

MEMORANDUM

TO: Persons Acting as Intermediaries for Players or Clubs
FROM: Gregory Fike
Staff Attorney, U.S. Soccer
DATE: March 2015
RE: FIFA Regulations on Working with Intermediaries

This memorandum outlines the procedures for registering as an intermediary with USSF pursuant to FIFA Regulations on Working with Intermediaries (“FIFA Regulations”). All intermediaries, players and clubs must comply with the FIFA Regulations.

Under FIFA Regulations, players and clubs are entitled to use the services of an intermediary when completing an employment contract between a player and club or a transfer agreement between two clubs. Intermediaries are any natural or legal persons who, for a fee or free of charge, represent players and/or clubs in negotiations toward concluding an employment contract or transfer agreement. An intermediary to the execution of a player contract or transfer agreement must now register with the USSF, pursuant to the FIFA Regulations.

Necessary Submissions when Using Intermediaries: Any player or club engaging the services of an intermediary during the execution of an employment contract or transfer agreement must submit a declaration signed by the intermediary (Appendix A or Appendix B) to USSF upon execution of the employment contract or transfer agreement.

Registration of Intermediaries: Aside from the required declaration, intermediaries who have not previously registered with USSF and wish to pre-register as intermediaries must submit 1) an Intermediary Registration Form (Appendix C) 2) and a registration fee of \$400.00 via cashier’s check or money order to U.S. Soccer at the following address:

**United States Soccer Federation, Inc.
1801 S. Prairie Avenue
Chicago, IL 60616
Attention: Gregory Fike
Staff Attorney, US Soccer**

Intermediaries who have not previously registered with USSF will be subject to a background check to determine if they have ever been convicted of a financial or violent crime.

Intermediaries currently registered as players’ agents or who have applied to be a players’ agent within the last five years may pre-register by submitting the Intermediary Registration Form and a \$50 registration fee via cashier’s check or money order to the address above. Once registered, intermediaries will need to pay a \$50 registration fee each year to maintain their registration.

Any persons that have been convicted of financial or violent crimes shall not be permitted to register as intermediaries. If a registered intermediary is convicted of a violent or financial crime, the intermediary must notify USSF of this immediately.

Please note that intermediaries shall not actually be registered until the intermediary submits a representation contract between themselves and a player and/or club along with the other required documentation and the intermediary is involved in an executed employment contract or a transfer agreement.

Relevant Dates: Intermediaries may pre-register starting April 1, 2015. Pre-registration for the next year will start January 1 of each calendar year in the future. Intermediaries that do not pre-register must register upon execution of an employment contract or transfer agreement in which they represent a player or club.

Payments and Sanctions: Please see Article 7 of FIFA's Regulations for a guide on proper payment procedures when using intermediaries to execute an employment contract and/or transfer agreement. Sanctions may be imposed on any party under USSF jurisdiction that does not follow the provisions of these registration requirements or the FIFA Regulations.

Should you have any additional questions or comments, please do not hesitate to call Greg Fike at (312) 528-1278.

See below for Appendix A: Intermediary Declaration for Natural Persons; Appendix B: Intermediary Declaration for Legal Persons; Appendix C: Intermediary Registration Form

Appendix A: Intermediary Declaration for Natural Persons

First name(s):

Last Name(s):

Date of birth:

Nationality/nationalities:

Full permanent address (incl. phone/fax and e-mail):

I, _____
(First name(s), last names(s) of intermediary)

HEREBY DECLARE THE FOLLOWING:

1. I pledge to respect and comply with any mandatory provisions of applicable national and international laws, including in particular those relating to job placement when carrying out my activities as an intermediary. In addition, I agree to be bound by the statutes and regulations of associations and confederations, as well as by the Statutes and regulations of FIFA in the context of carrying out my activities as an intermediary.
2. I declare that I am currently not holding a position of official, as defined in point 11 of the Definitions section of the FIFA Statutes, nor will I hold such a position in the foreseeable future.
3. I declare that I have an impeccable reputation and in particular confirm that no criminal sentence has ever been imposed upon me for a financial or violent crime.
4. I declare that I have no contractual relationship with leagues, associations, confederations or FIFA that could lead to a potential conflict of interest. In case of uncertainty, any relevant contract shall be disclosed. I also acknowledge that I am precluded from implying, directly or indirectly, that such a contractual relationship with leagues, associations, confederations or FIFA exists in connection with my activities as an intermediary.
5. I declare, pursuant to article 7 paragraph 4 of the FIFA Regulations on Working with Intermediaries, that I shall not accept any payment to be made by one club to another club in connection with a transfer, such as transfer compensation, training compensation or solidarity contributions.
6. I declare, pursuant to article 7 paragraph 8 of the FIFA Regulations on Working with Intermediaries, that I shall not accept any payment from any party if the player concerned is a minor, as defined in point 11 of the Definitions section of the Regulations on the Status and Transfer of Players.
7. I declare that I shall not take part in, either directly or indirectly, or otherwise be associated with, betting, gambling, lotteries and similar events or transactions connected with football matches. I acknowledge that I am forbidden from having stakes, either actively or passively, in companies, concerns, organisations, etc. that promote, broker, arrange or conduct such events or transactions.

