

# A key step forward for football agents in Italy

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As announced on 17 April, the Italian Football Association ('FIGC') has made changes to a number of its regulations, including the introduction of the 'Regulations on Sports Agents' (the 'FIGC Regulations'), which are aimed at establishing a new set of rules governing football agents.

The reasons underpinning the introduction of the FIGC Regulations

The FIGC Regulations have not been published yet, and the FIGC's announcement provided no further details. However, it is expected that they represent a key step forward in the reform of sports agents.

Where does this reform stem from? Let's take a step back to review recent developments and the reason why the FIGC has changed its agents' rules, only three years after the enactment of the 'Intermediary Regulations' in 2015.

Following FIFA's 'deregulation' of the football agent field in 2015, Italy (as well as many other national associations) issued new Regulations, whereby the requirement to be a licensed agent was removed. Accordingly, players or clubs could appoint whomever to act as their football agent. However, after almost three years, the system witnessed a lack of competence and professionalism amongst football agents, which mostly is at the expense of the players.

For the first time, the Italian legislator – not a sports association – has regulated the sports agents' sector once again by introducing, via Law 205/2017, the exam requirement. The legislator required both the Italian Olympic Committee ('CONI') and all sports associations to issue regulations and establish the sports agents' exam in line with the provisions of said Law. This means that, whilst until 2015 only the FIGC exam was required to become a players' agent, from now on a twofold exam will be necessary: one organized by CONI and one held by each association in which the agent is willing to act.

In July 2018, CONI enacted the 'Sports Agents Regulations' (the 'CONI Regulations'). Each Italian sports association is thus required to organize the federal exam, whose first session should reportedly be held by May 2019 (!). The associations cannot deviate from the requirements concerning admission to the exam that are established both by Law 205/2017 and by the CONI Regulations (e.g. non-EU citizens are not admitted).

What's next

The FIGC has been the first sports association to issue agent's regulations in keeping with the CONI Regulations. It can be reasonably expected that, on the whole, the FIGC Regulations will reflect CONI's rules. The 17 April FIGC Council has also elected the members of the commission in charge of the exam. Only the (approximately) 15% of candidates who passed the written and oral parts of the CONI exam will be admitted to the FIGC (or other association) exam.

Though the FIGC Regulations are yet to be disclosed, they certainly represent a U-turn towards the licensing system in place before 2015. In this development, Italy seems to have anticipated FIFA, which reportedly will be amending the 2015 Intermediaries Regulations in the next few months with a view to (amongst other changes) reintroduce the license requirement.

It remains to be seen whether, and how, the FIGC Regulations will depart from the previous 2015 FIGC dictates. Understanding the new rules on aspects that are not covered by the CONI Regulations, such as dual representation and the amount of commission payable to football agents (whether recommended or capped), will be of great interest.

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