

Jurisprudence

COURT OF ARBITRATION FOR SPORT

CAS: ICAS released a statement regarding the decision issued by the Brussels Court of Appeal in the case of RFC Seraing & Doyen Sports v FIFA, UEFA and Belgian Football Association (CAS Media Release)

(11.09.2018)

The International Council of Arbitration for Sport (ICAS) released a statement regarding the recent decision issued by the Brussels Court of Appeal concerning RFC Seraing and Doyen Sports dispute concerning FIFA's ban on TPO, stating that the risk of a national court not recognising the CAS is very limited.

CAS jurisprudence: CAS published several decisions across various sports (CAS New Decisions)

(17.08.2018)

The Court of Arbitration for Sport has published a number of new decisions on their website, across various sports.

Football: CAS annulled UEFA sanction against AC Milan and refers the case back to UEFA (CAS Media Release)

(20.07.2018)

The Court of Arbitration for Sport annulled the UEFA decision to exclude AC Milan from UEFA club competitions on the basis that the sanction was not proportionate, on the basis that it failed to take into account the recent change in club's ownership and therefore the current financial situation of the club.

FIFA

FIFA eWorld Cup: FIFA introduces new integrity and anti-doping standards (FIFA Media Release)

(28.07.2018)

FIFA has introduced new integrity and anti-doping measures that will be enforced at the 2018 FIFA eWorld Cup Grand Final.

Football: FIFA Disciplinary Committee's decisions in application of the new regulatory framework (FIFA Media Release)

(19.07.2018)

FIFA Disciplinary Committee sanctioned 6 clubs under new disciplinary procedure (art.64). All clubs concerned were held guilty of failing to comply with previous decisions of FIFA or CAS ordering them to pay significant overdue amounts of money to players.

Football: sell-on fee constitutes part of the transfer compensation for the purposes of calculating solidarity contribution (ref. no. TMS 1813/cpe)
(22.06.2018)

The Single Judge of the sub-committee of the FIFA Dispute Resolution Chamber confirmed that a sell-on fee is to be considered as part of the relevant “compensation” in the application of the solidarity mechanism under article 21 and annex 5 of the FIFA Regulations on the Status and Transfer of Players.

UEFA

Football: UEFA Appeals Body increased the suspension imposed on Samir Nasri (UEFA Disciplinary Updates)
(01.08.2018)

The UEFA Appeals Body rendered a decision regarding the appeal lodged by the Ethics & Disciplinary Inspector against the decision of the UEFA Control, Ethics and Disciplinary Body, which initially suspended Samir Nasri for 6 months following doping infringement.

The decision has been amended and the suspension increased to 18 months.

Football: UEFA sanctioned Roma President James Pallotta (UEFA Disciplinary Updates)
(20.07.2018)

The UEFA Control, Ethics and Disciplinary Body sanctioned AS Roma President, James Pallotta, for calling the match officiating an "absolute joke" after their Champions League defeat by Liverpool.

Mr Pallotta has been suspended for 3 months from carrying out his role during UEFA club competitions: he will not be allowed in the technical area, dressing room or tunnel nor allowed to communicate directly or indirectly with players & technical staff during match.

BELGIUM

Football: the Brussels' Cour d'Appell declared illegal the statutes of FIFA, UEFA and national federations imposing the use of CAS (Decision 6348/2018)
(29.08.2018)

The Brussels' Appeal Court declared that, under certain circumstances, the clauses provided in the statutes of FIFA, UEFA and national football associations which impose the use of the Court of Arbitration for Sport, are illegal. This was an interim decision in relation to the ongoing dispute between RFC Seraing, Doyen Sports, FIFA and UEFA, in relation to third party ownership (TPO).

PORTUGAL

Football: Comissão Arbitral Paritária ascertained that Rui Patricio terminated his contract with Sporting Lisbon with ‘just cause’ ([News Release](#))
(20.07.2018)

The Portuguese court of arbitration Comissão Arbitral Paritária (CAP) acknowledged that there was ‘just cause’ in Rui Patricio’s termination of the contract with Sporting Lisbon.

Rui Patrício signed for Wolverhampton FC on a free transfer after terminating his contract with Sporting Lisbon in early June claiming ‘just cause’ because of the attacks by fans on the players and coaches at the training ground.

ENGLAND

Football: new FA rules for technical area staff who receive constant warnings ([New FA rules](#))
(03.09.2018)

Managers from England’s top four divisions will be subject to yellow cards (“Stage One Warnings”) and red cards as part of a newly-implemented disciplinary scheme, which provides a one-match ban after receiving four yellow cards, a two-match ban after eight yellow cards, a three-match ban after 12 yellow cards and a misconduct charge when the 16th is received.

Football: High Court granted an order to block illegal streams of Premier League matches ([High Court of Justice Decision](#))
(19.07.2018)

The High Court granted the Premier League an order that will require the UK’s major Internet Service Providers to block and disrupt servers that host illegal streams of the Premier League’s matches, instead of having to target individual websites.

A similar order was granted for the 2017/18 football season but the new order will allow the league to block more servers in a more effective manner.

ITALY

Football: Collegio di Garanzia rejected the claims lodged in relation to the composition of the Serie B league ([CONI Media Release](#))
(11.09.2018)

The Italian *Collegio di Garanzia* declared inadmissible the claims lodged in relation to the composition of the Serie B league which, as a result, remains as 19 teams.

Football: Collegio di Garanzia stated that women's football falls under the control of FIGC ([CONI Media Release](#))
(07.09.2018)

The Italian *Collegio di Garanzia* accepted the claims lodged by FIGC and by several women’s football clubs against the decision of the *Corte Federale di Appello* published on 26th July 2018. This decision had annulled the FIGC Extraordinary

Commissioner's resolution, published on the C.U. n. 38 of 3 May 2018, which established to refer to FIGC, from the beginning of the 2018/2019 season, the women's football division. As a result, from the current season the women's football division will be controlled by FIGC rather than the amateur league.

