

**RULES GOVERNING THE PROCEDURES OF THE PLAYERS'
STATUS COMMITTEE AND THE DISPUTE RESOLUTION
CHAMBER (2012)***

I. GENERAL PROVISIONS

Based upon art. 31 par. 1 of the FIFA Statutes, the following rules have been issued:

1. Scope

1. The procedures of the Players' Status Committee and the Dispute Resolution Chamber (DRC) shall be conducted in accordance with these rules.
2. Any provisions in the FIFA Statutes or other FIFA regulations that deviate from these rules shall have precedence over the provisions of these rules.

2 Applicable material law

In their application and adjudication of law, the Players' Status Committee and the DRC shall apply the FIFA Statutes and regulations whilst taking into account all relevant arrangements, laws and/or collective bargaining agreements that exist at national level, as well as the specificity of sport.

3 Jurisdictions

1. The Players' Status Committee and the DRC shall examine their jurisdiction, in particular in the light of arts 22 to 24 of the Regulations on the Status and Transfer of Players. In the event of any uncertainty as to

* La versione Italiana del Regolamento per le procedure dinanzi la Commissione per lo status del calciatore e la Camera di Risoluzione delle Controversie è pubblicata nella II edizione del volume "Il Calcio e le sue regole", SLPC, Dicembre 2012, info@slpc.eu.

the jurisdiction of the Players' Status Committee or the DRC, the chairman of the Players' Status Committee shall decide which body has jurisdiction.

2. The identity and jurisdiction of the single judge of the Players' Status Committee and the DRC judge is set out in art. 23 par. 3 and art. 24 par. 2 of the Regulations on the Status and Transfer of Players.
3. Subject to other provisions, proceedings before the single judge or the DRC judge shall also be conducted in accordance with these rules.

4 *Composition*

The chairman, deputy chairman and members of the Players' Status Committee and of the DRC shall be chosen by the Executive Committee. The 24 members of the DRC, made up of an equal number of player and club representatives, shall be appointed on the proposal of the players' associations and the clubs or leagues.

5 *General procedural principles*

1. The Players' Status Committee and the DRC shall conduct the proceedings and monitor compliance with the procedural regulations.
2. All persons involved in legal application and adjudication processes shall act in good faith.
3. All persons party to proceedings are obliged to tell the truth to the Players' Status Committee and the DRC.
4. A claim shall be dealt with by the Players' Status Committee and the DRC only if there is a legitimate reason for dealing with the claim.
5. The Players' Status Committee and the DRC shall determine the facts of a case according to their best judgement. All persons involved in the proceedings and all persons subject to the regulations of FIFA shall assist in determining the facts of a case.
6. The Players' Status Committee and the DRC shall perform the duties entrusted to them with due expedition.
7. Members of the Players' Status Committee and of the DRC may not perform different functions in the same matter. They shall refrain from attempting to influence other bodies and committees and shall maintain strict confidentiality concerning all information that comes to their attention while exercising their office and is not mentioned in the decision. They

are, in particular, obliged to respect the secrecy of deliberations.

8. Subject to any provisions to the contrary, all parties in the proceedings shall be granted the right to be heard, the right to present evidence, the right for evidence leading to a decision to be inspected, the right to access files and the right to a motivated decision.

II. PROCEDURAL REGULATIONS

6 *Parties*

1. Parties are member associations of FIFA, clubs, players, coaches or licensed match and players' agents.
2. Parties may appoint a representative. A written power of attorney is to be requested from such representatives. If a party is ordered to appear in person, the party shall obey the summons.
3. Parties requesting the opening of proceedings shall be sent written confirmation when the request has been received. Parties affected by the opening of proceedings must be notified thereof without delay.

