

**POINTS BASED SYSTEM  
GOVERNING BODY ENDORSEMENT REQUIREMENTS FOR PLAYERS  
2016/2017 SEASON**

**Introduction**

The purpose of this document is to explain how football clubs in England seek to obtain Governing Body Endorsements (where necessary) from The FA for individual players under Tiers 2 (Sportsperson) and 5 (Temporary Worker – Creative and Sporting) of the Home Office Points Based System (“**PBS**”) for the 2016/2017 season.

Unless otherwise defined, capitalised terms are given the meanings set out in the Glossary on pages 2 to 5.

**Consultation**

The criteria set out in this document have been agreed by the Home Office following consultation between the Stakeholders.

**Duration**

The criteria set out in this document will apply for the 2016/2017 season and will be effective from 1 May 2016 through to 30 April 2017. The criteria will be reviewed in early 2017 in order that revised criteria may be issued by 1 May 2017 to operate for season 2017/2018.

## Glossary

**Aggregated FIFA World Rankings** means the aggregated rankings list for senior men's international teams over the Reference Period that are published by The FA on a monthly basis following publication of the FIFA World Rankings. This list is available on [www.thefa.com](http://www.thefa.com).

**Available Minutes** means the total number of minutes (excluding any periods(s) of injury or added time) played by the player's club in its domestic league competition. For the avoidance of doubt, all minutes played by a club in competitions other than its domestic league competition are to be excluded.

**Certificate of Sponsorship** means a certificate assigned to a non-EU/EEA player by a club following the granting of a GBE for that player by The FA. Such a certificate will quote a unique reference number that links to information held by the Home Office about the individual's job and personal details.

**Competitive International Match** means any match played in the following tournaments:

- FIFA World Cup Finals;
- FIFA World Cup Qualifying Groups;
- FIFA Confederations Cup; and
- Continental Cup Qualifiers and Finals, including but not limited to:
  - UEFA European Championships and Qualifiers;
  - CAF African Cup of Nations and Qualifiers;
  - AFC Asia Nations Cup and Qualifiers;
  - CONCACAF Gold Cup;
  - CONCACAF Copa Caribe;
  - UNCAF Nations Cup;
  - CONMEBOL Copa America; and
  - OFC Nations Cup.

**Continental Competition** means any of the following tournaments:

- the UEFA Champions League;
- the UEFA Europa League; and
- the Copa Libertadores de América.

**Cumulative Total Score** means the cumulative total of any points that a player may score under the Part A objective criteria added to the points that a player may score under the Part B objective criteria (as set out in Appendix 1). For the avoidance of doubt, Cumulative Total Score shall not include any points that have been duplicated across Part A and Part B.

**FIFA** means the Fédération Internationale de Football Association.

**FIFA World Rankings** means the rankings for senior international men's teams published on the FIFA website (these rankings can currently be found at <http://www.fifa.com/fifa-world-ranking/ranking-table/men/>).

**Governing Body Endorsement or GBE** means an endorsement issued by The FA to a club for a non-EU/EEA elite player who is internationally established at the highest level, whose employment will

make a significant contribution to the development of football at the highest level in the UK and who intends to base himself in the UK.

**Home Associations** means The Scottish Football Association, the Football Association of Wales and The Irish Football Association.

**Home Office** means the department of the UK government responsible for immigration, counter-terrorism, police, drugs policy, and related science and research.

**National Association** means a football association that is a member of and recognised by FIFA.

**Qualifying Transfers** means all transfers to Premier League clubs in the previous season in respect of players submitted on Premier League squad lists. The Qualifying Transfers value will be provided by The FA directly to The Premier League and The Football League prior to each season and will remain in force for the duration of that season.

**Qualifying Wages** means the basic wages paid to the top 30 earners in each Premier League club at the end of the season prior to the date of the application. The value of Qualifying Wages will be provided by The FA directly to The Premier League and The Football League prior to each season and will remain in force for the duration of that season.

**Reference Period** means the twenty four (24) month period immediately preceding the date of the application for a Governing Body Endorsement unless the player is twenty one (21) or under at the time of the application for a Governing Body Endorsement when the reference period is reduced to the immediately preceding twelve (12) month period.

**Relevant Interested Parties** means an appropriate representative of the either The Premier League or The Football League (depending on the league in which the player plays) and the Professional Footballers' Association.

**Required Percentage** means:

- for National Associations ranked between 1 and 10 of the Aggregated FIFA World Rankings, 30% and above;
- for National Associations ranked between 11 and 20 of the Aggregated FIFA World Rankings, 45% and above;
- for National Associations ranked between 21 and 30 of the Aggregated FIFA World Rankings, 60% and above; and
- for National Associations ranked between 31 and 50 of the Aggregated FIFA World Rankings, 75% and above.

