Bulgarian Football Union

RULES
On the Activity of Football Agents

Sofia, July 2015
SECTION I     GENERAL PROVISIONS

Article 1  These Rules regulate the activities of football agents in the system of
the Bulgarian Football Union, the terms and conditions of their
registration or for termination of their activities and the rules for keeping
the Register of Football Agents.

Article 2  The Commission for Football Agents is the body that shall regulate,
coordinate, supervise and manage the process of registration of
Football Agents in the system of the Bulgarian Football Union and their
activities.

Article 3  Football agent cannot perform any mediating in favour of a person who
is different from the player, coach or club that is committed to act with
unless this is not expressly stated in the agreement for the specific
transaction.

Article 4  Club, coach, player, football agent or another participant, have no right
to settle issues by concealing or misrepresenting the actual facts on the
substance of all matters in connection with the transaction.

Article 5  The Football Agent has the right to conclude a contract for performing
the following activities: to represent the interests of the player, club or
coach; to negotiate on their behalf with another player, club or coach; to
discuss the terms and conditions of a potential contract with them, and
to mediate in negotiations for the acquisition or transfer of competitive
rights.

Article 6  (1) A football agent, player, coach or club must have a written Contract
of Representation or agreement before the football agent shall start the
mediation of his/her own behalf or on their behalf.

(2) The activity in the preceding paragraph may be performed by
football agent and based on the authorization by the interested party.

Article 7  (1) The contract for representation should include the entire agreement
between the parties relating to the mediating and shall contain all
statutory requisites of the standard Contract for Representation,
according to Annex №1.

(2) The parties may also agree other conditions as far as these are in
accordance with the statutory requirements of the standard Contract for
Representation, and with the requirements of the rules in these Rules.

(3) If the individual provisions of the contract are contrary to the law,
they do not result in action and are replaced by right of the statutory
provisions, which do not lead to the nullity of the contract as a whole.

(4) In the event of an established infringement under Paragraph 3, the
Commission on Football Agents shall inform the parties with
prescription to eliminate it within a specified period, with the necessary
modifications for which they are notified.

Article 8
(1) The Parties under the Contract for Representation shall provide a
copy of the contract to the Commission for Football Agents to the
Bulgarian Football Union.

(2) The contract for Representation is provided within ten days from the
date of its entry into force, but not later than the date of registration of
the transaction.

Article 9
The conditions of the Contract for Representation shall comply with the
requirements of this Regulation and the FIFA Regulations on work with
intermediaries.

Article 10 Each party under a Contract for Representation must notify the
Bulgarian Football Union in written for any early termination, change or
other event which shall affect the validity or the status of the contract,
within 10 days of its occurrence.

Article 11 The award or grant obligations, services or other responsibilities on
mediating based on a Contract for Representation by Football Agent
with coach or club, for performance of another football agent, is
permitted with the prior written consent of the player, coach or club. In
this case, the football agent who has concluded the Contract for
Representation must deliver the Football Agent whom has delegated or
allocated for implementation specific activities the following:
1. Copy of the concluded contract for representation
2. Assignment document where shall describe the conditions under
which the activities are assigned or allocate for implementation

Article 12 In case a player or coach has a Contract for Representation with a
Football Agent for which the club has been informed in writing by the
agent, the club must keep correspondence with the Football Agent in
connection with any transaction related to the player. The club must
notify the player that it is keeping correspondence with his agent.

Article 13 (1) The Football Agent can not conclude Contract for Representation
with a minor player for mediating before the date on which the player
shall reach the age of sixteen years.

(2) The Contract for Representation with minor player under Paragraph 1 is signed by the minor player and by his/her parent or guardian.

(3) The Contract for Representation with minor player shall have
notarization for the signatures of the parties and shall be for a period
until the age of majority of player.

Article 14 (1) The Contract for Representation with a player or coach shall have a
term of three years.
(2) The Contract for Representation may be extended by written agreement between the Football Agent and the player or the coach.

(3) Any provision in the Contract for Representation for its automatic renewal shall be invalid.

SECTION II REGISTRATION OF PLAYERS' AGENTS

Article 15  
(1) Any Bulgarian or foreign individual or legal person who wishes to work as a football agent must be registered with the Bulgarian Football Union under the procedure defined in these Rules.

