

**THE DISPUTE RESOLUTION CHAMBER
OF THE PLAYERS' STATUS COMMITTEE**

convening in Zurich, Switzerland, on 15 January 2004 and comprising:

**Slim Aloulou (Tunisia), Chairman
Gerardo Movilla (Spain), member
Theo van Seggelen (the Netherlands), member
Maurice Watkins (England), member
Paulo Rogerio Amoretty Souza (Brazil), member**

and deliberating in accordance with Chapter VII of the FIFA Regulations for the Status and Transfer of Players (edition September 2001) on a claim lodged by club A against club B, regarding the training compensation related to the transfer of the federative rights of player C.

TOOK INTO CONSIDERATION

AS TO SUBSTANCE

- The Chamber duly noted that:
- Player C has been registered as an amateur player for the youth teams of club A since he was 15 years old.
- The aforementioned player remained with club A until November 2001, i.e. until the age of 17 years old.
- Since with the enforcement of the revised FIFA Regulations for the Status and Transfer of Players, any international transfer of a player younger than 18 was not permitted, player C after having left club A joined club B and remained with the latter without having the possibility to be registered until he turned 18.
- Only then, in February 2002, the Z National Association did ask the W national Association to issue the relevant international registration transfer certificate. However, the latter refused to issue the aforementioned document.
- On 5 April 2002, at the request of club B, the FIFA Administration authorized player C to be provisionally registered for the aforementioned club, until receipt of the original certificate.
- In this context, club A is asking FIFA to impose the appropriate sanctions on club B, for breaching the revised FIFA Regulations for the Status and Transfer of Players.

- Club A is furthermore presently claiming training compensation in accordance with Chapter VII of the revised FIFA Regulations for the Transfer and Status of Players, in the amount of X.
- Despite the fact that club B has acknowledged its obligation to pay training compensation to club A, no amount has been paid in this regard, by the present date.
- Club B states that during the short period for which the player remained with club A, player C did not receive any kind of financial support from club A.
- In view of the above, club B is presently requesting the Chamber to disregard the amounts stipulated in Circular letter no. 826 dated 31 October 2002 and decide for a maximum amount of X per year, to be paid to club A as training compensation for player C.
- In the meantime, the FIFA Administration was provided with a copy of player C's employment contract with club B, dated 16 January 2002.
- Finally, the W National Association informed the FIFA Administration that the player was registered with club A on 10 March 1999.
- Taking into consideration the above, the Chamber outlined that:
 - In accordance with Art. 42 par. 1 lit. (b) (iv) of the revised FIFA Regulations for the Status and Transfer of Players, it falls within the purview of the Dispute Resolution Chamber to review disputes concerning training compensation fees.
 - As established in Circular letter no. 826, dated 31 October 2002, training compensation is payable up to the age of 23, for training incurred between the ages of 12 and 21.
 - In this context, the Chamber acknowledged that player C had been trained and developed by club A from March 1999 until November 2001, i.e. between the ages of 15 and 17.
 - It is undisputed that club A is entitled to receive compensation for the training and education of player C for the timeframe that the player spent with it.
 - In fact, taking into consideration the aforementioned period of stay with the claimant, it is evident that the player's positive development has to be partially attributed to the training and education that he received from club A.
 - Moreover, the Chamber took note of the fact that player C left club A in November 2001, in order to join club B, despite the content of Art. 12 of the revised FIFA Regulations for the Status and transfer of Players, which prevented him from being registered for club B until he reached the age of 18.
 - In fact, the Chamber noted that player C's employment contract with club B was signed on X, while the player was still a minor and therefore not entitled to be transferred yet.

- Consequently, the Chamber concluded that club B is liable to pay training compensation to club A, for the remaining period between November 2001 and February 2002, i.e. until the date in which the player turned 18 and was entitled to be transferred in accordance with the current Regulations.
- According to Art. 5.1 of the Regulations governing the Regulations for the Status and Transfer of Players, for purposes of calculating compensation, the relevant training period starts at the beginning of the season and ends at the end of the season concerned.
- Consequently, the seasons of 1999/2000, 2000/2001 and 2001/2002 are the relevant ones for calculation of the compensation.
- The Chamber considered that the amount claimed by club A was excessive and decided to calculate training compensation on the basis of the indicative amounts listed in Circular letter no. 826, dated 31 October 2002.
- In accordance with the principles for calculation of the training compensation amounts, stipulated in the revised FIFA Regulations for the Status and Transfer of Players and in the aforementioned Circular letter, the category of the former club and the amount corresponding to the same category in the new club's Confederation which is UEFA in the present case, apply.
- Therefore, taking into account the fact that club A is a first division club belonging to Category 3 in South America, EUR 30,000 (indicative amount per year, for category 3 in Europe) is granted from the age of 15 to 17.
- In view of the above, the Chamber decided that club B is liable to pay the amount of EUR 90,000 to club A for the training compensation of player A.

DECIDED FOR THESE REASONS

1. Club B has to pay the amount of EUR 90,000 to club A, within **30 days** of notification of the present decision.
2. If club B fails to comply with the above-mentioned deadline, an interest rate of 5% per year will apply.
3. According to art. 60 par. 1 of the FIFA Statutes this decision may be appealed before the Court of Arbitration for Sport (CAS). The statement of appeal must be sent to the CAS directly within 10 days of receiving notification of this decision and has to contain all elements in accordance with point 2 of the directives issued by the CAS, copy of which we enclose hereto. Within another 10 days following the expiry of the time limit for the filing of the statement of appeal, the appellant shall file with the CAS a brief stating the facts and legal arguments giving rise to the appeal (cf. point 4 of the directives).

The full address and contact numbers of the CAS are the following:

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For the Dispute Resolution Chamber of the FIFA Players' Status Committee,

Urs Linsi
General Secretary