

## TO THE MEMBER ASSOCIATIONS OF FIFA

Circular no. 1603

Zurich, 24 November 2017

SG/mku

### **Amendments to the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber and to the Regulations on the Status and Transfer of Players**

Dear Sir or Madam,

We are pleased to inform you of a few amendments to the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber (hereinafter: *the Procedural Rules*) as well as to the Regulations on the Status and Transfer of Players (hereinafter: *the Regulations*), which were approved by the FIFA Council on the occasion of its meeting held in Kolkata, India on 27 October 2017.

All of the relevant changes and additions will come into force on **1 January 2018**.

You will find the provisions concerned enclosed to this circular letter for your and your clubs' perusal. The relevant parts have been emphasised for ease of reference. Equally, the revised editions of the Regulations and the Procedural Rules will be available soon on FIFA.com.

### ***Amendments to the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber***

As you will note from the enclosed provisions, art. 9 par. 1, art. 16 paras 2, 3 and 8, art. 19 par. 2, art. 21 and a new art. 9bis of the Procedural Rules have been amended, or added, in view of the fact that, as of 1 January 2018, communication via fax in the context of proceedings held in front of the Players' Status Committee (hereinafter: *PSC*) and the Dispute Resolution Chamber (hereinafter: *DRC*) will no longer be supported. Indeed, FIFA has developed a system of communication with parties to such proceedings via email, which will facilitate and expedite the proceedings in front of the relevant decision-making bodies of FIFA.

In order to reflect this change in communication, purely formal amendments to the aforementioned provisions have been made. In this regard, we would like to underline that these amendments will not impact on the handling of claims submitted to the DRC and the PSC as it is today. Furthermore, parties will continue to have the possibility to submit claims by post. Equally, claims related to training compensation and solidarity contribution will continue to be handled via the Transfer Matching System (TMS).

Furthermore, art. 4 of the Procedural Rules has been amended in order to increase the number of members of the DRC by two, bringing its composition to 26 members. This change aims at further

strengthening the efforts made for a faster and more efficient resolution of disputes and to better reflect all stakeholders of FIFA in the composition of the DRC.

## ***Amendments to the Regulations on the Status and Transfer of Players***

For the sake of legal security and transparency, art. 20 of the Regulations, which pertains to training compensation, now explicitly specifies that the principles of training compensation do not apply to women's football. Please note that the relevant specification does not mean a change as to the substance of the matter. Indeed, this amendment has been introduced into the Regulations solely in order to clarify the always intended meaning of the pertinent article and to bring it in line with the existing jurisprudence of the DRC.

It should be noted that the existing training compensation formula would act as a deterrent to the movement of female players and consequently stall the development of the women's game. For this reason, the FIFA administration is working on a specific concept to be applied to the women's game in consultation with the stakeholders, bearing in mind the overall objective to promote and enhance the development of women's (professional) football.

Finally, the amendments to arts 4 and 5 of Annexe 3 of the Regulations are in connection with the amendments to the Procedural Rules with respect to the handling of proceedings in front of the PSC and the DRC via email. Indeed, TMS users (i.e. associations and clubs) will have to provide valid and updated contact details, including an email address.

\*\*\*\*\*

Please do not hesitate to contact us if you have any questions in this connection.

We thank you for your kind attention to the above.

Yours faithfully,

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



Fatma Samoura  
Secretary General

Encl. as mentioned

- cc:
- FIFA Council
  - Confederations
  - Players' Status Committee
  - Dispute Resolution Chamber
  - ECA
  - FIFPro
  - WLF

## **Amendment to art. 4 of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber**

New text (amendment in **bold**)

### 4 Composition

The chairman, deputy chairman and members of the Players' Status Committee and of the DRC shall be chosen by the Council. The **twenty-six** members of the DRC, made up of an equal number of player and club representatives, shall be appointed on the proposal of the players' associations and the clubs or leagues.

## **Amendment to art. 9 of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber**

New text (amendments in **bold**)

### Art. 9 Petitions and statements

1. Petitions shall be submitted in one of the four official FIFA languages via the **means of communication as established in these rules (cf. art. 9bis)**. They shall contain the following particulars:
  - a) the name, **address** and **e-mail** address of the parties;
  - b) the name, **address** and **e-mail** address of any legal representatives, if applicable, and the power of attorney;
  - ...
  - f) the name, **address** and **e-mail** address of other natural and legal persons involved in the case concerned (evidence)
  - ...