(2) A person who will mediate in negotiations for the acquisition or transfer of competitive rights must be registered as a trader.

(3) The applicant must meet the requirements of these Rules set out in Annex № 2 during each registration period.

(4) The registration is valid for one year.

Article 16  
(1) An individual who wants to register as a football agent shall submit an Application to the Bulgarian Football Union – Commission on Football Agents.

(2) Enclosed to the application shall be a receipt for paid fee in the amount of BGN 250.00 for considering the documents and taking decision by the Commission for Football Agents.

Article 17  
(1) A player, coach or official in a club cannot register as a football agent.

(2) A football agent who has acquired the status of a player, coach or official is immediately suspending his/her activities and is deleted from the Register.

Article 18  
(1) An individual is entered in the Register when has completed secondary education and 3 years of service at least.

(2) An individual who has completed higher education with degree "Master" is entered in the Register without any requirement for length of service.

(3) Registered football agent must notify the Commission of Football Agents within ten working days of any change in the Circumstances that is contrary to the requirements of these Rules.

Article 19  
(1) Legal person who wants to register as a football agent shall submit an Application to the Bulgarian Football Union – the Commission for Football Agents signed by the person who is representing him.

(2) Enclosed to the application shall be a receipt for paid fee in the amount of BGN 250.00 for considering the documents and taking decision by the Commission for Football Agents as well as a Certificate for Good Standing.
Article 20

(1) A decision on filed application for registration in the Register of the Football Agents of the Bulgarian Football Union shall be taken by the Commission of the Football Agents to the Bulgarian Football Union.

(2) The meeting of the Commission shall be valid if more than half of all members are present. The Commission shall pass a decision to be approved if voted by more than half of the members present. In case of equality of votes is considered the decision, which the chairman of the commission voted for.

(3) The decision shall approve or deny the request for registration in the Register.

(4) The Commission decision is subject to appeal before the Court of Arbitration at the BFU within 14 days from the date of receipt of the written notice.

Article 21

(1) A Football Agent registered in the Register of Football Agents to the Bulgarian Football Union has the right to use in his business relations the following definition without any changes to it after their name: "REGISTERED football agent to the BFU."

(2) A registered football agent has no right to use the logo of the Bulgarian Football Union.

Article 22

(1) The register of Football Agents to the Bulgarian Football Union is kept in paper and electronic form from the Secretary of the Commission on Football Agents.

(3) The register of Football Agent consists of sequentially numbered pages.

(4) Each page of the register shall contain:
   1. Serial number of entry;
   2. Full name of the football agent – individual, personal identifying number, and date of issue of the identity card;
   3. Name, head office and address of management, UIC (VAT number) – for legal entity;
   4. Administrative office address, telephone, fax and e-mail address;
   5. Ground for entry – date of the decision of the Commission for Football Agents;
   6. Submitted contracts for mediation;
   7. Changes in the circumstances entered;
   8. Date of entry and the name of the person who entered the data.

(5) The registration is done within seven days from the date of the decision.

(6) The Commission for the Football Agents shall publish on the official Internet site of the Bulgarian Football Union the list of names and basic details of registered football agents.

SECTION III FINANCIAL RULES
Article 23  
(1) The football agent is entitled to compensation from player, coach or club in case the requirements for the specific mediation or advice work were met.

(2) Minor player and the club where he/she is registered shall due no compensation to the football agent.

Article 24  
The stipulated in the Contract for a Representation compensation of the football agent is paid by the player or the coach as a lump sum or in periodic instalments within the agreed deadlines for this.

Article 25  
1) The remuneration of the football agent is calculated based on the gross fixed income of the player or the coach, as defined in his employment contract concluded by the player or the coach with the mediation of the football agent.

(2) Where the remuneration is due in periodic instalments and the employment contract of the player or the coach, subject of the representation of the football agent, has longer duration compared to the Contract for Representation, the football agent is also entitled to the agreed instalments after the expiry of the Contract for Representation until the expiration of the employment contract of the player or the coach.

Article 26  
(1) It is allowed that monetary obligation of a player or coach is paid to the football agent by the club. In this case, the club shall deduct the compensation due from the gross salary of the player or the coach in favour of the football agent.

