To the members of FIFA

Circular no. 1314

Zurich, 25 July 2012
SG/mav

Amendments to the FIFA Statutes, the Regulations Governing the Application of the Statutes, the Standing Orders of the Congress and the FIFA Code of Ethics and adoption of the FIFA Code of Conduct

Dear Sir or Madam,

Following approval by the 62nd FIFA Congress in Budapest on 25 May 2012, the amendments to the FIFA Statutes, Regulations Governing the Application of the Statutes and Standing Orders of the Congress, as provided to the 62nd FIFA Congress in Encl. E of the agenda, will come into force on 25 July 2012, with the exception of the amendments to art. 10, art. 30 and art. 87 of the FIFA Statutes and art. 1 of the Regulations Governing the Application of the Statutes, which came into force immediately on 25 May 2012. In this regard, please note the following most relevant amendments:

• According to art. 10 of the FIFA Statutes, membership into FIFA is permitted if an association is currently a member of a confederation. The additional requirement that an association has to be a provisional member of a confederation for two years in order to be able to put forward its application for admission into FIFA is no longer needed. Furthermore, the details of the procedure for admission of an association shall no longer be regulated by the Regulations Governing the Application of the Statutes, but may be laid down in a separate set of regulations to be issued by the Executive Committee, as also stipulated in art. 1 of the Regulations Governing the Application of the Statutes.

• Art. 20 par. 3 (h), art. 24 par. 3, art. 25 par. 2 (q), art. 27 par. 4 and art. 30 par. 1, par. 3 and par. 8 of the FIFA Statutes as well as art. 12 of the Standing Orders of the Congress refer to the Representative of Women’s Football, the newly appointed member of the Executive Committee. The Executive Committee now consists of 25 members rather than the previous 24. Furthermore, this Representative of Women’s Football shall be elected by the Congress for a period of four years. In this regard, each Confederation shall be entitled to propose one candidate for the office of Representative of Women’s Football based on proposals from its Member Associations. The Representative of Women’s Football will be elected for the first time at the 2013 Congress. In the meantime, and on the basis of art. 87 of the FIFA Statutes, the Executive Committee has appointed Lydia Nsekera as Representative of Women’s Football on the Executive Committee. Her appointment will last until the 2013 Congress.
The responsibilities of several standing committees have been amended, some standing committees have been split into two different committees, such as the Organising Committee for the FIFA U-20 and U-17 Women’s World Cups (cf. art. 44 and art. 45 of the FIFA Statutes), the Futsal and Beach Soccer Committee (cf. art. 46 and art. 47 of the FIFA Statutes), and other standing committees are now reflected in the FIFA Statutes, namely the Organising Committee for the FIFA Club World Cup (cf. art. 49 of the FIFA Statutes), the Development Committee (cf. art. 53 of the FIFA Statutes), and other standing committees are now reflected in the FIFA Statutes, namely the Organising Committee for the FIFA Club World Cup (cf. art. 49 of the FIFA Statutes), the Development Committee (cf. art. 53 of the FIFA Statutes) as well as the Stadium and Security Committee (cf. art. 60 of the FIFA Statutes). Furthermore, the responsibilities of the Technical and Development Committee have been incorporated into the responsibilities of the Football Committee (cf. art. 51 of the FIFA Statutes).

According to art. 34 par. 1 (b) and art. 36 of the FIFA Statutes, the Audit and Compliance Committee, formerly named the Audit Committee, is the statutory standing committee whose main duty is to ensure the completeness and reliability of the financial accounting as well as reviewing the financial statements, the consolidated financial statement and the external auditors’ report as a matter of course and no longer only at the request of the FIFA Executive Committee. According to art. 63 par. 6 of the FIFA Statutes and art. 12 of the Standing Orders of the Congress, the Audit and Compliance Committee is also responsible for conducting integrity checks in respect of candidates for the offices of chairmen, deputy chairmen or members, or the incumbent chairmen, deputy chairmen or members, of both chambers of the Ethics Committee. Furthermore, the chairman, the deputy chairman and the members shall be elected for the first time at the 2013 Congress. In the meantime, on the basis of art. 87 of the FIFA Statutes, the Executive Committee shall appoint the members of the Audit and Compliance Committee. Furthermore, the 62nd Congress ratified Mr Domenico Scala as chairman of the Audit and Compliance Committee.

