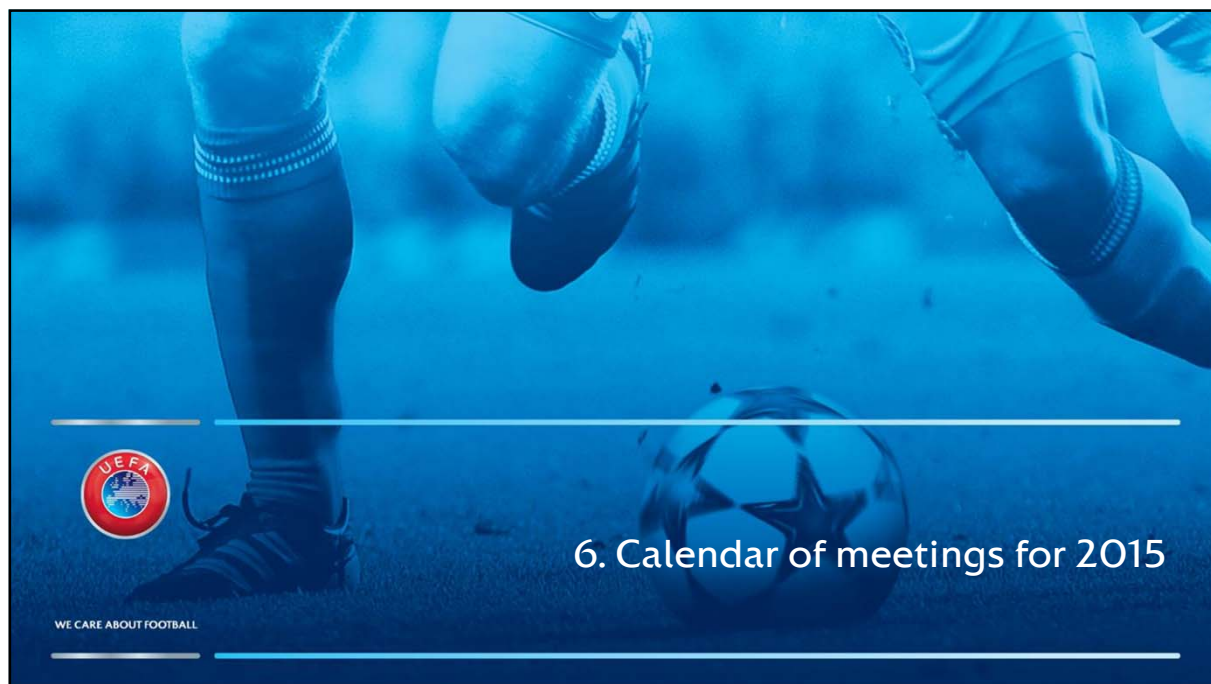
4. Information from the Commission on other sports-related initiatives





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5. Study on sports organisers' rights in the EU



Calendar of meeting for 2015

Working group meetings:

- 3 February, Brussels
- 1 September, Brussels

Steering group meetings:

- 26 May, Warsaw
- 8 October, Hoofddorp

Plenary meeting:

- 19 November, Brussels