(2) The payment from the club to the football agent to be made on the basis of the annual gross salary of the player or the coach, as a lump sum for each year of the validity of the contract of a player or the coach with the club.

Article 27  
Any compensations or payments in connection with the mediation for or on behalf of the club must be carried out only by the club.

Article 28  
In case a football agent in his/her mediating on behalf of the club has used the services of a third party (another football agent or a lawyer) for the transaction, the club cannot pay compensation related to the mediation under this specific compensation, to the third party unless there is an expressed written consent of the three parties.

Article 29  
(1) The agreed compensation of the football agent in Contract for Representation, signed with a player or a coach, cannot exceed seven percent of the gross monthly salary of the player or the coach and/or transfer fee under the transaction.

(2) Where negotiated a higher compensation than the amount under Paragraph 1, any disputes between the parties on the sum above this amount are considered under the general procedure.
Article 30 The remuneration of a football agent in a transaction in which he/she was hired by the club is freely negotiated between the parties.

SECTION IV DISPUTES AND SANCTIONS

Article 31 (1) Disputes between registered football agents and players, coaches or clubs, as well as between agents shall be considered and decided by the Commission for Football Agents.

(2) The proceedings under disputes are formed by filing a complaint within no more than two years from the occurrence of the reason for the dispute.

(3) The appeal shall be enclosed by a document of paid fee, which amounts as follows:
   a) under an appeal for pecuniary claim – 1% of the amount claimed, but not less than BGN 100.00 and not more than BGN 2000.00;
   b) under an appeal, which is not intended for pecuniary claim – BBGN 100.00

(4) Where the due fee is not paid the secretary of the Commission shall give the applicant 7 days for paying the fee. Until paying the fee the appeal shall remain with no result.

(5) The Commission shall consider the appeal within one month of submission, respectively payment of the fee.

(6) The respondent party in the dispute has to file a reply to the appeal within a period specified by the Commission. In case of presented reply, the Commission in its discretion may require the applicant's stand point on the reply of the respondent. At the discretion of the Commission, the parties may be invited to attend the Commission meeting, where shall present their arguments and to take a position on those of the other party.

(7) Within two months after the closure of the correspondence between the parties, the Commission shall make a decision.

(8) The decision of the Commission is subject to appeal before the Court of Arbitration at BFU within 14 days from the date of the written notice.

(9) In case of failure to execute a final decision of the Commission concerning the Football Agents, the interested party may apply to the Disciplinary Committee of the BFU and the Commission to impose an additional sanction.

Article 32 Disputes between registered in the Bulgarian Football Union football agents and players or coaches from foreign clubs, and between registered in the Bulgarian Football Union football agents and foreign clubs are resolved in accordance with the adopted rules in the Contract
for Representation as well as under the rules and regulations of the associations where the player, the coach or the club is registered. In disputes they are also subject to the laws in force in the country of registration of players, coaches and clubs.

Article 33. (1) Sanctions will be imposed on a football agent, player, coach or club that violates these Rules or other provisions of the Bulgarian Football Union.

(2) The Commission for the Football Agents to the Bulgarian Football Union is the competent authority to impose the sanctions established.

Article 34 (1) For admitted or performed violations under these Rules the football agent is imposed the following sanctions:
1. A fine in the amount to BGN 10 000.00;
2. Deletion of the football agent from the Register of Football Agents to the Bulgarian Football Union for a period of one year;
3. Deletion of the football agent from the Register of Football Agents to the Bulgarian Football Union;
4. Ban on participation in any activity related to football.

(2) The sanctions under paragraph 1 shall be applied individually or cumulatively.

Article 35 The registration of the football agent is deleted in case he/she systematically or seriously infringes the statutes and regulations of FIFA, UEFA or the Bulgarian Football Union.

Article 36 (1) For violations under these Rules the football club is imposed the following sanctions:
1. Pecuniary sanction in the amount to BGN 20 000.00;
2. Ban on transfers;
3. Withdrawal of points;
4. Move to a lower Football Group (division).

(2) The sanctions under Paragraph 1 shall be imposed individually or cumulatively.

