



## TO THE MEMBER ASSOCIATIONS OF FIFA

Circular no. 1686

Zurich, 8 August 2019

SG/emo/lsk

### **Art. 24bis of the Regulations on the Status and Transfer of Players – execution of monetary decisions by FIFA Players' Status Department**

Dear Madam or Sir,

As we informed you by means of FIFA Circular no. 1625, in its meeting held in Bogotá, Colombia, on 16 March 2018, the FIFA Council approved certain amendments to the Regulations on the Status and Transfer of Players ("the RSTP") which came into force on 1 June 2018.

An essential amendment was the introduction of article 24bis of the RSTP, which grants the Dispute Resolution Chamber (DRC), the Players' Status Committee (PSC) and their respective judges ("the decision-making bodies"), powers to decide on the consequences for any club or player if they fail to comply with a monetary decision issued by the said decision-making bodies. Its main objective is to ensure that decisions are complied with swiftly and without unnecessary delays.

Art. 24bis of the RSTP applies to all employment-related disputes between a club and a player and disputes between clubs submitted to FIFA as of 1 June 2018, as well as to disputes related to the solidarity mechanism and training compensation, where the player was registered with the new club as of 1 June 2018.

Art. 24bis of the RSTP will not apply to decisions whereby sporting sanctions (registration ban or restriction to play in official matches) have been imposed on the basis of art. 17 of the RSTP, the execution of which will still continue to be carried out by the Disciplinary Committee.

It is also important to mention that the consequences under art. 24bis of the RSTP are part of the decision in terms of the substance of the dispute. Consequently, any potential appeal against the relevant decision, including the application of art. 24bis of the RSTP, should be made within the 21 days following the notification of the motivated decision, pursuant to art. 58 of the FIFA Statutes.

## Implementation of art. 24bis of the RSTP

First of all, it is to be recalled that according to art. 24bis of the RSTP:

### ***24bis Execution of monetary decisions***

*1. When instructing a party (a club or a player) to pay another party (a club or a player) a sum of money (outstanding amounts or compensation), the Players' Status Committee, the DRC, the Single Judge or the DRC judge (as the case may be) shall also decide on the consequences of the failure to pay the relevant amounts in due time.*

*2. Such consequences shall be included in the findings of the decision and will be the following:*

*Against a club, a ban from registering any new players, either nationally or internationally, up until the due amounts are paid. The overall maximum duration of the registration ban, including possible sporting sanctions, shall be of three entire and consecutive registration periods;*

*Against a player, a restriction on playing in official matches up until the due amounts are paid. The overall maximum duration of the restriction, including possible sporting sanctions, shall be of six months on playing in official matches.*

*3. The ban or the restriction will be lifted prior to its complete serving, once the due amounts are paid.*

*4. The ban or the restriction shall be applicable if the due amounts are not paid within a period of 45 days as of the creditor having provided the debtor with the required bank details for the payment while the relevant decision having become final and binding.*

### **a. Fundamental principles**

#### **i. The decision must be final and binding**

The 45-day period for payment will start as from the date the creditor provides the debtor with the relevant bank details after the notification of the decision.

We deem it essential to recall that a monetary decision can only be subject to execution proceedings once it has become final and binding. In practice, this implies that a request for grounds or an appeal to the Court of Arbitration for Sport (CAS) shall immediately suspend the execution of a monetary decision in the sense of art. 24bis of the RSTP, up until the decision has become effectively final and binding.

**ii. The creditor must provide the debtor with the bank details for payment**

Following the notification of a monetary decision, the creditor should immediately inform **the debtor directly** of the bank account to which the relevant amount should be paid. It is also the responsibility of the creditor to inform the FIFA Players' Status Department ("the PSD") of the start of the 45-day period for the debtor to make the payment.

**By no means will the PSD serve as an intermediary** to forward the relevant bank details to the debtor.

In case the amounts due are to be paid to the bank account of a legal representative, this should be clearly stated in a specific, recently issued and duly signed power of attorney.

**iii. The debtor must inform the FIFA once it has made the payment within the 45-day period**

In order to avoid starting unnecessary execution proceedings, the debtor shall inform the PSD that he/she/it has proceeded with the timely payment of the amount owed to the creditor. Upon receipt of such information, the PSD will contact the creditor and ask the latter to confirm **within the next five days** whether he/she/it has received the payment. Should the creditor confirm payment or not reply within five days, the PSD shall close the file.

In the absence of any information from the debtor, upon the expiry of the 45 days, the ban or restriction will become effective.

**b. The execution proceedings**

Bearing in mind the aforementioned principles, the execution of monetary decisions as per art. 24bis of the RSTP shall occur as follows:

**i. The creditor has provided FIFA with proof that it has forwarded the bank details for payment to the debtor**

As previously mentioned, once the creditor has informed the PSD of the notification of the bank details to the debtor, the PSD will be in a position to establish the 45-day period during which the payment shall be made by the debtor.

If, upon expiry of the said period, the debtor has not provided proof to the PSD that the payment was duly made in accordance with the decision, the PSD will proceed to inform the debtor that the ban or restriction has become effective.

**ii. The creditor has not provided FIFA with proof that it has forwarded the bank details for payment to the debtor**

Without proof that the creditor has forwarded the bank details for payment to the debtor, the PSD cannot be in a position to establish the 45-day period during which the payment shall be made and to initiate the execution of the consequences provided for in art. 24bis of the RSTP.

**iii. Informing the relevant member association of the implementation of a ban or restriction**

Where the registration ban is enforced, the PSD shall also immediately inform the respective member association in writing and the member association shall be asked to ensure its implementation, both on a national and on an international level. The same applies concerning a restriction on playing official matches imposed on a player. In addition, registration bans will be inserted accordingly in the Transfer Matching System (TMS).

**iv. Payment in full after the implementation of a ban or restriction**

The ban or restriction shall be lifted immediately in case of payment of the amount due **in full** – plus interest, if any – as per the final and binding decision. In such cases, the PSD shall also immediately inform the relevant member association, and, in case of a registration ban, also ensure that the pertinent information in TMS is updated accordingly.

We thank you for taking note of the above and for informing your affiliated clubs accordingly.

Yours faithfully,

FÉDÉRATION INTERNATIONALE  
DE FOOTBALL ASSOCIATION



Fatma Samoura  
Secretary General



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- Confederations  
- FIFA Disciplinary Committee  
- Players' Status Committee  
- Dispute Resolution Chamber  
- ECA  
- FIFPro  
- World Leagues Forum