



**The European Sports Law and Policy Initiative (ESLPI) –
Institute for Labour Law (University of Leuven)**
www.eslpi.eu

in co-operation with the

Sports Law and Policy Centre
www.slpc.eu

Organise a conference on

**THE BERNARD CASE (ECJ, C-325/08):
JUDGEMENT AND IMPACT ON THE SPORTS WORLD**

Date:

29 April 2010

Location:

HUB – Campus Koningsstraat 336, 1030 Brussels
(Aula K.052)

Introduction

On 16 March 2010 the European Court of Justice delivered its judgment on the French case [Olympique Lyonnais v Olivier Bernard, Newcastle United FC (Case C-325/08)]. The judges stated that:

“Article 45 TFUE does not preclude a scheme which, in order to attain the objective of encouraging the recruitment and training of young players, guarantees compensation to the club which provided the training if, at the end of his training period, a young player signs a professional contract with a club in another Member State, provided that the scheme is suitable to ensure the attainment of that objective and does not go beyond what is necessary to attain it.

A scheme such as the one at issue in the main proceedings, under which a ‘joueur espoir’ who signs a professional contract with a club in another Member State at the end of his training period is liable to pay damages calculated in a way which is unrelated to the actual costs of the training, is not necessary to ensure the attainment of that objective.”

Inevitably this judgment on the issue of the training compensation, its legitimacy, and its justification under EC law, will have a tremendous impact on the International and national Sports regulations and, of course, on the freedom of movement of football players.

A conference is organized in order to analyze the decision of the Court of Justice, its genesis, and its consequences on the training compensation systems in the major Sports Associations both at international and national level.



Programme:

13.30h: Registration

14.00h: Introduction

Prof. Dr. Roger Blanpain

Tilburg University, Member of the Royal Flemish Academy of Belgium

14.20h: *The Bernard Case: a brief overview*

Prof. Dr. Michele Colucci

Tilburg University, Lessius & K.U. Leuven

14.40h: *Bosman and Bernard compared*

Prof. Dr. Frank Hendrickx

K.U. Leuven, Tilburg University

15.00h: *The International Sports Associations' viewpoints*

Mr. Omar Ongaro

FIFA Players' Status and Governance

Mr. Julien Zylberstein

UEFA Professional Football Services

Mr. Wil Van Megen

FIFPRO Legal Department

16.00h: *Coffee break*

16.30h: *Round table: Training compensations in a European and national perspective*

Mr. Ivo Belet

Member of the European Parliament

Mr. Gianluca Monte

European Commission, DG EAC, Sport Unit

Mr. Frans Van Daele

European Council, Head of Cabinet of the President

17.30h: Conclusions



Registration

Registration fee: 75 €

Payment must be made in euro to the order of the K.U.Leuven, Oude Markt 13, B-3000 Leuven and remitted by bank transfer to

account no. 432-0000011-57 - IBAN BE09 4320 0000 1157 - BIC KREDBE BB - in KBC Bedrijvenkantoor Leuven, Brusselsesteenweg 100, B-3000 Leuven, Belgium

Please do not forget to mention the structured remittance : 400/0004/23809

You can register online (www.instituutvoorarbeidsrecht.be) or send the attached registration form to Josephine.vanrijmenant@law.kuleuven.be