**Secondary League** means:

- the 2 European leagues which are not Top Leagues but provide the next most players to the top twenty (20) squads in the Aggregated FIFA World Rankings at the relevant point in time; and
- the Central and South American league which is not a Top League but which provides the third most players to the top twenty (20) squads in the Aggregated FIFA World Rankings at the relevant point in time.

A list setting out the Secondary Leagues will be published on The FA website prior to each season and this list will remain in place for the duration of the season.

**Secondary Percentage** means:

- for National Associations ranked between 1 and 10 of the Aggregated FIFA World Rankings, 25% and above;
- for National Associations ranked between 11 and 15 of the Aggregated FIFA World Rankings, 30% and above;
- for National Associations ranked between 16 and 20 of the Aggregated FIFA World Rankings, 40% and above;
- for National Associations ranked between 21 and 25 of the Aggregated FIFA World Rankings, 45% and above;
- for National Associations ranked between 26 and 30 of the Aggregated FIFA World Rankings, 55% and above;
- for National Associations ranked between 31 and 50 of the Aggregated FIFA World Rankings, 60% and above; and
- for National Associations ranked between 51 and 60 of the Aggregated FIFA World Rankings, 75% and above.

**Sponsor** means a Premier League or Football League club which has satisfied the Home Office criteria to assign Certificates of Sponsorship.

**Stakeholders** means The FA, The Premier League, The Football League, The Professional Footballers' Association and the Home Associations.

**The FA** means The Football Association Limited, a company incorporated in England and Wales with registered number 00077797 and whose registered office is at Wembley Stadium, Wembley, London HA9 0WS, designated for these purposes as the "recognised governing body" which shall be represented by the Head of Player Status and Competitions or their nominee.

**The Football League** means The Football League Limited, a company incorporated in England and Wales with registered number 00080612 and whose registered office is at 5B Edward VII Quay, Navigation Way, Ashton on Ribble, Preston, PR2 2YF.

**The Premier League** means The Football Association Premier League Limited, a company incorporated in England and Wales with registered company number 02719699 and whose registered office is at 30 Gloucester Place, London W1U 8PL.

**The Professional Footballers' Association** means The PFA, a company incorporated in England and Wales with registered company number 01088411 and whose registered office is at 20 Oxford Court, Manchester M2 3WQ.

**Top League** means:

- the six (6) European leagues which provide the most players to the top 20 squads in the Aggregated FIFA World Rankings at the relevant point in time; and
- the two (2) Central and South American leagues which provide the most players to the top twenty (20) squads in the Aggregated FIFA World Rankings at the relevant point in time.

A list setting out the Top Leagues will be published on The FA website [www.thefa.com](http://www.thefa.com) prior to each season and this list will remain in place for the duration of the season.

**Transfer Fee** means the fixed, guaranteed element of a transfer fee (if applicable) and is taken from the transfer fee submitted by the club to The FA. For the avoidance of doubt, free transfers,

players for whom the transfer fee consists of only training compensation and swap or multi-player deals are to be disregarded when calculating the transfer fee.

**Unavailable for Selection** means the player was not available to play due to injury or suspension and written evidence supporting this, setting out the games missed and the reason(s), has been provided by the player's National Association or club doctor to The FA. For the avoidance of doubt, a player may not be classed as injured (and therefore Unavailable for Selection) if he was listed as a substitute in a match and was not used. Such matches may be counted as non-appearances when calculating the Required Percentage.

**Wages** means the fixed, guaranteed element of the wages payable to the player and the figure is taken from the contract submitted by the applicant club to The FA. In the case of loan players, only the player's wages for which the applicant club is liable will be assessed. Any element of the player's full contractual wage which is to be met by his parent club is to be disregarded.

## **1. GENERAL CONSIDERATIONS**

### **1.1. Eligibility to become a Sponsor**

In order to apply for a Governing Body Endorsement from The FA, an applicant club must hold a Sponsor's licence under Tier 2 and/or Tier 5 of the PBS and thereby be eligible to assign Certificates of Sponsorship.

To be eligible to become a Sponsor and assign Certificates of Sponsorship a club must be a member of The Premier League or The Football League. A Sponsor's licence issued under Tier 2 or Tier 5 is valid for a period of 4 years, after which time it may be renewed. Clubs should note that a Sponsor's licence may be revoked by the Home Office at any time if the Sponsor is seen to be failing in its compliance with its duties. Where a Sponsor's licence is revoked, a player's leave may be curtailed. This means that a player must make a change of employment application if he wishes to remain in the UK.