8. I consent, pursuant to article 6 paragraph 1 of the FIFA Regulations on Working with Intermediaries, to the association obtaining full details of any payment of whatsoever nature made to me by a club or a player for my services as an intermediary.

9. I consent, pursuant to article 6 paragraph 1 of the FIFA Regulations on Working with Intermediaries, to the leagues, associations, confederations or FIFA obtaining, if necessary, for the purpose of their investigations, all contracts, agreements and records in connection with my activities as an intermediary. Equally, I consent to the aforementioned bodies also obtaining any other relevant documentation from any other party advising, facilitating or taking any active part in the negotiations for which I am responsible.

10. I consent, pursuant to article 6 paragraph 3 of the FIFA Regulations on Working with Intermediaries, to the association concerned holding and processing any data for the purpose of their publication.

11. I consent, pursuant to article 9 paragraph 2 of the FIFA Regulations on Working with Intermediaries, to the association concerned publishing details of any disciplinary sanctions taken against me and informing FIFA accordingly.

12. I am fully aware and agree that this declaration shall be made available to the members of the competent bodies of the association concerned.

13. Remarks and observations which may be of potential relevance:

I make this declaration in good faith, the truth of which is based on the information and materials currently available to me, and agree that the association concerned shall be entitled to undertake such checks as may be necessary to verify the information contained in this declaration. I also acknowledge that, having submitted this declaration, in the event that any of the above-mentioned information changes, I must notify the association concerned immediately.

(Place and date)

(Signature)

Appendix B: Intermediary Declaration for Legal Persons

Name of company (legal person/entity):

Address of company (incl. phone/fax, e-mail and website):

Hereinafter referred to as “the company”

First name(s) and last name(s) of the individual duly authorized to represent the aforementioned company (legal person/entity):

(NB: Each individual acting on behalf of the company has to fill in a separate Intermediary Declaration)

I, _____
(First name(s), last name(s) of the individual representing the legal person/ entity)

duly authorized to represent the company

HEREBY DECLARE THE FOLLOWING:

1. I declare that both the company I represent and that I myself shall respect any mandatory provisions of applicable national and international laws, including in particular those relating to job placement when carrying out activities as an intermediary. In addition, I declare that both the company I represent and that I myself agree to be bound by the statutes and regulations of associations and confederations, as well as by the Statutes and regulations of FIFA in the context of carrying out activities as an intermediary.
2. I declare that I am currently not holding a position of official, as defined in point 11 of the Definitions section of the FIFA Statutes, nor will I hold such a position in the foreseeable future.
3. I declare that I have an impeccable reputation and in particular confirm that no criminal sentence has ever been imposed upon me for a financial or violent crime.
4. I declare that neither the company I represent nor I myself have any contractual relationship with leagues, associations, confederations or FIFA that could lead to a potential conflict of interest. In case of uncertainty, any relevant contract shall be disclosed. I also acknowledge that the relevant company is precluded from implying, directly or indirectly, that such a contractual relationship with leagues, associations, confederations or FIFA exists in connection with its activities as intermediary.
5. I declare, pursuant to article 7 paragraph 4 of the FIFA Regulations on Working with Intermediaries, that neither the company I represent nor I myself shall accept any payment to be made by one club to another club in connection with a transfer, such as transfer compensation, training compensation or solidarity contributions.

6. I declare, pursuant to article 7 paragraph 8 of the FIFA Regulations on Working with Intermediaries, that neither the company I represent nor I myself shall accept any payment from any party if the player concerned is a minor, as defined in point 11 of the Definitions section of the Regulations on the Status and Transfer of Players.

7. I declare that neither the company I represent nor I myself shall take part in, either directly or indirectly, or otherwise be associated with, betting, gambling, lotteries and similar events or transactions connected with football matches. I acknowledge that both the company I represent and I myself are forbidden from having stakes, either actively or passively, in companies, concerns, organisations, etc. that promote, broker, arrange or conduct such events or transactions.

8. On behalf of the company I represent, I consent, pursuant to article 6 paragraph 1 of the FIFA Regulations on Working with Intermediaries, to the associations obtaining full details of any payment of whatsoever nature made to the company by a club or a player for its services as an intermediary.

9. On behalf of the company I represent, I consent, pursuant to article 6 paragraph 1 of the FIFA Regulations on Working with Intermediaries, to the leagues, associations, confederations or FIFA obtaining, if necessary, for the purpose of their investigations, all contracts, agreements and records in connection with the activities as an intermediary of the company. Equally, I consent to the aforementioned bodies also obtaining any other relevant documentation from any other party advising, facilitating or taking any active part in the negotiations for which the company I represent is responsible.

10. On behalf of the company I represent, I consent, pursuant to article 6 paragraph 3 of the FIFA Regulations on Working with Intermediaries, to the association concerned holding and processing any data for the purpose of their publication.

