



AIAF
ASSOCIATION INTERNATIONALE
DES AVOCATS DU FOOTBALL



SPORTS
INSTITUTE

ACADEMIC PROGRAM

MASTER IN FOOTBALL LAW





Summary:

*Law approached as
a management and
governance tool*

“DAY 1”

- Mission and objectives of the ITI Master in Football Law
- Football ecosystem from a transcendental perspective (sport, industry, business, politics)
- The emergence and development of Law in Football

M1 INSTITUTIONAL FOUNDATIONS OF FOOTBALL

- Governing bodies (FIFA, Confederations, Federations, Leagues, IOC, etc.)
- The European “big five”
- LATAM “leagues”
- The Middle East movement
- Other regions
- Football Stakeholders (ECA, FIFPro, World Leagues Forum, etc.)
- Hybrid stakeholders (Agents and Fans)
- The role of governments: the English White Paper.

- Pressure groups
- Relevance and influence of Swiss Law and Jurisdiction: general aspects
- The Court of Arbitration for Sport: introduction

INTERNATIONAL FEDERATIONS

- Governance
- Regulatory powers
- Regulatory clashes between football institutions, international treaties and national powers
- The influence of EU institutions: ECJ, European Parliament, EU Commission, Council of Europe, etc.

FOOTBALL REGULATION GOVERNANCE AND COMPETITION LAW

- Competition law foundations
- The common market

- Competition law in football
- Fundamental freedoms and football industry

EMPLOYMENT IN FOOTBALL

- Employment relationship between players and clubs
 - Developments since the Bosman decision
 - Employment's agreements: applicable principles, rights and duties according to FIFA RSTP and Swiss Law
 - Mandatory v. negotiable contractual provisions
 - Player v. Club interests and contractual provisions
 - Buy-out clauses v. pre-liquidated damages clauses
- Selection of national sports/football employment laws (Brazil, Italy, Spain, Argentina, England, France, etc.)
- Social issues in football employment (discrimination, etc.)
- Employment termination

- Financial and “disciplinary” consequences
- Coaches’ contracts: peculiarities and regulatory evolution
 - Termination
- Managers’ contracts: peculiarities

PLAYER STATUS, REGISTRATION AND TRANSFERS

- Status
- Registration
- FIFA transfer system
- Transfer windows
- A transfer “outside and beyond” the rules
- Transfer agreements
- Simulation of a player transfer step-by-step
 - FIFA TMS
 - Transfer fees
 - Sell-on clauses
 - Other relevant clauses

- Loan of players
- Bridge transfers
- Enforcement of disciplinary sanctions
- Immigration: selection of national systems (UK, US, etc.)
- Training compensation and solidarity mechanism
- Introduction to tax law as applicable to football player transfers
- Eligibility to play for representative teams
- Release of players to association teams

TRANSFER OF MINORS

- The rules under the RSTP
- Relevant case law

FIFA TMS

- Establishment of FIFA TMS
- Connection with FIFA CH
- Disputes related to TMS rules and procedures, and relevant case law



THIRD PARTY OWNERSHIP AND THIRD-PARTY INFLUENCE

- FIFA provisions
- Selection of national provisions on TPO/TPI
- Relevant case law
- Circumvention and detection: legal risks

FOOTBALL AGENTS

- Historical background
- FFAR
- Agents under a national dimension
- Selection of national systems (Italy, France, etc.)
- The legal battle around FFAR: sports regulations under the sword and shield of antitrust rules
- The future of talent representation from an industrial perspective
- Agency contracts

- Relevant case law

FEMALE FOOTBALL

- The market's growth
- Affirmative actions
- The debate on the gender equality in terms of remuneration and transfer fees
- Special provisions in the FIFA RSTP
- Relevant case law

FOOTBALL DISCIPLINARY

- FIFA discipline rules and procedures
- Analysis of disciplinary rules and procedures of selected Confederations and Federations
- Jurisdiction and relevant case law

ETHICS IN FOOTBALL

- FIFA Ethics rules and procedures

- Analysis of ethics rules and procedures of selected Confederations and Federations
- Jurisdiction and relevant case law

DOPING IN FOOTBALL

- Doping
 - Introduction to anti-doping
 - WADA Code, FIFA Code (special and different provisions vis-à-vis WADA Code)
- Anti-doping relevant case law (UEFA, CONMEBOL, FIFA, illustrative national approach)

FIFA CLEARING HOUSE

- Establishment of FIFA CH
- Key regulations and functioning of FIFA CH
- Application to RSTP payments and agent fees

