



Association of European Professional Football Leagues

Österreichische Fußball Bundesliga - Pro League - Divisionsforeningen - The Premier League - Eircom League of Ireland - Swiss Football League - Lega Nazionale Professionisti
Ligue de Football Professionnel - Deutsche Fußball Liga - Super League Greece - Veikkausliiga - Foreningen Svensk Elitfotboll - Liga Portuguesa de Futebol Profissional
The Scottish Premier League - Eredivisie NV - Liga Nacional de Fútbol Profesional - Union of 1,SNL - Norsk Toppfotball - Ekstraklasa - Bulgarian Professional Football League
Professional Football League of Ukraine - Welsh Premier League - Russian Football Premier League - The Football League (Associate Member) - Lega Pro (AM)
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DECLARATION OF PRINCIPLES

on The Future of Professional Football in Europe

WHEREAS taking into due consideration the European Sport Forum to be held in Biarritz, on 26 and 27 November 2008, the EU Sports Ministers Meeting to be held on the following day in the same city and the EU Council to be held in December under the auspices of the French Presidency, the

ASSOCIATION OF EUROPEAN PROFESSIONAL FOOTBALL LEAGUES (EPFL), representing the major 28 Professional Football Leagues and more than 900 clubs across Europe,

HEREBY DECLARE

Our willingness to continue working closely with our colleagues of UEFA and FIFA, as well as with other key stakeholders, on the future of Professional Football in Europe. In that context, our principles, priorities and vision are as follows:

- (1) Professional Football has a specific nature that sets it apart from any other activity or business. It performs a very relevant function and has a growing economic dimension and impact at European and national level. This specific nature of professional football is recognised by the EU institutions and Member States and is well reflected and consolidated in a multitude of national laws and sports regulations as well as in other national and international arrangements. As such due recognition of the vital role pursued by the Leagues, must logically follow.
- (2) Whilst due recognition and respect must be given to Sports' special nature, the conduct and operation of Sport must take place within the framework of European Law, as Sport is neither above nor outside the Law. But the need for greater legal certainty still persists.
- (3) In the light of the vital role performed by the Leagues in European sport, society and economy, any key issue affecting professional football including any guidelines on the definition of the principle of specificity of sport needs to involve the Leagues and clubs as much as possible.
- (4) In the organisation, governance and regulation of Sport, the principle of subsidiarity is paramount, with each League and National Association being responsible for the governance and regulation of its own competitions.



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- (5) In conformity with the principle of specificity of Professional Sport and the autonomy of its representative structures, it is clearly for each League, in cooperation with the respective National Association, to assume the accountability for its own affairs and take the necessary measures to ensure that it is properly administered, ensuring good governance and transparency.
- (6) Whilst respecting the principle of subsidiarity, Leagues should continue to encourage and develop rules and regulations to improve the standards and financial management of their clubs (by enhancing national licensing systems and other mechanisms aimed to ensure financial stability as appropriate), to preserve the integrity of their competitions and to maintain the highest standards of governance. At European level, the EPFL will continue to work with UEFA on the development of the Club Licensing System, applicable to UEFA competitions..
- (7) Within the context of subsidiarity and proper role of the Leagues, the development of rules and adequate supervisory mechanisms should also be encouraged at the national level, in particular, as concerns (multi)ownership of clubs, investment, fit and proper person's tests, third party and economic rights of players and other matters which require proper and prompt attention.
- (8) Given the development of jurisprudence within the FIFA Dispute Resolution Chamber and Court of Arbitration for Sport, a review of the mechanism for contractual stability in Football should take place for the benefit of Leagues, clubs and players and to ensure that the spirit of the document entitled "Principles for the amendment of FIFA rules regarding international transfers", attached to the exchange of letters dated of 5 March 2001 between FIFA and the European Commission, is preserved.
- (9) In this respect, the European Social Dialogue, launched on 1 July 2008 in the Professional Football sector under the auspices of the European Commission, should provide a sound platform to promote legal certainty and contractual stability, social consultation and stable relationships between employer and employee representatives, whose development should also be encouraged at the national level.
- (10) Leagues and National Associations should also ensure that their rules adequately and effectively regulate the activities of **agents** and their financial dealings both at the national and international level, including greater cooperation with other relevant sports bodies, such as FIFA, and public authorities as appropriate, as well as enhanced supervisory and monitoring mechanisms.
- (11) Professional Football, as Sport in general, depends on the commercialization of its rights to create an income stream that is reinvested back into every aspect of