### **1.2. Certificates of Sponsorship**

A Certificate of Sponsorship will be assigned to a player by the club once The FA has confirmed that the application on behalf of the player has satisfied the requirements for a GBE. Any Certificate of Sponsorship assigned to a player must be submitted to The FA by the applicant club.

### **1.3. Length of Season**

For the purposes of the PBS, the playing season for this sport is from August to May. This may vary slightly from season to season depending on the arrangement of the first and last matches.

### **1.4. Period of Validity**

A club can apply for a Governing Body Endorsement at any time during the season and any application will be considered against the criteria set out below. Clubs should take into consideration the fact that a Governing Body Endorsement for a player, once issued, must be presented to the Home Office as part of an application for entry clearance or leave within three months of a Certificate of Sponsorship being assigned to a player. A new Governing Body Endorsement will be required if the previous Governing Body Endorsement has expired.

## **2. OBTAINING A GOVERNING BODY ENDORSEMENT UNDER THE PBS**

### **2.1. Criteria under which a Governing Body Endorsement will automatically be granted**

The FA will automatically grant a player a GBE under either Tier 2 or Tier 5 if the applicant club is able to show<sup>1</sup> that that player has participated in the Required Percentage<sup>2</sup> of senior Competitive International Matches<sup>3</sup> played by that player's National Association during the Reference Period.

#### **Notes:**

<sup>1</sup> The applicant club must provide written confirmation setting out all matches (including Competitive International Matches, friendlies and any other international matches that the player was involved in) in which the player:

- took part;
- was Unavailable for Selection; and
- did not take part but was not Unavailable for Selection.

An applicant club should obtain such confirmation from the player's National Association. If the relevant National Association is not able to confirm this, this fact should be confirmed by the applicant club to The FA. At which stage, The FA will seek to independently verify this information through its own sources. The responsibility lies with the applicant club to provide this information where it is able to do so. A decision will not be made until this process has been completed and any relevant supporting evidence is submitted.

<sup>2</sup> In calculating the Required Percentage, any Competitive International Matches for which the player was Unavailable for Selection are to be excluded.

<sup>3</sup> If less than 30% of a National Association's matches during the Reference Period are Competitive International Matches, friendly matches will be included in the calculation.

## **2.2. Discretionary criteria under which a Governing Body Endorsement may be granted**

If a player does not meet the automatic criteria set out above, an applicant club can request that an Exceptions Panel consider the player's experience and value in order to determine whether a Governing Body Endorsement should nevertheless be granted.

The applicant club must make the request for an Exceptions Panel to the Player Status Department at The FA which will then appoint an Exceptions Panel in accordance with the below. Clubs should ensure that all evidence that they want to be considered in respect of the player is submitted in writing ahead of the determination by the Exceptions Panel.

2.2.1. The Exceptions Panel will be made up of three (3) members who will be appointed by The FA.

2.2.2. The three (3) member Exceptions Panel will be constituted as follows:

- 2.2.2.1. an independent, legally qualified Chair ("**Chair**"); and
- 2.2.2.2. two (2) additional independent panel members having relevant experience at the top level of the game ("**Independent Members**"), (who shall together be referred to as the "**Panel Members**").

2.2.3. No individual who would objectively be considered to have a current association with the applicant club will be appointed to the Exceptions Panel.

2.2.4. In the event that a Panel Member(s) considers there to be an actual or perceived conflict of interest (whether or not an objection is raised by the applicant club) on the part of a Panel Member(s) (which for the avoidance of doubt can include themselves) where:

- 2.2.4.1. this relates to an Independent Member(s), the Panel Member(s) must declare this to the Chair; and
- 2.2.4.2. this relates to the Chair, this must be declared to The FA.

In either case, this must be declared at the earliest opportunity and, in any event, in advance of determination of the case.

