



## THE FA FOOTBALL AGENTS REGULATIONS ISSUES RELATING TO OVERSEAS AGENTS & JURISDICTIONS

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A number of queries have been raised in respect of the impact of the new FA Football Agents Regulations on overseas agents, international transfers and the contractual obligations of the parties involved.

The FA has set out below its position in respect of a number of scenarios that have been raised in order to provide clarification on these matters.

### **Issues involving an FA Authorised Agent (as defined within the Regulations)**

**1) FA Authorised Agent has a contract with a Player registered overseas**

*The contract does not have to be The FA's Standard Representation Contract, although as a matter of best practice we would recommend its use as far as possible.*

**2) FA Authorised Agent represents a Player registered in England who is moving to an overseas Club**

*The agent has to have a Standard Representation contract with the Player (unless he already had a contract in place that had been duly submitted to The FA in accordance with the Regulations prior to 1 September 2007).*

*Note that payments to the agent by the overseas club are not governed by Section G of The FA's Regulations.*

**3) FA Authorised Agent has a contract with a Player registered overseas and the Player moves to another overseas Club**

*As per 1) above the contract with the Player does not have to be the Standard Representation Contract, and payments to the agent are not governed by Section G of The FA's Regulations.*

**4) FA Authorised Agent represents an overseas Club in the acquisition of a Player registered in England in a move to that overseas Club (or for the overseas Club in the sale of an overseas Player to an English Club)**

*As per 1) above the contract does not have to be the Standard Representation Contract (although we would recommend its use as a matter of best practice), and payments to the agent are not governed by Section G of The FA's Regulations.*

**5) FA Authorised Agent is subcontracted to do agency work for an English buying Club (or Player registering in England) by an overseas agent who has not registered with The FA**

*The overseas agent that has not registered must register with The FA (i) if he/she is to take any part in the Transaction on behalf of the Player or Buying Club or (ii) if the overseas agent is to receive any payment as a result of the Transaction.*

*The subcontracting arrangements must be completed in accordance with Regulation H.4 of The FA's Regulations.*

### **Issues involving Overseas Agents**

**6) Overseas Registered Agent has contract with a Player registered in England that pre-dates 1 September 2007**

*This contract can run its course to expiry / termination. The Standard Representation Contract does not have to be entered into until expiry / termination.*



**7) Overseas Registered Agent has pre-existing contract with Player registered overseas who then moves to an English Club**

*This contract can run its course to expiry / termination. The Standard Representation Contract does not have to be entered into until expiry / termination.*

*The Agent has to register with The FA (if not already registered) and the pre-existing contract should be submitted to The FA at the same time as the registration.*

**8) Overseas Registered Agent had pre-existing contract with Player registered overseas who then moves to an English Club and the contract subsequently comes up for renewal.**

*At this point the parties would have to use The FA's Standard Representation Contract.*

**9) Overseas Agent (not registered) represents an overseas Club in the acquisition of a Player registered in England (or for the overseas Club in the sale of an overseas Player to an English Club)**

*The contract does not have to be the Standard Representation Contract, and payments to the agent are not governed by Section G of The FA's Regulations. The overseas Agent is not required to register with The FA.*

**10) Overseas Agent (not registered) wants to represent a Player registered in England and the Player is moving to an overseas Club**

*Overseas Agent would have to register with The FA in order to represent the Player registered in England, and use the Standard Representation Contract.*

**Disclosure requirements**

**11) FA Licensed Agent disclosure requirements for representation contracts**

*Contracts with Players registered in England – YES  
Contracts with Players registered overseas – YES  
Contracts with Clubs registered in England – YES  
Contracts with Clubs registered overseas - YES*

**12) Overseas Registered Agent disclosure requirements for representation contracts**

*Contracts with Players registered in England – YES  
Contracts with Players registered overseas – NO  
Contracts with Clubs registered in England – YES  
Contracts with Clubs registered overseas - NO*

**Close Relations**

**13) Can a Registered Close Relation receive any remuneration for Agency Activity? How does this apply to overseas Close Relations?**

*No. Overseas Close Relations have to register with The FA if they want to act for a Player in an English Transaction (as defined in the Regulations). As a Registered Close Relation, they are prohibited from receiving remuneration.*

**Translation of contracts**

**14) Translation of contracts**

*The FA requires Standard Representation Contracts to be submitted to it in English, although approved translations of foreign language contracts will be accepted. The FA is currently considering publishing its Standard Representation Contract in the four FIFA languages in order to assist parties when they deal with foreign language clients.*