FIFA FOOTBALL TRIBUNAL AND LEGAL PORTAL

- Functioning and procedures

VERTICAL 1: FOOTBALL IP LAW

- Image rights from an international perspective
 - Trademarks
 - Copyright
 - Human rights
 - Passing off
- Image rights in football
 - Image rights and football clubs: Spanish law, EPL contracts, and the Napoli case
 - Typical clauses in football contracts
 - Termination of contract with just cause due to image rights default, according to FIFA RSTP and selected national legislations

- Image rights and taxation
 - Intentional or culpable misuse of the image rights contracts: consequences
 - Offshore structures and associated risks
- Sponsorship and Endorsement contracts
 - Definition
 - Typical clauses
 - Disputes
 - Remedies
- Image rights, talent representation and investment limitations
- Image rights management under the FFAR

VERTICAL 2: FOOTBALL TAX LAW

- Regulatory obligations
- Taxation in player contracts
- Taxation in player transfers
- Taxation in football talent representation / intermediation



- Taxation in image rights contracts
- Legal risks and best practices

VERTICAL 3: FOOTBALL FINANCE LAW

- Introduction to football club's annual report and key financial documents (income statement, cash flow statement, balance sheet, business plan and budget report)
- UEFA licensing system
- UEFA Financial Fair Play
- Selection of national systems (England, Spain, US, etc.)
- UEFA FFP and competition law
- Circumvention and detection: legal risks and best practices
- Assignments of credits and factoring operations: legality, compliance with FIFA rules and usefulness
- Relevant case law

VERTICAL 4: FOOTBALL CORPORATE LAW

- The structure of football clubs (and leagues) under different national systems
 - Spain
 - Brazil
 - Germany
 - England
 - Middle East
 - Argentina
 - US
- Football acquisitions
 - Ownership rules and ownership tests around the globe
 - M&A and alternative structures (leveraged finance, crowd funding, etc.)
 - The role of Private Equity, Hedge Funds and Sovereign Wealth Funds
 - Deal structuring
 - Negotiation
 - Key acquisition contracts (SPAs, etc.)
 - Disputes and remedies

- Relevant case law
- Multi-club and multi-sport ownership structures
 - Key drivers and strategic considerations
 - Positive and negative examples
 - Collateral damages concerning third party interests (economic rights, formation rewards)
 - UEFA regulation and relevant case law
 - Towards a FIFA regulation?
- Insolvency of football clubs and sporting succession

VERTICAL 5: FOOTBALL MEDIA LAW

- Football broadcasting (TV, radio and other audiovisual medias)
- Football regulation and competition law
- Football media law beyond TV
- Football media law in a geographic dimension

VERTICAL 6: FOOTBALL INSURANCE AND MEDICAL LAW

- Overview of insurance in football
- Overview of medical issues in football
- Key contractual and legal provisions: clubs' and players' rights and obligations
- Disputes involving football clubs

VERTICAL 7: FOOTBALL INFRASTRUCTURE

- Football stadia and training facilities
- Relevance of football infrastructure within UEFA clubs' licensing and FFP/CONMEBOL regulations
- Impact of football infrastructure in football finance
- Ticketing
- Analysis of relevant contracts
- Vertical 8: New Technologies
- Cryptocurrencies, Non-fungible

tokens, metaverse and smart contracts

- Implications vis-à-vis football regulations and national law

VERTICAL 9: CRIMINAL FOOTBALL LAW

- Financial crimes and other relevant offences (corruption, match fixing, etc.)
- Ordinary crimes committed within the football dispute (assault, homicide, racism, discrimination)

VERTICAL 10: MAJOR FOOTBALL EVENTS (HOSTING AND STAGING FOOTBALL COMPETITIONS)

- Bidding procedures for major football events
- Main contracts and stakeholders
- Interactions with governments



- Ambush marketing
- Analysis of relevant contracts

MEDIATION, DISPUTE RESOLUTION AND ARBITRATION HORIZONTAL

- Main elements of applicable Swiss Law
- Mediation
- International arbitration in football
- FIFA
 - FIFA procedure
- CAS
 - CAS procedure
 - Leading CAS case law in football
- Selection of national dispute resolution systems in football

PROPOSED SPECIAL MASTER CLASSES / SPECIAL SPEAKERS

- Lex Sportiva in Football
- Negotiation and contract drafting
- Union law in football: FIFPRO
- Union law in football: PFA
- Gender equality
- Female football
- How to run a football club
- Concretely handling the FIFA RSTP in negotiations and litigation (Part 1 and Part 2)
- Jurisprudence of FIFA, CAS, UEFA, CONMEBOL, national DRCs (Part 1 and Part 2)
- Moot court





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