- 2.2.5. The applicant club will be informed of the membership of the Exceptions Panel at the earliest opportunity in advance of the Exceptions Panel sitting to decide the case. An applicant club may challenge the appointment of any Panel Member if circumstances exist which give rise to an actual or perceived conflict of interest on the part of that Panel Member. If a club intends to challenge the appointment of a Panel Member, the club must declare this at the earliest opportunity and, in any event, before the Exceptions Panel sits to determine the player's application.
- 2.2.6. Where the actual or perceived conflict under either 2.2.4 or 2.2.5 above relates to an Independent Member(s), the Chair will determine in his absolute discretion whether the relevant Independent Member(s) should be excluded from participating in the panel hearing and voting on the application. If the Chair decides in his absolute discretion that the Independent Member(s) cannot participate, the Chair will notify The FA of this and The FA will appoint a replacement Independent Member(s) who may also be challenged if there is a perceived or actual conflict of interest.
- 2.2.7. Where the actual or perceived conflict under either 2.2.4 or 2.2.5 above relates to the Chair, The FA will determine whether the Chair is eligible to participate and vote. If The FA determines that the Chair cannot participate, The FA will appoint a replacement Chair.
- 2.2.8. The FA will provide appropriate secretariat support.
- 2.2.9. The Exceptions Panel will consider the case following the procedures and guidance set out in Appendix 1 to this document.
- 2.2.10. Written submissions may be made by The FA or the Relevant Interested Parties in advance of the Exceptions Panel's determination.
- 2.2.11. The Exceptions Panel can request any further information from the secretariat or the applicant club that it deems necessary in its absolute discretion in order to make its decision. If an Exceptions Panel meeting has been convened or is in progress when a request for further information is made, the Chair may adjourn the meeting to allow the information to be gathered. Where it is able to do so, the applicant club or the secretariat will supply the further information to the Exceptions Panel within a reasonable timescale.
- 2.2.12. The Exceptions Panel will make its decision based on the papers submitted to it. An oral hearing may be requested but clubs should be aware that the Exceptions Panel is likely to grant an application for an oral hearing in only the most exceptional circumstances and for those cases in respect of which it is persuaded are complex and which rely on elements falling for consideration at the subjective review stage (Appendix 1, Section 4). Requests for an oral hearing must be made at the same time as a club submits its application on behalf of the player to The FA and be accompanied by evidence which sets out why the club asserts an oral hearing is required.
- 2.2.13. The Exceptions Panel will make its decision by a simple majority with the Chair having a casting vote. All Exceptions Panel members must vote.
- 2.2.14. Written reasons for the decision will be supplied by the Exceptions Panel to the applicant club. An anonymised summary of each decision (in the format set out at Appendix 2) will be made available on a confidential basis to all Stakeholders. The Stakeholders may make these summaries available to assist applicant clubs.

If a club has made an application that was unsuccessful following a decision of the Exceptions Panel, a further Exceptions Panel cannot be requested for the same player by the same club within four (4) months of the original Exceptions Panel date.

### 2.3 Other requirements of the PBS

Please note that, in order to secure leave to remain under Tiers 2 and 5 of the PBS, in addition to securing a GBE and being assigned with a Certificate of Sponsorship, an individual will also have to meet any other criteria as set by the Home Office. For example, applications under Tier 2 will have to be supported by evidence that the player has met the English language requirement set by the Home Office.

## 3 CONSIDERATIONS ONCE A GOVERNING BODY ENDORSEMENT HAS BEEN GRANTED

### 3.1 Length of issue

Governing Body Endorsements can only be issued for the following periods:

	<b>Tier 2 (Sportsperson)</b>	<b>Tier 5 (Temporary Worker - Creative and Sporting)</b>
<b>Initial Application</b>	The shorter of: <ul style="list-style-type: none"> <li>• three (3) years; <b>OR</b></li> <li>• the length of the player's contract.</li> </ul>	The shorter of: <ul style="list-style-type: none"> <li>• twelve (12) months; <b>OR</b></li> <li>• the length of the player's contract</li> </ul>
<b>Extension</b>	The shorter of: <ul style="list-style-type: none"> <li>• three (3) years; <b>OR</b></li> <li>• the length of the player's contract.</li> </ul>	If the initial application was granted for less than twelve (12) months, an in country extension can be granted to top up the period to twelve (12) months in total. For example, a player granted a six (6) month approval can apply for an extension in country of up to another six (6) months. If a club wishes to employ a player for a period of longer than twelve (12) months, the player has to return overseas to make a new application and obtain entry clearance for a further twelve (12) month period under Tier 5.

### 3.2 Extension Applications

If a club wishes to retain the services of a player beyond the period of his GBE, the club must submit a new application before the player's leave to remain expires. If the player satisfies the automatic criteria for endorsement (as set out at 2.1 above), a GBE will be granted. If the automatic criteria (at 2.1) are not satisfied, the club must submit a summary of the player's domestic club appearances over the previous 12 months as well as any other information which the club deems to be relevant to its application. The FA will then consult with Relevant Interested Parties by email and in doing so will provide any details put forward by the club in support of the application. When considering the application and

deciding whether the application should be granted, The FA and the Relevant Interested Parties shall consider the information put forward by the club as well as any other information which they deem to be relevant in their absolute discretion which indicates whether the player remains of sufficient quality to be awarded a GBE. If a majority of The FA and the Relevant Interested Parties recommend that a GBE should be granted, a GBE will be issued. If a majority recommendation for approval is not given, a GBE will not be granted and the club will have no further recourse to an Exceptions Panel under the discretionary criteria (at 2.2 above).