7 *Withdrawal and challenges*

1. Members of the Players' Status Committee and of the DRC may not exercise their office in any cases in which they have a personal and/or direct interest. The member in question shall disclose the reasons for withdrawing in sufficient time.
2. Members of the Players' Status Committee and of the DRC may be challenged by the parties if there is legitimate doubt as to their independence and impartiality. A challenge shall be made within five days of the grounds for the challenge coming to light, otherwise the parties shall forfeit the right to make a challenge. Motions shall be substantiated and, if possible, supported by evidence. If the member concerned disputes the allegations raised, the Players' Status Committee or the DRC shall reach a decision on the challenge in the absence of the member concerned.
3. If the Players' Status Committee and the DRC are no longer able to function as a consequence of challenges, the Executive Committee shall make a final decision on the challenges and, if necessary, appoint an ad-hoc committee to deal with the substance of the case.

8 *Procedural form*

As a general rule, proceedings shall be conducted in writing.

9 *Petitions and statements*

1. Petitions shall be submitted in one of the four official FIFA languages via the FIFA general secretariat. They shall contain the following particulars:
 - a) the name and address of the parties;
 - b) the name and address of any legal representatives, if applicable, and the power of attorney;
 - c) the motion or claim;
 - d) a representation of the case, the grounds for the motion or claim and details of the evidence;
 - e) documents of relevance to the dispute, such as contracts and previous correspondence with respect to the case in the original version and, if applicable, translated into one of the official FIFA languages (evidence);
 - f) the name and address of other natural and legal persons involved in the case concerned (evidence);
 - g) the amount in dispute, insofar as it is a financial dispute;
 - h) proof of payment of the relevant advance of costs for any proceedings before the Players' Status Committee or the single judge, or for any proceedings related to disputes concerning training compensation or the solidarity mechanism (cf. art. 17);
 - i) the date and a valid signature.
2. Petitions submitted by parties that do not satisfy the aforementioned requirements will be returned for redress along with a warning that the petition will not be dealt with in the event of non-compliance. Petitions with improper or inadmissible content will be rejected immediately.
3. If there is no reason not to deal with a petition, it shall be sent to the opposing party or the person affected by the petition with a time limit for a statement or reply. If no statement or reply is received before the time limit expires, a decision shall be taken upon the basis of the documents already on file. There will only be a second exchange of correspondence in special cases.

10 *Venue*

The proceedings and deliberations of the Players' Status Committee (including the single judge) and of the DRC (including the DRC judge) shall take place at FIFA headquarters in Zurich, Switzerland, subject to exceptions.

11 Oral hearing

1. If the circumstances appear to warrant it, the parties may be summoned to attend an oral hearing. A record of the hearing shall be conducted by a person appointed by the chairman. The testimonies from parties, witnesses and experts are to be signed by them.
2. On timely request, an interpreter will be provided by FIFA. The costs for the interpreter are to be borne by the requesting party.

12 Taking of evidence

1. Evidence consists of party testimony, witness testimony, documents, expert reports and all other pertinent evidence.
2. Evidence shall be heard only in respect of facts relevant to the case.
3. Any party claiming a right on the basis of an alleged fact shall carry the burden of proof.
4. The Players' Status Committee and the DRC may also consider evidence not presented by the parties.
5. If the hearing of presented evidence is associated with high costs, it may be made dependent upon the party paying the anticipated costs within a set time limit.
6. Evidence shall be considered with free discretion, taking into account the conduct of the parties during the proceedings, especially a failure to comply with a personal summons, a refusal to answer questions and the withholding of requested evidence.

13 Proposals from the FIFA administration

1. In disputes relating to training compensation and the solidarity mechanism without complex factual or legal issues, or in cases in which the DRC already has clear, established jurisprudence, the FIFA administration (i.e. the Players' Status & Governance Department) may make written proposals, without prejudice, to the parties regarding the amounts owed in the case in question as well as the calculation of such amounts. At the same time, the parties shall be informed that they have 15 days from receipt of FIFA's proposals to request, in writing, a formal decision from the relevant body, and that failure to do so will result in the proposal being

regarded as accepted by and binding on all parties.

2. If a party requests a formal decision, the proceedings will be conducted according to the provisions laid down in these rules.

