
Football and Brexit



FAQs on The FA's Governing Body Endorsement Requirements

Background

On 1 December 2020, The Home Office approved the [revised entry requirements for overseas players post Brexit](#). These requirements, in the form of the Governing Body Endorsement (GBE) regulations, were formulated by The FA, in consultation with the Premier League and the English Football League (the “**GBE Rules**”).

While GBE requirements have previously existed for all UK football clubs (and other sports) who recruit players that do not have the automatic right to work in the UK, the new requirements also deal with the practical impact of Brexit.

In a nutshell, after the end of the transition period following the UK's departure from the EU effective 1 January 2021, all non-UK nationals – **including EU nationals** – will be subject to The FA's new GBE criteria before they are granted clearance to transfer to an English football club.

While the spirit of the new GBE system remains the same; namely to attract elite talent who will contribute to the development of English football at the highest level, the criteria has become more objective, specific and therefore nuanced.

The sports law team at Mills & Reeve have significant experience advising clubs, players and agents with GBE and work permit requirements, and having analysed the new criteria for [male players](#), [female players](#) and [first team managers for the men's game](#) and [women's game](#) have set out an FAQ below.

However, please note that The FA has also issued revised criteria for:

- i. Men's football [assistant managers](#), [directors of football](#), [performance managers](#) and [youth non-playing staff](#); and
- ii. Women's football [assistant managers](#), [directors of football](#) and [performance managers](#).

Should you require any further assistance on the application of these regulations, please do not hesitate to [reach out to us](#).

Section 1 – the Men’s GBE criteria

1 What is a GBE?

A GBE is confirmation by a sports governing body that a sportsperson migrating to the UK is established at the highest level and/or will make a significant contribution to the development of their sport at the highest level in the UK. A club can apply for a GBE for a player at any time during the season, provided they hold a valid Sponsor’s Licence. A Sponsor’s Licence, granted by the Home Office, allows a club to issue the player with a Certificate of Sponsorship.

Only clubs competing in the Premier League or English Football League are eligible for a Sponsor’s Licence. Clubs in other leagues within the football pyramid must ensure that any player they are looking to sign who is not a citizen of the UK (or Ireland if they are a senior player) has obtained a visa outside the GBE system which permits them to play football.

The governing body for every sport in the UK is required to publish ‘endorsement requirements’ which are effectively a set of criteria a sportsperson will be assessed against. If the sportsperson meets these criteria, they will be ‘endorsed’ by the governing body and a GBE will be issued to their employer who will issue the sportsperson with a Certificate of Sponsorship.

Once issued with a Certificate of Sponsorship, the player may then apply for his visa. Previously, there were two visa categories a player could apply for – the Tier 2 (Sportsperson) visa and the Tier 5 (Creative or Sporting) visa, although these were replaced by the International Sportsperson visa in October 2021

The main difference between the Tier 2 and Tier 5 visas in the previous regime was the length of their validity. Under the Tier 2 visa, the length of validity is three years or the length of the player’s contract, whichever is shorter. Under the Tier 5 visa, the length of validity is one year or the length of the player’s contract, whichever is shorter. This distinction has been retained by the International Sportsperson visa, which introduced short-term and long-term visas as successors to the Tier 5 and Tier 2 visas respectively.

The FA, being the governing body for football in England is responsible for providing GBEs to all migrant footballers playing in England, to the extent that their nationality would have ordinarily required them to obtain a visa to work in the UK.

2 Why are the changes to the FA’s GBE system from 2021 important?

Prior to the enforcement of the 2021 GBE Rules, only nationals outside the EU/EEA nationals (for ease we will refer to these as ‘EU’ players or from the EU) were required to satisfy the GBE criteria, meaning footballers from the EU had an automatic right of entry to play football in England, if an English club wished to sign them.

However, due to Brexit, and the UK no longer being a part of the EU, the freedom of movement rights available to EU nationals would no longer extend to the territory of the UK. As such, to work (i.e., play football) in the UK after 1 January 2021, they too, would be subject to the approval of The FA, which is responsible for assessing them against six objective criteria.

