

25 maggio 2018

Calcio: gli avvocati che agiscono come procuratori sportivi non sono tenuti all'osservanza delle disposizioni di cui al regolamento disciplinante l'attività di procuratore sportivo ([Comunicato Ufficiale n. 013/PS](#))

L'ordinamento sportivo non può sanzionare un avvocato che agisce di fatto in qualità di procuratore sportivo, non risultando costui iscritto al registro dei procuratori sportivi e, pertanto, non essendo egli tenuto all'osservanza delle disposizioni di cui al regolamento disciplinante l'attività di procuratore sportivo e/o, in generale, regolanti l'ordinamento federale.

SWISS FEDERAL TRIBUNAL

Football: Swiss Federal Tribunal confirmed that particularities of sports arbitration cannot entail the extension of the concept of substantive public policy ([Swiss Federal Tribunal 4A 312/2017](#))

An interesting Federal Tribunal Judgment has recently become available in English. The decision was rendered as a result of the appeal lodged against an award rendered by the Court of Arbitration for Sport, which concerned the commission due by a football club to an intermediary.

The club sustained that the commission was grossly exaggerated if compared to the player's salary, and that the CAS Panel, by endorsing such a commission, violated a public policy principle - namely the prohibition of excessive commissions in the field of recruitment.

The Federal Tribunal rejected the club's argument, confirming that, even though sports arbitration features some differences compared to commercial arbitration, these particularities should not extend to the concept of substantive public policy.

U.S. SUPREME COURT

Sport Betting: U.S. Supreme Court repealed the federal law that banned sports betting outside of Nevada ([16-476 Murphy v. National Collegiate Athletic Assn.](#))

The U.S. Supreme Court released an important decision, which has struck down a federal law prohibiting sports betting outside of Nevada, saying it unconstitutionally forced states to maintain the prohibition.

The decision opens up sports betting to any other states that choose to allow it.

CAS

Football: CAS imposed a 14-month suspension on Paolo Guerrero for failing to take steps in order to prevent an anti-doping rule violation ([CAS Media Release](#))

The Court of Arbitration for Sport extended the suspension imposed by the FIFA Appeal Committee on Peru captain Paolo Guerrero from 6 months to 14 months. The Panel considered that although he did not attempt to enhance performance, he had to bear some fault or negligence for failing to take steps to prevent himself from committing an anti-doping rule violation.

UEFA

Football: AC Milan referred to CFCB Adjudicatory Chamber ([UEFA Media Release](#))

The Investigatory Chamber of the UEFA Club Financial Control Body (CFCB) referred AC Milan to the Adjudicatory Chamber of the CFCB for breach of the break-even requirement provided by the UEFA Financial Fair Play regulations.

REGULATIONS

Football: FIFA Regulations on the Status and Transfer of Players, 2018 edition ([FIFA RSTP 2018](#))

FIFA released a new edition of the Regulations on the Status and Transfer of Players, which applies as from 1st June 2018.

The new regulations include the amendments announced in the FIFA Circular letter no. 1625 issued on 26th April 2018.

Football: UEFA Executive Committee approved new Club Licensing and Financial Fair Play regulations ([Media Release](#))

On 24th May 2018, the UEFA Executive Committee approved a new edition of the Club Licensing and Financial Fair Play regulations. The current regulations came into force in 2015.

According to the media release, key points of the new regulations are:

- the insertion of the obligation for clubs to publish their financial information, including payments to agents;
- the harmonisation of financial and accounting reporting principles for football-specific transactions, such as transfer of players;
- the introduction of new financial indicators designed to monitor clubs' budgets;
- the introduction of new requirements to increase protection and education of youth players and to support the development of women's football in Europe.

DOCUMENTS

Football: KPMG Football Clubs' Valuation: The European Elite 2018 ([The European Elite 2018](#))

KPMG released the third edition of "Football Clubs' Valuation: The European Elite", providing an indication of the value of the 32 most prominent European football clubs as at 1st January 2018.