

POINTS BASED SYSTEM

GOVERNING BODY ENDORSEMENT REQUIREMENTS FOR PLAYERS

Background

This document explains the criteria for football clubs to obtain Governing Body Endorsements for Tier 2 and 5 of the UK Border Agency points based system for football players for the 2008/2009 season.

Consultation

The following criteria have been agreed by the UK Border Agency following consultation between The FA, Premier League, Football League, Professional Footballers' Associations, the League Managers' Association and the other Home Associations of The Scottish FA, The FA of Wales and The Irish FA.

Duration

The criteria will apply for season 2008-09 and will be effective from 27th November 2008 through to 1st May 2009. The criteria will be reviewed in early 2009 in order that revised criteria may be issued by the 1st May 2009 to operate for season 2009-10.

Criteria for Clubs

To be eligible to apply for a Governing Body Endorsement (GBE) and to become a Sponsor and issue Certificates of Sponsorship a club must be in membership of the Premier League or the Football League.

Length of Season

For the purposes of the PBS, the playing season for this sport is from August to May. This may vary slightly from season to season depending on the arrangement of the first and last matches.

Criteria for Players

To be eligible for a Governing Body Endorsement under PBS:

1. A player must have played for his country in at least 75% of its competitive "A" team matches he was available for selection, during the 2 years preceding the date of the application; and
2. The player's country must be at or above 70th place in the official FIFA World Rankings when averaged over the 2 years preceding the date of the application.

Competitive matches

The definition of a competitive 'A' team international match is a:

- World Cup Finals game;
- World Cup Qualifying group game; and
- Football Association Confederation game, for example:
 - The FIFA Confederations Cup;
 - The UEFA European Championships and Qualifiers;
 - The African Cup of Nations and Qualifiers;
 - The Asia Nations Cup and Qualifiers;
 - The CONCACAF Gold Cup;
 - The CONCACAF The Copa Caribe;
 - The CONMEBOL Copa America;
 - The OFC Nations Cup and
 - The UNCAF Nations Cup

International appearances

Prior to submitting an application, clubs should provide written confirmation of the player's international appearance record over the preceding two years highlighting the competitive 'A' matches. This should be obtained from the player's home association. The Governing Body will be unable to make a decision on the application until written evidence is provided. If any evidence submitted needs verifying the Governing Body will liaise with other parties and verify all information through all available sources, if necessary.

Injuries

Exclusion from selection for international matches due to injury or suspension will be taken into consideration when applying the criteria. Clubs should submit supporting evidence in such cases stipulating the games the player has missed.

It should be noted that where a player is listed as on the substitutes' bench, he will not be considered as injured when reaching a decision on a work permit application.

FIFA rankings

There are currently 204 international teams listed in the official FIFA world rankings. Those countries which have regularly achieved a 70th placing or higher over a period of two years are regarded as nations who have competed regularly at a highly competitive international level and have players of the highest standard who have contributed consistently to the achievement of that world ranking.

The Governing Body will produce the aggregated two-year rankings list on a monthly basis when the official FIFA world rankings are published and those countries ranked 70th or above meet the criterion. The aggregated rankings can be downloaded from this website. If clubs have any queries about the rankings they should contact The Football Association.

Length of issue

Governing Body Endorsements should be issued for a period appropriate to the period of approval for sponsorship or the tier under which the application is being made, that is:

As a Sponsor – Tier 2 or Tier 5 – for 4 years.

Migrant Tier 2 Sport

Initial application – length of contract or up to three years maximum, whichever is the shorter period.

Extension application – length of contract or up to two years maximum, whichever is the shorter period.

Migrant Tier 5 sporting – length of contract or up to 12 months, whichever is the shorter period. No in-country extensions are possible.

If stated in their governing body endorsement requirements, governing bodies may endorse an individual for a shorter period than the employment contract e.g. a season. If this is the case, the individual must be made aware that their certificate of sponsorship and consequently entry clearance or leave to remain will be limited to the length of the endorsement and will not be for the length of the contract.

Extension Applications for existing permit or certificate of sponsorship holders

- **Where the permit / Certificate of Sponsorship is about to expire and the player meets the criteria outlined above for initial applications.**

If a club wishes to retain the services of a player, they should submit a new application before the work permit/ Certificate of Sponsorship expires. If the criteria are satisfied a Certificate of Sponsorship will be issued.

- **Where the Permit / Certificate of Sponsorship is about to expire and the player does not meet the criteria for initial applications**

Where an application does not meet the criteria, then a club may request that it be considered by a panel.

Changes during the period of approval

Change of employment

A club wishing to sign a player from another United Kingdom club must submit an application to The Football Association. If the criteria are satisfied, a Governing Body Endorsement will be issued for a maximum of three years.

Loans

If a player is moving to another club on loan (Temporary Transfer) his club must notify UKBA of the fact that he has temporarily moved location. The new club does NOT need to make an application for an individual Governing Body Endorsement. IF the loan becomes permanent the new club WILL need to make a fresh application on behalf of the player.

Contract changes or re-negotiation during the period of approval

Where a club wishes to re-negotiate a player's contract to improve his conditions and/or salary or length of contract part-way through their approved period, the club should submit a change of employment application (or extension application if the contract period changes).

If the criteria are met, the application will be processed.

If the criteria are not met:

- Where the player's initial contract was for 12 months or longer and the club have requested a panel, The Football Association will consult with the other relevant football bodies by email. They will ask whether the application needs to be considered at a panel. If the football bodies recommend unanimously they are satisfied that the changes do not need to be considered by a panel, then the case can be processed without one. If any of the governing bodies have concerns with a particular application, a panel will be arranged. See section below on panels.
- Where a player's initial contract was for less than 12 months and the club have requested a panel, it will be arranged as normal.

Trials arrangements

GBEs will **not** be issued to clubs for the purpose of having players to trial them. Clubs may wish to approach the Immigration Enquiry Bureau on 0870 606 7766 for further information should they wish to consider taking a non-European Economic Area (EEA) player on trial.

International transfer windows

Governing Body Endorsements may be applied for by clubs at any time and will be considered against the criteria as above. Clubs should take into consideration the fact that a Governing Body Endorsement, once issued, must be used within six months otherwise it becomes invalid.

Panels

Where an application does not meet the published criteria, a club may request a panel to consider the player's skills and experience. In these cases The Football Association will refer the club's evidence to an independent panel.

Where possible the club's supporting evidence will be sent to The Football Association and other football bodies in advance for their consideration in order to allow an informed decision.

The panel will normally consist of representatives from the relevant football governing bodies together with up to three independent experts.

The panel's terms of reference are:

- To consider whether the player is of the highest calibre.
- To consider whether the player is able to contribute significantly to the development of the game at the top level in England.

The panel will make a recommendation to The Football Association whose decision will then be relayed to the club.

Full terms of reference and roles of the panel members and the club are available to attendees.

Clubs should note that, in respect of any application, there will only be **one** panel available (ie a panel and recommendation, followed by a decision). A club should therefore ensure that all evidence it wishes to present in support of its application is presented to the panel.

If the club has previously made an application that was unsuccessful at panel a further panel **cannot** be requested for the same player during the season. For these purposes a season is deemed to run from 1 June until 31 May.

Ceasing the employment of players

If the club ceases to employ the player prematurely the club must inform the UK Border Agency.

Further information

This guidance is available on the web sites of The Football Association (www.thefa.com), Premier League (www.premierleague.com) and Football League (www.football-league.co.uk)

Contacts

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