Under the previous FA GBE system, which had been in place since 2014/15, if players did not automatically qualify for a GBE based on their international appearances, a points-based system operated which was based on the transfer fee and wages agreed to be paid to the player, as compared

to the average transfer fees and wages paid by Premier League clubs. The increase in transfer fees and wages over the last 5-6 years resulted in these financial criteria becoming an almost insurmountable hurdle to the recruitment of non-EU players for some clubs.

The new system effectively levels the playing field for the recruitment of EU and non-EU players and is very much focused on an objective evaluation of their playing statistics, where points are awarded based on the calibre of competitions/ leagues that the player has competed in (where, inevitably, there exists an element of subjectivity when determining rankings).

3 What is the likely impact of these new rules?

Established international players from countries ranked in the FIFA top 50 will largely be unaffected by these changes.

However, international transfers will become more time consuming for club administrators and advisors with the additional GBE burden when signing EU players. It is advisable for clubs to give serious consideration to a player's playing statistics and the GBE Rules in the early stages of scouting, so as not to waste resources pursuing players who are unlikely to qualify for a GBE.

The authors consider that the new system could however offer opportunities to clubs to sign players from untapped territories outside the EU where good value deals may be achievable (which would not have satisfied the financially driven criteria of the previous system).

In particular, with respect to continental competitions, South American (CONMEBOL) clubs arguably benefit from the GBE Rules, as progression in the Copa Libertadores and Copa Sudamerica is treated on par with the UEFA Champions League and the Europa League respectively (see question 7.c below).

Further, as part of the GBE Rules, 'Band 3' rankings have been given to clubs playing in the Campeonato Brasileiro Série A, Argentinian Primera Division, and the Liga MX (first divisions in Brazil, Argentina and Mexico respectively) (see question 7.b.iii below), ranking players from these clubs on par with those from Russian and Scottish first divisions and higher than those from the first divisions in the Czech Republic, Croatia, Switzerland, Ukraine, Greece, USA and Austria.

4 What are the key features of the GBE Rules?

Broadly speaking, the spirit and framework of the previous GBE system have been retained. In summary, the GBE Rules allow clubs to register a non-UK player through one of the following **three routes**:

- a. **International Appearances** – the FA will grant a GBE if the player's international appearances meeting the automatic pass percentages set out in the rules;
- b. Achieving **15 or more points** under the criteria set out in the rules; or
- c. The **Exceptions Panel** process.

However, at the same time, The FA has also introduced significant changes to the GBE system.

- a. What's not changed:
 - i. Senior players will continue to be assessed based on the number of international appearances they have made in the two-year period preceding the application, with an **'Auto-Pass' granted to those who have made a certain percentage of appearances for national teams in the FIFA top 50.**

- ii. An **exceptions panel** will still operate, although the criteria for requesting one has changed. (see 4(b.iv) below).
- b. What's changed:
- i. In addition to international appearances, players will be assessed against **five more objective criteria** (see question 7 below), with the aim of gathering a certain **15 points** based on their credentials in each category (see question 6 below).
 - ii. **'Youth players' (i.e. players U21)** will also be assessed against these six objective criteria, although they stand to benefit from further **points for making a senior team debut** during the season in question.
 - iii. Premier League clubs are only permitted to sign a maximum of **six U21 players** per season.
 - iv. Recourse to an **exceptions panel** is only available in limited circumstances (see question 6 below).
 - v. The longer term, Tier 2 and short term Tier 5 visas have been replaced by the **International Sportsperson (ISP) visa regime**, introduced by the Home Office in 2021. Tier 2 visas have been replaced by the ISP (long-term) visa, while ISP (short-term) is the equivalent to a Tier 5 visa.

5 How many points does a men's player need under the GBE framework?

A men's player **requires a total of 15 points across** the criteria set out in **paragraphs 31-44** of the Men's GBE Rules to qualify for a GBE.

6 What if a male player does not gather the points required?

The GBE Rules have resulted in a greater degree of objectivity with less scope for discretion. As such, a club wishing to sign a player who does not gather a total of 15 points across all criteria, will only have recourse to an exceptions panel if:

- a. A player achieves between **10-14 points** and the club can demonstrate that **'exceptional circumstances'** prevented him from achieving 15 points; or
- b. Where he is a **'Youth Player'**, he shows **significant potential and is of sufficient quality** to enhance the development of the game in England.

