

TO THE MEMBERS OF FIFA

Circular no. 1502

Zurich, 28 September 2015
MKA/oon

Regulations on the Status and Transfer of Players: Amendments to Annexe 3 – transfer matching system (TMS)

Dear Sir or Madam,

As you will no doubt remember, at its meeting of 25 and 26 September 2014, the FIFA Executive Committee took the decision of general principle that third-party ownership of players' economic rights (TPO) should be banned with a transitional period. The respective technical regulations (art. 18bis and art. 18ter as well as point 14 of the definitions section of the Regulations on the Status and Transfer of Players) were subsequently approved by the FIFA Executive Committee at its meeting held on 18 and 19 December 2014.

As already emphasised by the dedicated working group under FIFA's Players' Status Committee, which had been created following the respective proposal accepted by the FIFA Congress in June 2014, the transfer matching system (TMS) provided by FIFA TMS GmbH could be of assistance in the implementation of the regulatory option eventually chosen.

In order to further support the work of FIFA TMS GmbH in investigatory matters, in particular with respect to monitoring compliance with the new provisions on TPO, a series of small amendments to Annexe 3 of the Regulations on the Status and Transfer of Players became necessary. In this respect, we are pleased to inform you that at its recent meeting on 24 and 25 September 2015, the FIFA Executive Committee approved the pertinent alterations, which are to come into force on 1 October 2015.

You will find the various articles and provisions enclosed to this circular letter, for your and your clubs' perusal. The relevant parts have been emphasised for ease of reference. Equally, the revised edition of the Regulations on the Status and Transfer of Players will be available soon on our official webpage, FIFA.com. Finally, three hard copies of the pertinent documents will, as usual, be sent to all member associations in due course.

As you will note, the amendments concern the clubs' obligation to provide a declaration on third-party ownership of a player's economic rights (i.e. whether a TPO agreement exists or not) when creating an instruction in TMS. Furthermore, depending on the situation, a document signed by the player and his former club declaring that there is no third-party ownership of the player's economic rights or a copy of the relevant agreement with the third party shall be uploaded in TMS. All of the aforementioned measures serve

Amendments to Annexe 3 of the Regulations on the Status and Transfer of Players

New Text (amendments in **bold**)

Article 4 Obligations of clubs

2.

Clubs must provide the following compulsory data when creating instructions, as applicable:

- Instruction type (Engage player or Release player)
- Indication of whether the transfer is on a permanent basis or on loan
- Indication of whether there is a transfer agreement with the former club
- Indication of whether the transfer relates to an exchange of players
- ...
- Indication of whether the transfer is being made against any of the following payments:
 - Fixed transfer fee, including details of installments, if any
 - Any fee paid in execution of a clause in the player's contract with his former club providing for compensation for termination of the relevant contract
 - Conditional transfer fee, including details of conditions
 - **Sell-on fees**
 - Solidarity contribution
 - Training compensation
- Payment currency
- ...
- Declaration on third-party payments and influence
- **Declaration on third-party ownership of players' economic rights**

New Text (amendments in **bold**)

Article 8.2 Creating an ITC for a professional player

1.

All data allowing the new association to request an ITC shall be entered into TMS, confirmed and matched by the club wishing to register a player during one of the registration periods established by that association (cf. Annexe 3, article 4 paragraph 4). When entering the relevant data, depending on the selected instruction type, the new club shall upload at least the following documents into TMS:

- a copy of the contract between the new club and the professional player;
- a copy of the transfer or loan agreement concluded between the new club and the former club, if applicable;
- copy of proof of the player's identity, nationality (ies) and birth date, such as passport or identity card;
- proof of player's last contract end date and reason for termination;
- **proof signed by the player and his former club that there is no third-party ownership of the player's economic rights;**

Where a third-party ownership of players' economic rights has been declared (cf. Annexe 3, article 4 paragraph 2), the former club shall upload a copy of the relevant agreement with the third party.

Documents must be uploaded in the format required by FIFA TMS GmbH.

the purpose of enhancing transparency and allow for a proper monitoring of the various transactions.

Moreover, the explicit obligation for clubs to declare in TMS any possible sell-on clause included in the transfer agreement that forms the basis of a specific transaction is being introduced. This measure is also intended to improve clarity and transparency as regards payments made in relation to an international transfer of a player. Equally, it will enhance legal security.

We thank you for the attention you will pay to the above and kindly ask you to ensure that all of your affiliated clubs are informed accordingly without delay.

Yours faithfully,

FÉDÉRATION INTERNATIONALE
DE FOOTBALL ASSOCIATION



Markus Kattner
Acting Secretary General

Encl. as mentioned

- cc:
- FIFA Executive Committee
 - Players' Status Committee
 - Confederations
 - FIFPro
 - ECA
 - EPFL