## **New art. 9bis of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber**

New text (amendments in **bold**)

### **Art. 9bis Communication with parties**

1. **As a general principle, all communications with the parties in the proceedings shall be conducted by e-mail. Electronic notification by e-mail is considered a valid means of communication and will be deemed sufficient to establish time limits**

and their observance. Alternatively, submissions may also be transmitted by regular mail or courier. In contrast, submissions transmitted by fax shall have no legal effect.

2. Submissions transmitted by e-mail shall be addressed to [psdfifa@fifa.org](mailto:psdfifa@fifa.org). Only communications submitted as PDF files containing the date and a valid and binding signature shall have legal effect.
3. Communications from FIFA shall be sent to the parties in the proceedings by using the e-mail address provided by the parties or as provided in the Transfer Matching System (TMS; cf. art. 4 par. 1 of Annexe 3 and art. 5 par. 2 of Annexe 3 of the Regulations on the Status and Transfer of Players). The e-mail address provided in TMS by associations and clubs is considered as a valid and binding means of communication.
4. Parties are obliged to comply with the instructions provided in the communications sent by FIFA to the e-mail address provided by the parties or as provided in TMS.

#### **Amendment to art. 16 of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber**

New text (amendments in **bold**)

Art. 16 Time limits

...

2. A time limit is deemed to have been observed if the act is completed before midnight, **time of the location of the party's domicile or, if represented, of the domicile of its legal representative**, on the final day of the set period.

~~3. Written petitions must arrive at the designated place or have been posted at a recognised post office no later than the final day of the set period. Petitions submitted by e-mail shall have no legal effect, in contrast to petitions submitted by fax.~~

3. **Submissions transmitted by regular mail or courier** in time to the incorrect FIFA office are deemed to have been submitted within the time limit. Onward transmission to the correct office shall be effected ex officio.

...

8. If the final day of the time limit is an official holiday or a non-working day in the country where the party submitting ~~or receiving~~ a document is domiciled ~~or resident~~, the time limit shall expire at the end of the next working day.

...

**Amendment to art. 19 of the Rules Governing the Procedures of the Players' Status  
Committee and the Dispute Resolution Chamber**

New text (amendments in **bold**)

Art. 19 Notification of decisions

...

2. Notification is deemed to be complete at the moment the decision is **delivered to** the party, at least by **e-mail**. Notification of a representative shall be regarded as notification of the party.

...

**Amendment to art. 21 of the Rules Governing the Procedures of the Players' Status  
Committee and the Dispute Resolution Chamber**

New text (amendment in **bold**)

...

3. **As from 1 January 2018, the provisions set forth in art. 9bis of these rules shall apply to all proceedings pending in front of FIFA, irrespective of the date on which the petition was received.**

## **Amendment to art. 20 of the Regulations on the Status and Transfer of Players**

New text (amendment in **bold**)

Art. 20 Training compensation

Training compensation shall be paid to a player's training club(s): (1) when a player signs his first contract as a professional, and (2) each time a professional is transferred until the end of the season of his 23<sup>rd</sup> birthday. The obligation to pay training compensation arises whether the transfer takes place during or at the end of the player's contract. The provisions concerning training compensation are set out in Annexe 4 of these regulations. **The principles of training compensation shall not apply to women's football.**

\*\*\*\*\*

## **Amendment to art. 4 of Annexe 3 of the Regulations on the Status and Transfer of Players**

New text (amendments in **bold**)

Art. 4 Obligations of clubs

- 1. In view of the communication with parties as established in art. 9bis of the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber, clubs must ensure that their contact details, i.e. address, telephone and e-mail address, are valid and kept up to date at all times.**

...

## **Amendment to art. 5 of Annexe 3 of the Regulations on the Status and Transfer of Players**

New text (amendments in **bold**)

Art. 5 Obligations of the associations

...

- 5.1 Master data

...

2. Associations shall ensure that club address, telephone, e-mail **address** and training category (cf. Annexe 4, article 4) information is **valid and** kept up to date **at all times**.

...