Article 37 (1) For violations of these rules, a player or coach is imposed the following sanctions:
1. A fine in the amount to BGN 10 000.00;
2. Disqualification for a period of 6 to 12 months;
3. Ban on participation in any activity related to football.

(2) The sanctions under Paragraph 1 shall be applied individually or cumulatively.

SECTION V  ADDITIONAL PROVISIONS
§1. For the purposes of these Rules:
   a) "A football agent" shall mean an individual or legal person who for reward is representing a player or coach before a club with the objective to negotiate and renegotiate an employment contract or is representing a
club before another club with the objective to conclude an transfer agreement (direct or by assignment of competitive rights) within the Bulgarian football Union or by the Bulgarian football Union to another football Association and vice versa in accordance with the requirements of these Rules.

b) "Player" shall mean an individual who plays the football game and is filed on behalf of the football club in the system of the Bulgarian Football Union or other national association, a member of FIFA.

c) "Coach" shall mean a sports teacher who is organizing and conducting the sports and training, and competitive activities with players.

d) "Club" shall mean a legal person carrying out training, competitive, and organizational and administrative work in football and is a member of the Bulgarian Football Union, and in case the club is a foreign club – it is member of the relevant national association.

e) "Transfer" shall mean legally regulated act for change in the club affiliation and competition rights of the players.

f) "Mediation" shall mean any negotiation or other related activities, including any communication or training, the intent or effect of which is to establish, terminate or amend the terms of the employment contract of a player or coach with the club, or to facilitate or implement the registration of a player in a club, or to transfer the registration of a player from one club in another club (by assignment or permanent transfer of competitive rights).

g) "Deal" shall mean the establishment, amendment or termination of the terms of employment contract of a player or coach with the club, the registration of a player in a club or the transfer of the registration from one club to another club.

h) "Basic gross income" shall mean the basic gross salary and remuneration of a player or coach, but excluding any bonus that depends on the player' performance and/or the performance of his/her club.

i) "Contract for Representation" shall mean the agreement between a football agent (on one hand) and player, coach and/or club (the other hand), where the purpose or the effect shall be to provide the mediation. The Contract for Representation must comply with the statutory requirements of the Standard Contract for Representation.

j) "Standard Contract for representation" shall mean a Contract for Representation in prescribed in these Rules form which as a minimum necessary and mandatory contents shall include: date and place of signature, names of the parties, duration, remuneration of the football agent, deadline for payment, term of implementation, liability, termination and signatures of the parties.
k) "Register of football agents" shall mean a unified register of the football agents kept by the Commission for Football Agents to the Bulgarian Football Union.

SECTION VI TRANSITIONAL AND FINAL PROVISIONS

§ 2. (1) The issued licenses to the agents under the procedure of the Regulations on the Licensing and for the Activities of Players' Agents shall suspend their validity from April 1, 2015.

(2) The licensed football agents with operating license as of April 1, 2015 shall be registered by right in the Register of the Football Agents.

(3) Football agent who is registered under the preceding paragraph, who within a period of one calendar year as of the date of registration has not submitted a contract to the Commission for Football Agents, shall be automatically deleted from the Register.

§ 3. The Rules for the Football Agents activities was adopted by Decision of the Executive Committee of BFU under Item 5.5 of Protocol № 2 of March 28, 2015 in pursuance of FIFA Circular letter № 1417 of April 30, 2014, and pursuant to Article 49, Item 14 in conjunction with Article 3, Paragraph 1, Item 3 of the Statute of the BFU, and Article 35, Paragraph 1 and 2 of the Law on the Physical Education and Sports.

§ 4. The Rules for Football Agents enters into force on April 1, 2015, and of that date is repealed the Regulations on Licensing and Activity of Players' Agents adopted by Decision № 4.8 of the Executive Committee of BFU under Protocol № 7 of September 23, 2008 as amended by Decision № 7.8 of the Executive Committee of BFU under Protocol № 2 of May 21, 2012 and Decision № 5.6 the Executive Committee of BFU under Protocol № 3 of July 31, 2012.

§ 5. Everywhere in legislative and other documents adopted by the Executive Committee of BFU the name "Commission/the Commission for licensing and activity of players' agents" shall be replaced by "Commission/the Commission for Football Agents". These Rules are published on the website of the Bulgarian Football Union: www.bfunion.bg.