### **3.3 Switching from Tier 5 to Tier 2 of the PBS**

A player can enter under Tier 5 (if he is unable to meet the English language requirement set by the Home Office) and then apply in country (provided this is within the first 12 months) to switch to Tier 2 once he has passed the English language test. To do this, the club will need to submit a new application for a GBE so that a new Certificate of Sponsorship under Tier 2 can be assigned by the club. The new application will need to be supported by a notification of pass or pass certificate at the agreed level from an accredited English Language Test Centre.

Where a player wishes to switch from Tier 5 to Tier 2 and satisfies the automatic criteria for endorsement (as set out at 2.1 above) at the time at which the application to switch is made, a GBE will be granted. Where the player does not meet the automatic criteria (at 2.1), the club must submit a summary of the player's domestic club appearances over the previous 12 months as well as any other information which the club deems to be relevant to its application. The FA will then consult with Relevant Interested Parties by email and in doing so will provide any details put forward by the club in support of the application. When considering the application and deciding whether the application should be granted, The FA and the Relevant Interested Parties shall consider the information put forward by the club as well as any other information which they deem to be relevant in their absolute discretion which indicates whether the player remains of sufficient quality to be awarded a GBE. If a majority of The FA and the Relevant Interested Parties recommend that a GBE should be granted, a GBE will be issued. If a majority recommendation for approval is not given, a GBE will not be granted and the club will have no further recourse to an Exceptions Panel under the discretionary criteria (at 2.2 above).

### **3.4 Change of club**

A club wishing to sign a player who has been granted a Governing Body Endorsement through another club must submit a new application for a GBE to The FA. If the player meets the automatic criteria (as set out at 2.1 above), a GBE will be granted. Where the player does not meet the automatic criteria (at 2.1), the club must submit a summary of the player's domestic club appearances over the previous 12 months as well as any other information which the club deems to be relevant to its application. The FA will at that stage consult with Relevant Interested Parties by email and in doing so will provide any details put forward by the club in support of the application. When considering the application and deciding whether the application should be granted, The FA and the Relevant Interested Parties shall consider the information put forward by the club as well as any other information which they deem to be relevant in their absolute discretion which indicates whether the player remains of sufficient quality to be awarded a GBE. If a majority of The FA and the Relevant Interested Parties recommend that a GBE should be granted, a GBE will be issued. If a majority recommendation for approval is not given, a GBE will not be granted and the club will have no further recourse to an Exceptions Panel under the discretionary criteria (at 2.2 above).

### **3.5 Temporary transfer of player's registration (loans)**

For the purpose of a Governing Body Endorsement, loans are defined as temporary transfers which do not extend beyond the end of the season in which the registration is temporarily transferred. Loans are only permissible within the player's current period of approval and should not be used to avoid making extension or change of employment applications.

#### **3.5.13 Temporary transfer to another club**

If a player on a Certificate of Sponsorship is moving to another club either in the UK or abroad on a loan basis, the player's parent club must notify the Home Office of the temporary transfer and change of location via the Sponsor Management System.

For the duration of the loan period, the loaning club retains overall responsibility for the player as his employer and Sponsor and the player is granted permission to move temporarily under the provisions of his current leave, provided that the Certificate of Sponsorship assigned by the loaning club is valid for the duration of the loan period. This means that where the loan is to another club within England, neither the parent club nor the loanee club has to submit a new application for a GBE to The FA. Where the loan is to a club within another Home Association, the player will have to satisfy that Home Association's governing body endorsement process.

When the player returns to his parent club after the loan period, the player does not need to be assessed again against the entry criteria and may simply resume his employment with his original club (provided that his Governing Body Endorsement remains valid beyond the date of his return), on the basis that the player has an existing Certificate of Sponsorship and has already met the entry requirements at the beginning of his employment with that club.

#### **3.5.14 Making a temporary transfers permanent**

Where the temporary transfer is to another club within England, if the loan is later made permanent, the new club will, at that time, have to make a fresh application for a GBE on behalf of the player. Clubs should note that the new application for a GBE and Certificate of Sponsorship must be fully completed before the player can play as a permanent employee of the new club.

#### **3.5.15 Temporary transfer from a club outside England to a club within England**

Any player joining an English club on loan from a club outside of England (including the Home Associations) must meet the requirements for either automatic or discretionary endorsement (as set out 2.1 and 2.2 above) and therefore an application must be submitted to The FA.

