



Brussels, 16 September 2016

## **Sectoral Social Dialogue Committee on Professional Football**

### **Minutes of the Working Group Meeting Labour Market Regulations**

**29 August 2016**

#### **1. Adoption of the Agenda**

The meeting was chaired by Mr. Zylberstein (UEFA). The agenda was adopted.

#### **2. Minutes from previous meeting**

The minutes of the previous meeting (1 February 2016) were approved with the changes proposed.

#### **3. Improving the system of intermediaries**

ECA had circulated earlier on two documents explaining

- a) its proposal to work on the subject and
- b) the implementation of the new FIFA regulations on working with intermediaries.

This information was completed by a presentation given by Mr de Jong during the meeting. The main conclusions from this presentation were that the rules for intermediaries differ largely between countries; some of the rules (like permanent registration) were considered as outdated, others such as recommended caps as (potentially) problematic.

The implementation of the new FIFA regulations will – in the foreseeable future – not settle the problems which the sector has with its intermediaries.

The members agreed, that there is a number of problematic actors in the market, but also that some of the rules to be acknowledged as an intermediary do not promote good quality of the intermediaries, but that they are more suitable to prevent outsiders/non-national actors to enter into the market. The financial budget which goes into the intermediation was considered as high, taking into account the substantial budget involved and the key role of intermediaries, more attention and clear rules were considered necessary.

The members of the SSDC expressed their respective views such as that intermediaries can play an important and useful role in the sector, to allow players to concentrate on

football, while the intermediaries deal with increasingly complicated contractual relations. Also in the case of minor players the advice and service provided by a good intermediary could help to facilitate their career and that therefore the rule that intermediaries should not be remunerated by minors was seen quite critical.

Cooperation with representatives from agents/ intermediaries was envisaged by some members of the committee, provided that such organization would have the capacity to actually represent the intermediaries and enter into negotiations on their behalf. So far the players' agents association has not received official recognition. FIFPro expressed its reservations.

The members of the Committee reiterated their interest in the subject. As first steps it was considered useful to collect information about existing practices. The following approaches were identified and mentioned:

- a) Mr. Rossmeisl referred to Dutch efforts to set up a quality-label for agents
- b) Mr Diallo explained that in France intermediation is regulated by national rules
- c) Mr Baer-Hoffmann referred to the situation in the USA, where player unions defer their legal right to represent their membership to player agents and regulate their activities. He further referred to other sports such as rugby and cricket, where specific rules have been established and suggested to get into contact with the social partners active in performing arts, where he expected similar problems to exist.

Concerning the expected outcome the members of the Committee ventilated several ideas, also aiming to test what could be feasible. This was not conclusive.

Ms Caspar stated that the subject will need to be framed quite carefully to lend itself to a treatment within SSD, as it has a tendency to strongly impact on a group actually not represented in the Committee. Considering the importance of intermediaries for the functioning of and the working conditions in the sector, it was on the other hand agreed that it is a relevant topic for this social dialogue committee.

Two aspects might thereby be of a certain interest for the Commission: in case national practices would hinder free movement and cross-border activities within the EU this might be a reason for the Commission to act, similarly the Commission might show some signs of interest in case a sort of qualification framework would be elaborated. Here further discussion and early contacts with the responsible colleagues might be useful.

As the topic is rather complex and might need some research, it was suggested that social partners could think about developing a sort of project which could be proposed under the social dialogue call for proposals but which would also help to develop a structure work on the topic.

The task force will look into ways how to continue work on the subject. It was agreed that getting to know more about existing practices would be an important element; therefore a mapping will need to be organized. It was also agreed that one would define clear expectations before contacting agents' representatives.

The members of the Committee thanked ECA for the preparatory work.

#### 4. Any other business & next meeting

Exchange within task force 2<sup>nd</sup> half of September.

Steering group meeting on 7 October.

Plenary meeting on 17 November in Brussels.

The Committee will soon be invited to provide the Commission with the dates for the meetings (in particular the plenary) in Brussels in 2017.

#### *Participants 29/08/2016*

<p>Employers (8 ♂, 3 ♀)</p> <p><u>ECA</u> Mr Wouter Lambrecht (ECA) Mr Daan de Jong Mr Diederik Dewaele (ECA) Mr Martin Prochazka (CZ) Mr David Frommer</p> <p><u>EPFL</u> Mr Georg Pangel (EPFL) Ms Ornella Bellia (EPFL) Ms Yelena Hazim Ms Laura Vilches (LaLiga – ES) Mr Serge Rossmeisl (NL) Mr Phillipe Diallo (FR)</p>	<p>Workers (2 ♂)</p> <p><u>FIFPro</u> Mr Jonas Bär-Hoffmann (DE) Mr Roy Vermeer (NL)</p>
<p><b>European Commission</b> (1 ♀) Ms Sigried Caspar (DG EMPL)</p>	<p><b>UEFA</b> (1 ♂) Mr Julien Zylberstein</p>