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Sport. Not only is this significant to Football itself, but to the wider economy and society as well.

As such, a clear and robust Intellectual Property Rights (IPR) framework, through appropriate legislative action, is absolutely indispensable, both at national and international level. A proactive and vigorous approach from the European Commission and the EU Member States is truly fundamental to secure the protection of IPR for Sport and their major events; to recognize that news access arrangements must draw on existing copyright law and reflect the need of sports rights holders; and to establish legislation to combat ambush marketing, ticket touting and the growing threat of internet piracy.

- (12) It must be stressed that broadcasting rights are the primary source of income for most Professional Sports. The importance of these rights to Professional Sport, promoting financial solidarity and enabling redistribution amongst clubs, as well as investment in youth development, societal programmes and sport infrastructures, among many other aspects of the game, cannot be over emphasised.

The collective selling of such rights is vital to the business model of Leagues and clubs, and should be encouraged and protected within the framework of EU Law with a consistency of approach by the relevant EU and national authorities. As the European Commission acknowledges in its White Paper on Sport, collective selling of the rights is essential to ensure professional football's economic viability and self-sufficiency, and to enable the Sport to pursue its relevant social function to the full.

- (13) The challenges posed by unlawful use of sports betting must be actively tackled with stronger action and a tougher legislative and regulatory response to safeguard effectively the integrity of sports competitions and Sport's economic viability.

This calls for a new legislative framework for sports betting in the EU. There is a need to establish a statutory relationship between sports rights holders and betting organizations along the lines of the framework developed in the Gambling and racing Legislation Amendments (Sports Betting) Bill 2007 in Victoria, Australia. The aim must be to develop joint mechanisms to protect the integrity of sport (including, *inter alia*, information sharing, data control and responsibility over the types of bets offered). There also has to be a fair financial return to a sport from any betting companies wanting to offer betting on its data, to compensate for the use of the sports rights by betting operators for commercial purposes.

- (14) Protection of young players and the position of training clubs are also matters of considerable concern and debate. Measures need to be taken and best practices implemented to ensure that young players receive the highest standards of



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welfare, development and continuing education, and that training clubs are properly encouraged to conserve those talents in their squads and entitled to receive fair compensation for their investment in their development. In addition, Leagues, clubs and other sport bodies should fight unconditionally against trafficking and exploitation of young players, including those from regions outside those covered by the EU and UEFA.

- (15) Other deep-rooted social problems exist, such as racism, violence and doping. These are complex social problems that football bodies, alone, cannot effectively tackle, but rather require greater cooperation between them, the EU institutions and the competent authorities at the national level.
- (16) As the common voice of the major 28 European Professional Football Leagues and more than 900 clubs across Europe, the EPFL will continue working to respond to the organisational and regulatory needs of Professional Football in matters of broad consensus. Being aware of its legitimacy and responsibility, the EPFL will continue to play a vital role within a self-regulatory sports environment, fostering a common sense of purpose, unity and cooperation among its members and associate members, and the common adoption of the most appropriate policies and highest governance standards, in order to respond efficiently to what is an increasingly demanding and ever-changing sporting, legal and economic scenery.

Approved on behalf of the Members of the Association by its Board of Directors on the 14th of October 2008.

Sir David Richards
(Chairman)

Emanuel Macedo de Medeiros
(CEO)