11. On behalf of the company I represent, I consent, pursuant to article 9 paragraph 2 of the FIFA Regulations on Working with Intermediaries, to the association concerned publishing and informing FIFA of any disciplinary sanctions taken against the company I represent.

12. I am fully aware and agree that this declaration shall be made available to the members of the competent bodies of the association concerned.

13. Remarks and observations which may be of potential relevance:

I make this declaration in good faith, the truth of which is based on the information and materials currently available to me, and agree that the association concerned shall be entitled to undertake such checks as may be necessary to verify the information contained in this declaration. I also acknowledge that, having submitted this declaration, in the event that any of the above-mentioned information changes, I must notify the association concerned immediately.

(Place and date)

(Signature)

**Appendix C:
United States Soccer Federation
Intermediary Registration Form**



Instructions: Please provide the information requested below in the spaces provided. Entries should be typed or neatly printed. If more space is needed, please attach extra pages with the information clearly labeled.

Upon completion of the application, sign the last page, as well as the attached “Information Release” form. The completed application should be submitted, along with a **\$400.00 application fee** (in the form of a certified check or money order) to:

**United States Soccer Federation, Inc.
1801 S. Prairie Avenue
Chicago, IL 60616
Attention: Gregory Fike
Staff Attorney, US Soccer**

I. Contact Information

(Please provide in this space the information you would like U.S. Soccer to use in contacting you)

Name: _____

Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **Fax:** _____

Email: _____

II. Personal Data

(Please provide your home address below. If this is the same as your contact information, please indicate “Same as above”)

Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **Fax:** _____

Date of Birth: _____

Driver’s License #: _____ **State:** _____

Have you ever been known by any other name? Yes _____ No _____
If so, list all other names, along with time periods in which you were known by that name:

List all residential addresses for the past ten years (in reverse order, most recent first):

Address: _____ City: _____ State: _____ Zip: _____

Address: _____ City: _____ State: _____ Zip: _____

Address: _____ City: _____ State: _____ Zip: _____

Address: _____ City: _____ State: _____ Zip: _____

III. Business Information

(Only required if applying as a Legal Person rather than a Natural Person)

Firm Name: _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Nature of Business: _____

Title of Applicant: _____ Date joined/hired: _____

Telephone: _____ Fax: _____

IV. Criminal

In the last ten years, have you been convicted of a felony? Yes _____ No _____

If "Yes," please provide the following information about any such convictions:

Court: _____ Year: _____ Case #: _____ Charge: _____

Court: _____ Year: _____ Case #: _____ Charge: _____

In the last ten years, have you been convicted of a misdemeanor? Yes _____ No _____

If "Yes," please provide the following information about any such convictions:

Court: _____ Year: _____ Case #: _____ Charge: _____

Court: _____ Year: _____ Case #: _____ Charge: _____

V. Current Positions

Please answer the following questions:

- | | |
|-------------------------------------------------------------------------------------------------------|--------------------|
| Do you occupy a position with FIFA? | Yes _____ No _____ |
| Do you occupy a position with a confederation of FIFA? | Yes _____ No _____ |
| Do you occupy a position with any national association? | Yes _____ No _____ |
| Do you occupy a position with a league? | Yes _____ No _____ |
| Do you occupy a position with an Organization Member of U.S. Soccer? | Yes _____ No _____ |
| Do you occupy a position with any club that fields soccer teams? | Yes _____ No _____ |
| Do you occupy any position with any organization that is linked with a national association of FIFA ? | Yes _____ No _____ |
| Do you occupy a position with U.S. Soccer? | Yes _____ No _____ |

VI. Affirmation

I hereby state that the information I have provided in this registration is true, correct, and complete to the best of my knowledge. I understand that if I am found to have provided any false, misleading, or inaccurate information in this registration, or to have failed to provide any requested information, it may be grounds for refusal of the registration.

Signature: _____ **Date:** _____

VII. Information Release

I, _____ *[Print Name]*, understand that, in consideration of my registration to be an intermediary with the United States Soccer Federation (“USSF”), the USSF or its hired agent will conduct a check of my background, to include personal data, criminal and civil court indices, personal finances/credit, business status, education, licensure, employment, news indices, professional associations, references, and confirmation of any other information provided in this application. USSF or its agent will report any information which would reflect upon my qualifications for this position.

With full knowledge of USSF’s intention to investigate and verify the information set forth above, I hereby authorize all individuals, corporations, organizations, institutions, courts, and law enforcement agencies to release to USSF and/or its agent, or their designated representatives, all information that relates to or is requested during USSF’s investigation of my qualifications. In addition, I hereby release those individuals, corporations, organizations, institutions, courts, and law enforcement agencies from any and all liability for any claim or damage resulting from the release of information. I also hereby release USSF, as well its officers, directors, agents, representatives, and employees, from any and all liability or claim for damage resulting from the release of the information.

In accordance with the Fair Credit Reporting Act and related laws, I understand that I have a right to request in writing a disclosure of the results of the investigation requested, as well as the name and address of the agency who prepared the report.

Signature of applicant: _____ **Date:** _____