Football: Italian striker Emanuele Calaiò suspended for match-fixing attempt
(Comunicato Ufficiale n. 15/CFA)
(09.08.2018)

The Italian *Tribunale Federale Nazionale – Sezione Disciplinare* imposed a two-year ban and a €20,000 fine to Emanuele Calaiò for match fixing. In particular, the striker was found guilty for attempting to fix the Serie B match Parma – Spezia by means of messages sent to his former team-mate Filippo De Col, Spezia's defender.

Parma Calcio 1913, just promoted in Serie A, was sanctioned for objective responsibility with 5 points deduction in the oncoming football season.

Following the appeal filed with the Federal Court of Appeal, the points deduction imposed on Parma was revoked in favour of a €20,000 fine, while Calaiò has seen his ban reduced while his fine has been increased to €30,000.

SPAIN

Football: AFE membership is not a requirement to access to the “End of Career fund” anymore (Sentencia: 00122/2018)
(18.07.2018)

The Spanish *Audiencia Nacional* accepted the claim lodged by a football player and declared the invalidity of clause 2.5 of the *Reglamento del Plan de Ahorro de Futbolistas* dated 20th December 2016, which conditioned the access to the ‘End of Career fund’ upon the affiliation of football players with the players’ union *Asociación de Futbolistas Españoles* (AFE).

Spanish football players are now able to access the financial aids of the ‘End of Career Fund’ regardless the union they are affiliated with.

USA

Swimming: Ryan Lochte banned by USADA for intravenous infusion (USADA Media Release)
(23.07.2018)

U.S. Anti-Doping Agency banned for 14 months U.S. Olympic swimmer, Ryan Lochte, after he posted on instagram a picture of him receiving an intravenous injection.

Intravenous injections in a volume greater than 100 mL is a method prohibited at all times without an approved Therapeutic Use Exemption (TUE).

NEW ZEALAND

Powerlifting: Dylan Turner suspended for 4 years for anti-doping rule violation
(Decision ST 07/18)

(05.07.2018)

The Sports Tribunal banned New Zealand powerlifter, Dylan Turner, for a period of 4 years after testing positive for GW1516, also known as Cardarine or Endurobol, a developmental drug listed under class S4 Hormone and Metabolic Modulators of the Prohibited List 2018.

Regulations

Football: FIFA released the 2018 edition of its Code of Ethics (2018 FIFA Code of Ethics)

(12.08.2018)

FIFA Council approved a new version of the FIFA Code of Ethics, aimed at ensuring more transparency and more efficient procedures. Among the amendments, the new Code of Ethics establishes minimum sanctions for each infringement and changes to the appeal procedure.

Gambling: Italian government approved a ban on gambling advertising (Decreto Legge 12 luglio 2018, n. 87)

(12.07.2018)

The Italian government has approved a ban on all advertisements for gambling, including on TV, radio, and online, with heavy fines for those failing to comply. The ban is aimed at fighting the gambling addiction.

Advertising contracts ongoing at 14th July 2018 remain subject to the rules applicable before the entry into force of the ban but only until 14th July 2019.

Football: minimum salary in Argentina (AFA Boletín n. 5501)

(06.07.2018)

The Argentine Football Association issued a bulletin stating the new minimum salary levels for the 2018/2019 football season.

Football: new regulations for UEFA competitions (UEFA Media Release)

(05.07.2018)

Several amendments to football's Laws of the Game have been implemented by UEFA.

The amendments, which comes into force immediately in all UEFA competitions, concern the number of substitutions, additional substitutions during extra time, the number of substitutes that can be listed on the match sheet and the use of electronic communication in the technical area.

Documents and Reports

Football: FIFA TMS released its first report on international transfer of female professional players (Women's Transfers report)

(17.09.2018)

FIFA TMS issued the first ever official report on the international transfer of female professional players. The report summarises the global transfer activity since 1st January 2018.

Football: FIFA TMS issued the analysis of the 2018 summer transfer window (Transfer Window analysis - summer 2018)

(12.09.2018)

FIFA TMS released a report that summarises the transfer activity of clubs belonging to the "Big 5" leagues, as captured in the International Transfer Matching System (ITMS) during the last transfer window.

Football: UEFA released the 2017/2018 Technical Report (UEFA technical report)

(05.09.2018)

UEFA published its technical report on the last Champions League season, which provides statistics on each participant club.

Football: CIES Football Observatory Report (CIES Monthly Report n. 37)

(04.09.2018)

The CIES Football Observatory released a report that analyses the transactions involving a transfer fee concluded by clubs from the five major European championships since 2010.

Football: FIFA Global Club Football Report (FIFA Global Club Football Report)

(01.08.2018)

FIFA released the second edition of its Global Club Football Report, which provides an updated picture of the state of football worldwide aimed at establishing standards for the development and governance of football clubs.

Football: KPMG report on financial implications of Cristiano Ronaldo's move to Juventus FC (KPMG Ronaldo Economics)

(23.07.2018)

KPMG released a report on the financial impact of Cristiano Ronaldo's move from Real Madrid CF to Juventus FC, analysing the potential benefits of his transfer to Juventus FC, as well as the impact of his move to Italian Serie A.

Anti-Doping: WADA released their annual report (2017 Anti-Doping testing figures)

(23.07.2018)

The World Anti-Doping Agency released their 2017 report, which summarizes the results of all the samples WADA-accredited laboratories analysed and reported into WADA's Anti-Doping Administration and Management System in 2017.