Equally, in accordance with art. 61 par. 3 in connection with par. 5 and art. 87 of the FIFA Statutes, the chairmen, deputy chairmen and other members of the judicial bodies shall be elected for the first time at the 2013 Congress for a term of office of four years. In the meantime, the Executive Committee shall appoint the chairman, the deputy chairman and the members of the Disciplinary Committee and the Appeal Committee.

Also, under art. 63 par. 1 of the FIFA Statutes, the Ethics Committee has been divided into an investigatory and an adjudicatory chamber. The chairman, deputy chairman and members of both chambers of the Ethics Committee shall be elected for the first time at the 2013 Congress. In the meantime, on the basis of art. 87 of the FIFA Statutes, the FIFA Executive Committee shall appoint the members of both chambers of the Ethics Committee. Furthermore, the 62nd Congress gave the Executive Committee the competence to ratify the chairmen of both chambers of the Ethics Committee. At its meeting on 17 July 2012, the Executive Committee ratified Mr Michael J. Garcia as chairman of the investigatory chamber and Mr Hans-Joachim Eckert as chairman of the adjudicatory chamber of the Ethics Committee until the 2013 Congress.

Moreover, and also relating to the judicial system as provided by the FIFA Statutes, art. 68 par. 2 of the FIFA Statutes clearly stipulates that recourse to ordinary courts of law for all types of provisional measures is also prohibited.
Furthermore, the FIFA Code of Conduct was adopted by the 62nd FIFA Congress in Budapest on 25 May 2012 and came immediately into force. It lays down the following eleven core principles for behaviour and conduct to which all members of the FIFA family (e.g. officials, FIFA employees, players and associations) shall adhere:

- Integrity and ethical behaviour;
- Respect and dignity;
- Zero tolerance of discrimination and harassment;
- Fair play;
- Compliance with laws, rules and regulations;
- Avoidance of conflicts of interest;
- Transparency and compliance;
- Social and environmental responsibility;
- Fight against drugs and doping;
- Zero tolerance of bribery and corruption;
- No betting or manipulation.

Finally, the fully revised and newly drafted FIFA Code of Ethics was approved by the Executive Committee at its meeting on 17 July 2012 and shall come into force on 25 July 2012. In this regard, we would like to draw your attention in particular to the following:

- The Ethics Committee is now divided into two chambers, the investigatory chamber and the adjudicatory chamber. Complaints by officials and players shall be submitted to the investigatory chamber directly which may decide to initiate investigation proceedings if a prima facie case is found. After completing the investigations, the investigatory chamber prepares a final report containing all the facts and evidence and hands it over to the adjudicatory chamber, which will analyse the report and proceed to the adjudicatory proceedings.

- Furthermore, the procedural rules are now clearly and completely defined in the FIFA Code of Ethics instead of referring to the FIFA Disciplinary Code, as was the case in the 2009 edition of the FIFA Code of Ethics. Thus, the disciplinary proceedings and ethics proceedings are now clearly separated. As a consequence, the respective procedural rules are now regulated in the FIFA Code of Ethics and in the FIFA Disciplinary Code, adapted to the specificities of ethics proceedings (two chambers) and disciplinary proceedings respectively.

- Equally, the substantive law of the FIFA Code of Ethics is now divided into five sections, namely the basis for sanctions, the disciplinary measures, the determination of the sanction, the limitation period and the rules of conduct. Moreover, the provisions of the new FIFA Code of Ethics are more precise and complete. They are aimed at covering more situations and therefore leave even less room for legal uncertainty and interpretation, but still confer a high level of discretion upon the Ethics Committee to decide.
We thank you for taking note and for your valuable cooperation.

Yours faithfully,

FÉDÉRATION INTERNATIONALE 
DE FOOTBALL ASSOCIATION

Jérôme Valcke 
Secretary General

Encl.: - FIFA Statutes, July 2012 edition 
       - FIFA Code of Ethics, July 2012 edition 
       - FIFA Code of Conduct, July 2012 edition

cc: - FIFA Executive Committee 
    - Confederations 
    - Court of Arbitration for Sport (CAS)