14 *Decisions*

1. Decision-making by the Players' Status Committee and the DRC is effected by a simple majority vote after secret deliberations. All members in attendance and the chairman have one vote each. Abstentions are not permitted. In the event of a tie, the chairman shall have the casting vote. Decisions may also be taken by way of circulars.
2. Decisions shall be communicated in writing. In urgent cases, the findings of the decision may be communicated first. In such a case, with the exception of article 15 below, the grounds of a decision shall be communicated within 20 days of notification of the findings of the decision. The time limit to lodge an appeal begins upon communication of the grounds of the decision to the parties.
3. The FIFA Secretary General is entitled to announce the decision in the name of and on behalf of the Players' Status Committee and the DRC.
4. Written decisions shall contain at least the following:
 - a) the date of the decision (for decisions taken by way of circular, the date of completion of the circular process);
 - b) the names of the parties and any representatives;
 - c) the names of the members participating in the decision taken by the decision-making body;
 - d) the claims and/or motions submitted by the parties;
 - e) a brief description of the case;
 - f) the reasons for the findings;
 - g) the outcome of the evaluation of evidence;
 - h) the findings of the decision.
5. Obvious mistakes in decisions may be corrected, ex officio or on application, by the body that made the decision.
6. No disadvantage may accrue to any party from the erroneous announcement of a decision.

15 *Decisions without grounds*

1. The Players' Status Committee, the DRC, the single judge and the DRC judge may decide not to communicate the grounds of a decision and instead communicate only the findings of the decision. At the same time, the parties shall be informed that they have ten days from receipt of the findings of the decision to request, in writing, the grounds of the decision, and that failure to do so will result in the decision becoming final and binding and the parties being deemed to have waived their rights to file an appeal.
2. If a party requests the grounds of a decision, the motivated decision will be communicated to the parties in full, written form. The time limit to lodge an appeal begins upon receipt of this motivated decision.
3. If the parties do not request the grounds of a decision, a short explanation of the decision shall be recorded in the case files.
4. All decisions that lead to sporting sanctions may only be communicated with grounds.

16 Time limits

1. Procedural acts must be conducted within the time limit prescribed by the rules or by the decision-making body.
2. A time limit is deemed to have been observed if the act is completed before midnight on the final day of the set period.
3. Written petitions and payments must arrive at the designated place or have been paid at a recognised branch of a bank or posted at a recognised post office no later than the final day of the set period. Petitions submitted by e-mail shall have no legal effect, in contrast to petitions submitted by fax.
4. Petitions and payments submitted in time to the incorrect FIFA office are deemed to have been submitted within the time limit. Onward transmission to the correct office shall be effected *ex officio*.
5. Proof of compliance with the time limit is to be provided by the sender.
6. If these rules do not specify the consequences of non-compliance with a time limit, they shall be determined by the Players' Status Committee or the DRC. Warnings may not go further than necessary for the due process of the proceedings.

7. The day on which a time limit is set and the day on which the payment initiating the time limit is made shall not be counted when calculating the time limit.
8. All time limits shall be suspended in the period from 20 December up to and including 5 January and for a period of five days before and five days after an Ordinary or an Extraordinary FIFA Congress. During the FIFA World Cup™ (finals) time limits shall be suspended if so decided, ex officio or on application by a party, by the decision-making body.
9. If the final day of the time limit is an official holiday or a non-working day in the country where the party submitting or receiving a document is domiciled or resident, the time limit shall expire at the end of the next working day.
10. Regulatory time limits may not be extended. Time limits set by the Players' Status Committee and the DRC may be extended, paying due consideration to the principle of expeditious execution of proceedings, if a substantiated request is submitted before the time limit expires.
11. Time limits that are to be set by the Players' Status Committee and the DRC should normally run for no less than ten and no more than twenty days. In urgent cases, time limits may be reduced to 24 hours.
12. Should a party or representative be unable to observe a time limit through no fault of its own, the time limit may be reset on substantiated request, although only if the request is made within three days of the hindrance ceasing to exist.
13. The time limit for lodging an appeal shall always begin on receipt of the full version of the decision.

17 *Advance of costs*

1. An advance of costs (cf. art. 18) is payable for proceedings before the Players' Status Committee and the single judge (with the exception of proceedings relating to the provisional registration of players), as well as for proceedings before the DRC in relation to disputes regarding training compensation and the solidarity mechanism.
2. No advance of costs shall be paid for proceedings before the DRC in relation to disputes regarding training compensation and the solidarity mechanism if the value of the dispute does not exceed CHF 50,000.