### **3.6 Discrepancies between the evidence submitted in support of a GBE application and the information contained within the contract documentation subsequently submitted to The FA**

Where a club obtains a GBE for a player but subsequently submits to The FA as part of the registration process documentation which contains different information (for example different wages and/or transfer fee) from that submitted as part of the GBE application process, The FA reserves the right to refer the case back to an Exceptions Panel and ultimately to inform the Home Office who may curtail the player's right to work in the UK. For cases that are referred back to an Exceptions Panel, the Exceptions Panel will conduct a

fresh determination of the club's application taking into account the new information. The club will be entitled to submit new evidence to this panel and will be required to pay a further fee.

### **3.7 Contract changes or re-negotiation during the period of approval**

Where a club wishes to make significant changes to the terms and conditions of the player's contract, for instance to improve his salary or length of contract part-way through his period of endorsement, the club must notify the Home Office of this via the Sponsor Management System.

If the Home Office confirms that a new application is required and the player satisfies the automatic criteria for endorsement (as set out at 2.1 above), a GBE will be granted. If the automatic criteria (at 2.1) are not satisfied, the club must submit a summary of the player's domestic club appearances over the previous 12 months as well as any other information which the club deems to be relevant to its application. The FA will at that stage consult with Relevant Interested Parties by email and in doing so will provide any details put forward by the club in support of the application. When considering the application and deciding whether the application should be granted, The FA and the Relevant Interested Parties shall consider the information put forward by the club as well as any other information which they deem to be relevant in their absolute discretion which indicates whether the player remains of sufficient quality to be awarded a GBE. If a majority of The FA and the Relevant Interested Parties recommend that a GBE should be granted, a GBE will be issued. If a majority recommendation for approval is not given, a GBE will not be granted and the club will have no further recourse to an Exceptions Panel under the discretionary criteria (at 2.2 above).

### **3.8 Ceasing the employment of a player**

If a club prematurely ceases to employ a player who has a Certificate of Sponsorship, the club must inform the Home Office.

### **3.9 Trial arrangements**

Governing Body Endorsements will not be issued to clubs for the purpose of having players to trial with them. Clubs may wish to approach the UK Visas and Immigration (UKVI) contact centre on 0300 123 2241 for further information should they wish to consider taking a non-European Economic Area (EEA) player on trial.

## **4 FEES**

An administration fee of £500 plus VAT will be charged for each application for a GBE. The cost of referring an application to an Exceptions Panel will be £5,000 plus VAT to cover the costs of the Exceptions Panel. Payment of any sums due to The FA in connection with a GBE application must be made no later than 14 days after the date on which a decision is communicated to the club. Each club is to meet its own costs.

## **5 STATUS OF GUIDANCE**

This guidance should be used in conjunction with the relevant advice issued by the Home Office. The FA is not registered to give advice on immigration routes or processes or to advise on an

individual's immigration status. Information on aspects of immigration policy and law can be found on the Home Office website at [www.gov.uk/browse/visas-immigration](http://www.gov.uk/browse/visas-immigration) or you may wish to seek advice from an Office of the Immigration Services Commissioner (OISC) registered advisor or someone who is otherwise exempt from such a registration requirement, for example, a qualified solicitor.

Clubs are advised to allow sufficient time for entry clearance or leave to remain to be granted. The time taken may vary depending upon where the player is making his application from. A guide to visa processing times is available on the Home Office website at: [www.gov.uk/visa-processing-times](http://www.gov.uk/visa-processing-times). Please note that an individual's personal and immigration history may be taken into account when their application is being considered.

## 6 FURTHER INFORMATION

This guidance is available on The FA website at the following link:

<http://www.thefa.com/football-rules-governance/more/player-registrations>.

## 7 CONTACTS

For any queries regarding the Governing Body Endorsement criteria or to discuss the application process for football, please contact:

**John Stanley**

Player Status Department

The Football Association

Wembley Stadium

PO Box 1966

London

SW1P 9EQ

**Tel:** 0844 980 8200 # 6947

**Mob:** 07773 187 547

**Email:** [John.Stanley@thefa.com](mailto:John.Stanley@thefa.com)

Please note that if your query extends beyond football and into immigration, you will be directed to the Home Office.

## 8 HOME OFFICE HELP

If you are an employer or Sponsor and have a general query about the Sponsor application process or for specific enquiries regarding individual applications or about the migrant application process, please contact UK Visas and Immigration (UKVI) on 0300 123 2241.

For any technical problems with the Sponsor Management System (SMS), please call the SMS helpline on 0114 207 2900.

