

**FIFA<sup>®</sup>**

# Interpretative Note to Annexe 7 of the Regulations on the Status and Transfer of Players

March 2022



## Introduction

The purpose of this interpretative note is to provide appropriate guidance to FIFA member associations (MAs) and their stakeholders in relation to the [temporary annexe](#) to the Regulations on the Status and Transfer of Players (RSTP) entitled “**Temporary rules addressing the exceptional situation deriving from the war in Ukraine**” (Annexe 7).

# 1. Scope of application of the temporary rules addressing the exceptional situation deriving from the war in Ukraine

## 1 Scope of application

This annexe applies to all employment contracts of an international dimension concluded between players or coaches and clubs affiliated to the Ukrainian Association of Football (UAF) or the Football Union of Russia (FUR).

These temporary rules are applicable to foreign players and coaches in Ukraine and who have employment contracts with clubs affiliated to the UAF, as well as to foreign players and coaches in Russia and who have employment contracts with clubs affiliated to the FUR.

For the sake of clarity, these temporary rules apply both to men and women’s football and futsal.

# 2. Performance of football contracts of foreign players and coaches employed by Ukrainian clubs

## 2 Employment contracts of an international dimension with clubs affiliated to the UAF

1. Notwithstanding the provisions of these regulations and unless otherwise agreed between the parties, a contract of an international dimension between a player or a coach and a club affiliated to the UAF shall be considered automatically suspended until 30 June 2022.

2. The minimum length of a contract established under article 18 paragraph 2 of these regulations, does not apply to any new contract concluded by the professional whose contract has been suspended in accordance with paragraph 1 above.

The safety and well-being of players, coaches and club staff remains the primary concern. Nonetheless, it has become almost impossible, for the time being and while hostilities continue, for agreements to be honoured as the parties had originally anticipated.

In this sense, and as a first step, Ukrainian clubs, employees (players and coaches) and other clubs are strongly encouraged to work together to find mutual agreements.

That being said, it is clear that the current military conflict is having an impact on both players and coaches in Ukrainian clubs, with players and coaches wanting to leave the country, or having already left the country as they no longer feel safe.

In order to give the players and coaches the opportunity to work and receive a salary and protect Ukrainian clubs, all employment contracts of foreign players and coaches with clubs affiliated to the UAF will be deemed suspended until the end of the season in Ukraine (30 June 2022), without the need for any action from the parties to this effect.

Finally, any new contract concluded by a professional in these circumstances with a new club will not need to comply with the minimum length of a contract established in article 18 paragraph 2 of the RSTP, which states that the minimum length of a contract between a player and their club should correspond to the period from the date on which the contract comes into effect until the end of the current season.

### **3. Performance and termination of football contracts of foreign players and coaches employed by Russian clubs**

#### **3** Employment contracts of an international dimension with clubs affiliated to the FUR

1.

Notwithstanding the provisions of these regulations and unless otherwise agreed between the parties, a contract of an international dimension between a player or a coach and a club affiliated to the FUR can be unilaterally suspended until 30 June 2022 by the player or the coach, provided that a mutual agreement with the club could not be reached before or on 10 March 2022.

2.

The minimum length of a contract established under article 18 paragraph 2 of these regulations does not apply to any new contract concluded by the professional whose contract has been suspended in accordance with paragraph 1 above.

As a result of the war on the territory of Ukraine, the RFU and Russian clubs have been suspended from participating in international competitions.

Furthermore, the war in Ukraine is indubitably having an impact on foreign players and coaches in Russian clubs who want to leave the country, or have already left, as a consequence of the armed conflict.

Therefore, in order to facilitate the departure of these foreign players and coaches, in case clubs affiliated to the FUR do not reach a mutual agreement with their respective foreign players and coaches before or on 10 March 2022, the foreign players and coaches will have the right to suspend their employment contracts with clubs affiliated to the FUR until the end of the season in Russia (30 June 2022).

Finally, any new contract concluded by a professional in these circumstances with a new club will not need to comply with the minimum length of a contract established in article 18 paragraph 2 of the RSTP.

### **4. Consequences of the suspension**

## **4** Consequences of the suspension

A player or coach whose contract has been suspended as per article 2 paragraph 1 or article 3 paragraph 1 above does not commit a breach of contract by signing and registering with a new club. Article 18 paragraph 5 of these regulations does not apply to a professional whose contract has been suspended as per article 2 paragraph 1 or article 3 paragraph 1 above.

For the avoidance of doubt, a contract that has been suspended as per article 3 paragraph 1 will operate in the same way as employment contracts that are deemed suspended in accordance with article 2 paragraph 1.

In this sense, the obligation to provide sporting services and the obligation to remunerate players and coaches for said sporting services will be deemed paused until 30 June 2022 for contracts that are deemed suspended or that have been suspended as per the above-mentioned provisions.

A suspension of a contract as per the above-mentioned provisions will entail that players and coaches will be considered as “out of contract” until 30 June 2022 and are, therefore, at liberty to sign a contract with another club without facing consequences of any kind (either payment of compensation or sporting sanctions).

It will also entail that foreign clubs that subsequently register players whose contracts have been suspended or are deemed suspended will not be subject to any sporting or financial consequences. However, in principle, the validity of any new contract shall not extend past 30 June 2022.

Moreover, any new contract concluded by a professional with a new club until 30 June 2022, whose contract is deemed suspended or that has been suspended as per the above-mentioned provisions, will not be considered a violation of article 18 paragraph 5 of the RSTP, which states that “if a professional enters into more than one contract covering the same period, the provisions set forth in Chapter IV shall apply”.