3. The advance of costs shall be paid by the claimant or counter-claimant when the claim or counter-claim is lodged.

4. The advance of costs is calculated according to the value of the dispute as follows:

Amount in dispute	Advance
up to CHF 50,000	CHF 1,000
up to CHF 100,000	CHF 2,000
up to CHF 150,000	CHF 3,000
up to CHF 200,000	CHF 4,000
from CHF 200,001	CHF 5,000

The advance of costs is to be paid into the following bank account, with a clear reference to the parties involved in the dispute.

UBS Zurich

Account number 366.677.01U (FIFA Players' Status)

Clearing number 230

IBAN: CH27 0023 0230 3666 7701U

SWIFT: UBSWCHZH80A

5. If a party fails to pay the advance of costs when submitting a claim or counter-claim, the FIFA administration shall allow the party concerned ten days to pay the relevant advance and advise that failure to do so will result in the claim or counter-claim not being heard.

6. The advance of costs paid in accordance with the preceding paragraphs of this article shall be duly considered in the decision regarding costs in accordance with art. 18.

7. The advance of costs for disputes relating to training compensation or the solidarity mechanism shall be reimbursed to the party concerned if all parties to the dispute accept the FIFA administration's proposal regarding the amounts owed and the calculation of such amounts (cf. art. 13).

18 *Costs*

1. Costs in the maximum amount of CHF 25,000 are levied in connection with proceedings of the Players' Status Committee and the single judge (with the exception of proceedings relating to the provisional registration of players), as well as for proceedings before the DRC relating to disputes regarding training compensation and the solidarity mechanism. Costs are to be borne in consideration of the parties' degree of success in the proceedings. In special circumstances, the costs may be assumed by FIFA. Should a party generate unnecessary costs on account of its conduct,

costs may be imposed upon it, irrespective of the outcome of the proceedings.

2. DRC proceedings relating to disputes between clubs and players in relation to the maintenance of contractual stability as well as international employment-related disputes between a club and a player are free of charge.
3. No fees shall be charged if a party decides not to ask for the grounds of a decision once the findings have been communicated (cf. art. 15).
4. No procedural compensation shall be awarded in proceedings of the Players' Status Committee and the DRC.

19 *Notification of decisions*

1. Decisions shall be sent to the parties directly, with a copy also sent to the respective associations.
2. Notification is deemed to be complete at the moment the decision is received by the party, at least by fax. Notification of a representative shall be regarded as notification of the party.
3. Decisions communicated by fax shall be legally binding. Alternatively, decisions may be communicated by registered letter or courier, which shall also be legally binding.

20 *Publication*

Decisions, should they be of general interest, may be published by the general secretariat in a form determined by the Players' Status Committee or the DRC, and condensed, if applicable, in the form of a media release. Due restraint shall be exercised when publicising decisions. On substantiated request by a party, certain elements of the decision may be excluded from publication.

21 *Enforcement*

1. These rules were approved by the FIFA Executive Committee on 27 September 2012 and came into force on 1 December 2012.
2. These rules are applicable to proceedings submitted to FIFA on or after the date on which these rules came into force.

3. These rules replace the Rules Governing the Procedures of the Players' Status Committee and the Dispute Resolution Chamber (DRC) dated May 2008. The previous rules shall apply to cases submitted to FIFA before these rules came into force.

Zurich, 27 September 2012

For the FIFA Executive Committee

President: Secretary General:
Joseph S. Blatter Jérôme Valcke

ANNEXE A Procedural costs

1 Procedural costs

The procedural costs to be levied in accordance with these rules are based upon the following:

Amount in dispute	Procedural costs
up to CHF 50,000	up to CHF 5,000
up to CHF 100,000	up to CHF 10,000
up to CHF 150,000	up to CHF 15,000
up to CHF 200,000	up to CHF 20,000
from CHF 200,001	up to CHF 25,000