## **APPENDIX 1: EXCEPTIONS PANEL PROCEDURES**

### **1. INTRODUCTION**

The Exceptions Panel will review the information submitted in respect of the player by the club to The FA and any other information which it considers to be relevant in its absolute discretion in accordance with the below review criteria. For the avoidance of doubt, the Exceptions Panel is under no obligation (in any circumstances, including cases where the points threshold is exceeded) to recommend that a Governing Body Endorsement be issued. The Exceptions Panel may take into account any circumstances or facts which it determines, in its absolute discretion, are relevant to its decision in respect of whether to recommend that a GBE is granted. The final decision regarding whether to recommend that a GBE be granted rests with the Exceptions Panel.

### **2. REVIEW PROCESS**

In determining whether a GBE should be awarded, the Exceptions Panel will carry out a mixed objective and subjective review in accordance with the below review process.

Other than in exceptional cases, the Exceptions Panel will consider each application on the basis of the papers presented to it. An applicant club is permitted to request that the Exceptions Panel hear oral submissions but the Exceptions Panel is under no obligation to do so. Clubs should be aware that the Exceptions Panel is likely to grant an application for an oral hearing in only the most exceptional circumstances and for those cases in respect of which it is persuaded are complex and which rely on elements falling for consideration at the subjective review stage (Appendix 1, Section 4).

The review process to be undertaken by the Exceptions Panel is as follows:

1. The player is considered against the objective criteria set out at Part A below.
2. If the player scores 4 points or more against the objective Part A criteria, the Exceptions Panel shall immediately move on to conduct a subjective review of the information presented by the club and any other information which it considers to be relevant in its absolute discretion in respect of the player.
3. If the player scores fewer than 4 points against the objective Part A criteria, the Exceptions Panel shall consider the player against the objective criteria set out at Part B below.
4. Once the club's application has been considered against the objective Part B criteria, the Exceptions Panel shall move on to conduct a subjective review of the information presented by the club and any other information which it considers to be relevant in its absolute discretion in respect of the player.

### **3. OBJECTIVE CRITERIA**

If a player meets any of the criteria set out in the first column, he will be awarded the number of points set out in the second column. Points will only be awarded in the circumstances identified and the Exceptions Panel will not duplicate points across Part A and Part B. For example, a player who scores points in respect of his Transfer Fee at Part A will not be permitted to also score points in respect of his Transfer Fee at Part B (if necessary).

### Part A Objective Criteria

Criteria	Points
The value of the Transfer Fee being paid for the player is above the 75 <sup>th</sup> percentile of Qualifying Transfers <sup>1</sup> .	3 points
The value of the Transfer Fee being paid for the player is between the 50 <sup>th</sup> and 75 <sup>th</sup> percentile (inclusive) of Qualifying Transfers <sup>1</sup> .	2 points
The Wages being paid to the player by the applicant club are above the 75 <sup>th</sup> percentile of Qualifying Wages.	3 points
The Wages being paid to the player by the applicant club are between the 50 <sup>th</sup> and 75 <sup>th</sup> percentile (inclusive) of Qualifying Wages.	2 points
The player's current club is in a Top League and the player has played in 30% or more of the Available Minutes.	1 point
The player's current club has played in the group stages or onwards of a Continental Competition within the last 12 months and the player has played in 30% or more of the Available Minutes.	1 point

### Part B Objective Criteria

Criteria	Points
The value of the Transfer Fee being paid for the player is within 20% of the 50 <sup>th</sup> percentile of Qualifying Transfers <sup>1</sup> .	1 point
Players <sup>2</sup> for whom no transfer fee is payable who have been ascribed a virtual transfer value (on such basis and in such amount as the Exceptions Panel deems to be appropriate in its absolute discretion) which exceeds the value which is 20% below the 50 <sup>th</sup> percentile of Qualifying Transfers	1 point
The Wages being paid to the player by the applicant club are within 20% of the 50 <sup>th</sup> percentile of Qualifying Wages.	1 point
The player's current club is in a Secondary League and the player has played in at least 30% of the Available Minutes.	1 point
The player's current club has played in the final qualification rounds of a Continental Competition within the last 12 months and the player has played in at least 30% of the Available Minutes.	1 point

<p>The applicant club is able to show<sup>3</sup> that the player has participated in the Secondary Percentage<sup>4</sup> of senior Competitive International Matches<sup>5</sup> played by that player's National Association during the Reference Period.</p> <p style="text-align: center;"><b>OR</b></p> <p>The player's National Association was a semi-finalist in the Asian Cup or African Cup of Nations in the immediately preceding 12 months of the date of the application for a GBE.</p> <p>If the National Association is ranked outside the top 60 in the FIFA Aggregated World Rankings at the time of the application, the club must be able to show<sup>3</sup> that the player participated in 75% or more<sup>4</sup> of the Competitive International Matches<sup>5</sup> played by the National Association during the Reference Period.</p>	<p>1 point</p>
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## Notes:

<sup>1</sup> No points will be awarded for players for whom no transfer fee is payable at the time an application for a GBE is made for that player. This includes (but is not limited to) players transferring on a free transfer and players for whom a transfer fee has previously been paid but that player has been sent out on loan and is returning to their parent club.

