

Please see below for further information regarding the implementation of the FIFA Football Agent Regulations (FFAR) and National Football Agent Regulations (NFAR).

A. FFAR and NFAR

In accordance with the new FFAR, National Associations are required to introduce NFARs to govern the conduct and use of Football Agents within their territories.

B. Rule K Arbitration / Delayed Implementation of the NFAR

On 19 June 2023, The FA confirmed that a group of football agencies had commenced arbitration proceedings to challenge the implementation by The FA of NFAR in England. Those arbitration proceedings have now concluded. The Tribunal has indicated that it will issue its award by 30 November 2023.

In light of this, The FA has agreed to delay the implementation date of any NFAR (to the extent upheld by the Tribunal) until the earlier of (a) 30 November 2023 or (b) the handing-down of the Tribunal's award.

C. Interim Regulatory Position in England - The FA's Working with Intermediaries Regulations

In the interim, The FA's Working with Intermediaries Regulations will remain in force. A small number of consequential, clarificatory amendments to those regulations have been approved by The FA's Board, effective from 1 October 2023. The revised version of the regulations are available on The FA's website.

What does this mean in practice?

Participants should note that, from 1 October 2023:

- The FA's Working With Intermediaries Regulations will govern the occupation and conduct of Intermediaries in England.
- The FFAR will govern the occupation and conduct of football agents in relation to representation agreements with an international dimension, and any conduct connected to an international transfer or international transaction (as set out in Article 2 of the FFAR).
- Notwithstanding the delayed implementation of The FA's NFAR, Participants are required to comply with the provisions of the FFAR insofar as they apply to the circumstances of a particular transaction and/or activity.

D. Important Information for Intermediaries

Intermediaries conducting activity in England in this interim period should note the following:

1. Registration with The FA

- It remains a requirement for Intermediaries to be registered with The FA in order to: (a) represent, approach or enter into a Representation Contract with an English Club or a Player registered in England, and/or (b) to carry out Intermediary Activity involving an English Club, including where a player is moving to an English Club. References to English Clubs includes Clubs based in Wales that participate in English competitions.
- If an Intermediary wishes to continue to act on behalf of or in relation to a minor, they will need to ensure that they continue to have the necessary FA approval to work with minors.
- Intermediary registration renewals will be free of charge until further notice. Any Intermediary who wishes to renew their registration should contact Intermediaries.Queries@TheFA.com.
- Renewed registrations will only be extended until 30th November 2023.
- New registrations will still be subject to the same fee of £500 plus VAT.

2. International Activity

- A FIFA Football Agent Licence will be required in order to conduct activity in a territory outside of England (including providing services in relation to an international transaction into England).
- The above is subject to FIFA's recent communication regarding transactions with a link to the German market (see here: <https://www.fifa.com/legal/football-regulatory/agents/news/information-on-the-preliminary-injunction-granted-by-the-landgericht>).