For the sake of clarity, should the exceptional situation deriving from the war in Ukraine end before 30 June 2022, contracts that are deemed suspended or that have been suspended as per the above-mentioned provisions will continue to be suspended until said date.

## **5. Registration matters**

### **5** Registration

**1.**

Notwithstanding the provisions of article 5 paragraph 4 of these regulations, a player whose previous registration was in the UAF or FUR, may be registered with a maximum of four clubs during one season and is eligible to play official matches for three different clubs.

**2.**

A club may register a maximum of two players who have benefited from the exception set out in the paragraph above.

## 6 Registration periods

1.

Notwithstanding the provisions of article 6 paragraph 1 of these regulations, a player whose previous registration was in the UAF or in the FUR, has the right to be registered by an association outside a registration period, provided that such registration occurs before or on 7 April 2022.

2.

Notwithstanding the provisions of Annexe 3, article 8.2 paragraph 7 in conjunction with Annexe 3, article 8.2 paragraph 4 b), in case the UAF or FUR reject an ITC request for a professional whose contract has been suspended as per article 2 paragraph 1 or article 3 paragraph 1 of this annexe, FIFA is competent to immediately authorise the provisional registration of the player at the new association for his new club.

FIFA understands and recognises that flexibility needs to be provided to players whose registration was in the UAF and FUR and that may have left or are intending to leave the territories of Ukraine or Russia as a consequence of the war in Ukraine.

To this end, an exception to the rule that players may only be registered during a registration period fixed by the relevant member association has been agreed on for foreign players whose previous registration was in the UAF or FUR. Thus, foreign players whose previous registration was in the UAF or FUR will be allowed to be registered even if the registration period is closed in the association of the club with which they intend to be registered.

This will cover cases *inter alia* of mutual or unilateral terminations of an employment contract between a player and a club affiliated to the UAF or RUF, players whose contract is deemed suspended or that has been suspended as per the above-mentioned provisions in accordance with points 2 and 3 above, as well as any foreign players who are loaned out by a club affiliated to the UAF or RUF.

In order for this exception to be applicable and to protect the integrity of competitions, the engaging club shall enter and confirm in the Transfer Matching System (TMS) a transfer instruction before or on 7 April 2022, containing all data allowing the new association to request the International Transfer Certificate (ITC) as well as upload all the relevant mandatory documents (cf. art. 8.2 par. 1 of Annexe 3 of the RSTP).

Moreover, in order to alleviate any concern that a player in these circumstances may inadvertently breach article 5 paragraph 4 of the RSTP when they transfer to a club affiliated to a different MA, it has been agreed that players may be registered with a maximum of four clubs and shall be eligible to play official matches for a maximum of three clubs during the same season (i.e. the same season in which the transfer occurs).

For the avoidance of doubt, a club may register a maximum of two players whose previous registration was in the UAF or FUR outside the relevant registration period fixed by its association.

In the event that the UAF or the FUR reject the ITC request for a professional whose contract has been suspended as per article 2 paragraph 1 or article 3 paragraph 1 of this annexe, FIFA may take provisional measures upon request of the new association wishing to register the player. Taking into account the circumstances of the case, FIFA will submit the matter to the Football Tribunal which will be competent to authorise the provisional registration of the player as per article 8.2 paragraph 7 of Annexe 3 of the RSTP.

For the sake of completeness, the principles outlined in this section shall apply *mutatis mutandis* to amateur players and futsal.

## **6. Protection of minors**

### **7 Protection of minors**

Notwithstanding the provisions of article 19 of these regulations, any minors residing in the territory of Ukraine who wish to be registered with a new club shall be automatically deemed to fulfill the requirements of the exception provided in article 19 paragraph 2 d) of these regulations.

Article 19 paragraph 2 d) of the RSTP exempts minors moving for humanitarian reasons from the rule preventing the international transfer of players before the age of 18. The exemption is limited to those categories of persons set out in the 1951 Refugee Convention. The Football Tribunal has previously applied the exemption to asylum seekers whose civil status in their new country has yet to be determined, permitting their registration with amateur clubs.

In this respect, minors fleeing Ukraine to other countries due to the armed conflict will be considered to fulfil the requirements of article 19 paragraph 2 d) of the RSTP. Their registration with an amateur club in the new association would normally be approved by the Football Tribunal. For the sake of clarity, article 7 of temporary Annexe 7 applies to unaccompanied minors only, in so far as regulatory applications regarding minors fleeing Ukraine with their parents can also be immediately submitted under article 19 paragraph 2 a) of the RSTP which would in principle be approved by the Football Tribunal (i.e. reasons for the move not linked to football).

## **7. Training compensation**

### **8 Training compensation**

**1.**

No training compensation is due for any player whose previous registration was in the UAF or FUR and whose contract has been suspended in order to be registered with a new club in accordance with this annexe.

**2.**

No entitlement to training compensation will arise for any club not affiliated to the UAF or FUR who has registered a player following the suspension of the player's contract in accordance with this annexe.

Furthermore, given the circumstances, training compensation will not be due (if applicable) in case foreign players, whose contract has been suspended or has been deemed suspended, sign a new contract in order to be registered with a new club.

Along this line, new clubs not affiliated to the UAF or FUR where foreign players have signed a new contract, will not be entitled to receive training compensation for the period where the player is registered with them while the respective contract with a club affiliated to the UAF or FUR is suspended.