<sup>2</sup> Players registering with a club on loan or for whom a transfer has previously been completed (regardless of whether a transfer fee was paid or not) but that player has been sent out on loan and is returning to their parent club cannot be ascribed a virtual transfer fee.

<sup>3</sup> The applicant club must provide written confirmation setting out all matches (including Competitive International Matches, friendlies and any other international matches that the player was involved in) in which the player:

- took part;
- was Unavailable for Selection; and
- did not take part but was not Unavailable for Selection.

An applicant club should obtain such confirmation from the player's National Association. If the relevant National Association is not able to confirm this, this fact should be confirmed by the applicant club to The FA. At this stage, The FA will seek to independently verify this information through its own sources. The responsibility lies with the applicant club to provide this information where it is able to do so. A decision will not be made until this process has been completed and any relevant supporting evidence is submitted.

<sup>4</sup> In calculating the Secondary Percentage (or other relevant percentage), any Competitive International Matches for which the player was Unavailable for Selection are to be excluded.

<sup>5</sup> If fewer than 30% of a National Association's matches during the Reference Period are Competitive International Matches, friendly matches will be included in the calculation.

## 4. SUBJECTIVE REVIEW

Where a player scores 4 points or more by reference to the Part A objective criteria; or following any consideration of a club's application under the Part B objective criteria (regardless of points scored), the Exceptions Panel will then conduct a subjective review of the information presented by the club and any other information which it considers to be relevant in its absolute discretion in respect of the player in order to determine whether the player is of sufficient quality to justify it recommending that a GBE be awarded. As has been set out above at paragraph 2.2, clubs should ensure that all evidence that they want to be considered in respect of the player is submitted in writing ahead of the determination by the Exceptions Panel.

Examples of matters which the Exceptions Panel may take into account when conducting the subjective review include but are not limited to:

- If applicable, the fact that the player satisfies or partially satisfies some of the automatic criteria for a Governing Body Endorsement (as set out under 2.1 (Criteria under which a Governing Body Endorsement will automatically be granted)), as well as the extent to which the player exceeds or falls short of these criteria.
- The reasons why the automatic criteria (as set out under paragraph 2.1 (Criteria under which a Governing Body Endorsement will automatically be granted) above) were not met.

- Against which objective criteria (whether Part A or Part B objective criteria) points have been scored and how many points have been scored.
- The extent to which the player exceeds either the Part A or Part B objective criteria that he has met or falls short of either the Part A or Part B objective criteria he does not meet.

## **5. OUTCOME**

If a player scores 4 points or more by reference to the Part A objective criteria or a Cumulative Total Score of 5 points or more under the Part A and Part B objective criteria, the Exceptions Panel may grant a GBE, but is under no obligation to do so. The Panel is entitled to consider, as part of its subjective review, any other circumstances or facts which it deems to be relevant in its absolute discretion in deciding whether to recommend that a GBE is awarded.

If a player scores fewer than 4 points by reference to the Part A objective criteria and a Cumulative Total Score of fewer than 5 points under the Part A and Part B objective criteria, the Exceptions Panel is guided to refuse a GBE unless it is satisfied, following its subjective review, that the player is internationally established at the highest level and that his employment will make a significant contribution to the development of football at the highest level in the UK. In determining this, the Exceptions Panel may consider any other circumstances or facts which it deems to be relevant in its absolute discretion in deciding whether to recommend that a GBE is awarded.

**APPENDIX 2:**  
**Form in which decision summaries will be provided to Stakeholders**

<b>LEAGUE IN WHICH THE APPLICANT CLUB PLAYS</b>	
<b>LEAGUE IN WHICH THE PLAYER CURRENTLY PLAYS</b>	
<b>AGE OF THE PLAYER</b>	
<b>RANKING OF THE PLAYER'S NATIONAL ASSOCIATION</b>	
<b>OBJECTIVE CRITERIA</b>	
<b>SUBJECTIVE CRITERIA</b>	
<b>ANY OTHER INFORMATION WHICH WAS DEEMED RELEVANT</b>	