

**THE FOOTBALL ASSOCIATION**  
**REGULATIONS ON WORKING WITH INTERMEDIARIES**

**1 APRIL 2015**

This document is intended as a brief guide to the Regulations on Working with Intermediaries (the 'Regulations') and seeks to identify the key points that relate to Players. Numbers in brackets are references to the Regulations. For a more detailed explanation please refer to the Regulations themselves and/or the detailed guidance notes available on The FA website [www.TheFA.com](http://www.TheFA.com). Alternatively further assistance or advice can be obtained via your Professional Footballer's Association (PFA) representative or by telephoning The FA Football Agents Regulation enquiry line on 0844 980 8213.

**KEY POINTS FOR PLAYERS FROM THE REGULATIONS**

- Players do not have to be represented by an Intermediary and are entitled to represent themselves (A1).
- All existing licenses for Agents will lose their validity on 1<sup>st</sup> April 2015. Individuals wishing to represent Players in Transactions will need to be registered as an Intermediary with The FA (B2).
- There is no exemption for lawyers or family members. Anyone who wishes to conduct Intermediary Activity and represent Players must be registered as an Intermediary.
- If Players use an Intermediary they must have a written Representation Contract in place. They should ensure that they receive a copy of the contract and that it is dated and signed by both parties (B1).
- A Player's contract with an Intermediary should be for a period of no more than two years (B10).
- Players that engage the services of an Intermediary when negotiating an employment contract and/or a transfer agreement are prohibited from making any payments to such Intermediary if the Player concerned is a Minor (under 18) (C10). (see footnote \* below)
- As a recommendation, Players and Intermediaries may adopt the following benchmark:

The total amount of remuneration per Transaction due to Intermediaries who have been engaged to act on a Player's behalf should not exceed three per cent (3%) of the Player's Basic Gross

Income for the entire duration of the relevant employment contract (C11).

- Please note the recommendation at Regulation C11 is non-binding. Players are free to remunerate Intermediaries as they wish, so long as it is in accordance with the Regulations. (see footnote \* below)
- If Players have an active contract with an Agent as at 31<sup>st</sup> March 2015, the Agent must register as an Intermediary on or after 1<sup>st</sup> April and re-lodge the Representation Contract within 10 days of registration to continue acting for the Player (G2).
- Intermediaries acting for Players should only be paid in line with the payments that are agreed in the Player/Intermediary contract or on the paperwork completed at the time of any Transaction involving the Intermediaries (C1).
- A Player can pay their Intermediary by a lump sum payment, or by instalments in relation to their Basic Gross Income (excluding any bonus, benefits or privileges). Players should make sure that they agree this in advance and are happy with the arrangements (C3).
- Players can pay Intermediaries in the following ways (C2):
  - Directly by the Player (e.g. from a bank account by Standing Order or Direct Debit); or
  - By the Club with fees deducted from the Player's salary by the Club
  - As a taxable benefit in kind (known as P11D payment) paid by the Club on behalf of the Player

Details of any payment should be made clear to the Player and detailed in the playing contract.

- The Intermediary representing a Player can also act for the Club in a Transaction as long as he has received the Player's written permission in advance (E2).
- If a Player is signed up to an Intermediary on an exclusive basis, he should not enter into a contract with another Intermediary at the same time and he may be liable to pay commission to two (or more) different Intermediaries if he does so.
- Players entering into a contract with an Intermediary should consider taking independent legal advice or contacting the PFA if they are unsure of any of the terms of the contract.
- Players must not have any interest or own shares above a maximum of 5% in any company conducting Intermediary Activity (E4).

- A Player cannot be represented by an Intermediary before the 1<sup>st</sup> day in January on the year of their 16<sup>th</sup> birthday (B8).
- Representation Contracts between Players and Intermediaries under the age of 18 must also be signed by the Player's parent or legal guardian (B9).
- Intermediaries have been advised by The FA about the importance of obtaining adequate professional indemnity or liability insurance in order to appropriately obviate the risks arising out of their professional activities as an Intermediary.

Footnote \*

*Players are advised that the Association of Football Agents (the "AFA") has informed The FA that it has lodged a complaint with the European Commission regarding Regulation 7(3) and Regulation 7(8) of the FIFA Regulations on Working with Intermediaries which come into force on 1 April 2015. The AFA contends that the aforementioned regulations are contrary to European law. It is not yet clear when the European Commission will be publishing a final decision regarding the complaint.*

*Players should note that the above regulations correspond with Regulation C10 and C11 of The FA's Regulations on Working with Intermediaries. Players should be aware that it is possible Regulation C10 and C11 may be reviewed in the light of any finding by the European Commission once a decision has been published on the AFA's complaint.*