Separately, The FA may also refer any question in relation to the interpretation or application of the GBE Rules to an Exemptions Panel, if required. However, such referral is entirely at the discretion of The FA.

7 What criteria do players need to satisfy for a GBE?

Under the GBE Rules, male players will be required to score a total of 15 points across the following **six categories**:

- a. **International appearances**: As a general rule, players are required to make a certain percentage of appearances for their national teams over the 24-month period preceding the GBE application. The higher the FIFA ranking of the player's national team, the lower the % of required appearances the player is required to make.

At the outset, **it is to be noted that this is the only category under which players are eligible for an 'Auto Pass', or an automatic GBE**, without the need to score points under the other criteria.

This rule is based on the premise that the better the national team's FIFA ranking, the better the quality of players generally available for selection in that country.

So, for example, players from a countries like Brazil, Argentina and France, generally ranked within the FIFA top 10 only needs to make a minimum of 30% of appearances for his national team (in competitive matches) during the 24-month period preceding the application, to get an 'Auto Pass'. On the other hand, players from, Ecuador, Norway, Saudi Arabia and Côte d'Ivoire (all ranked between 40-50, as of January 2023), would need at least 70% appearances for his country if he was to automatically qualify for the GBE.

However, if players do not meet the automatic threshold, they will still be eligible to score points, based on the percentage of appearances they have made during the 24-month period before the GBE application.

The Auto Pass route is not available to players from countries outside the FIFA top 50. These players can only score points if they have made a minimum of 80% appearances for their national team.

A tabular representation of this criteria has been reproduced below:

Aggregated FIFA World Ranking of the Player's National Association					
Player's International Appearances	1-10	11-20	21-30	31-50	51+
90-100%	Auto Pass	Auto Pass	Auto Pass	Auto Pass	2 points
80-89%	Auto Pass	Auto Pass	Auto Pass	Auto Pass	1 point
70-79%	Auto Pass	Auto Pass	Auto Pass	Auto Pass	0 points
60-69%	Auto Pass	Auto Pass	Auto Pass	10 points	0 points
50-59%	Auto Pass	Auto Pass	10 points	8 points	0 points
40-49%	Auto Pass	Auto Pass	9 points	7 points	0 points
30-39%	Auto Pass	10 points	8 points	6 points	0 points
20-29%	10 points	9 points	7 points	0 points	0 points
10-19%	9 points	8 points	0 points	0 points	0 points
1-9%	8 points	7 points	0 points	0 points	0 points

- b. **Player's Domestic Minutes:** The FA have introduced a system of ranking domestic leagues into categories, or 'Bands' from 1-6. Band 1 comprises the higher quality leagues and Band 6, the lower.

For instance:

- i. **Band 1** leagues are *the English Premier League, the Bundesliga, La Liga, Serie A and Ligue 1;*
- ii. **Band 2** leagues are *the Portuguese Primeira Liga, Eredivisie, Belgian First Division A, the Turkish Super Lig and the English Championship;*
- iii. **Band 3** leagues are *the Russian Premier League, Campeonato Brasileiro Série A, Primera División of Argentina, Liga MX and the Scottish Premiership;*
- iv. **Band 4** leagues are *the Czech First League, Croatian First Football League, the Swiss Super League, La Liga 2, Bundesliga 2, Ukrainian Premier League, the Greek*

Superleague, the Colombian Categoría Primera A, the USA's Major League Soccer, the Austrian Football Bundesliga, the Danish Superliga and Ligue 2;

- v. **Band 5** leagues are *the Serbian SuperLiga, the Polish Ekstraklasa, the Slovenian PrvaLiga, the Chilean Primera División, the Uruguayan Primera División, the Swedish Allsvenskan, the Norwegian Elitserien and the Chinese Super League;* and
- vi. All other leagues not explicitly identified as Band 1-5 above, are classified as **Band 6**.

Players who play more minutes in a higher 'Band' league, will be awarded more points (as below).

Player's Domestic Minutes	Band 1	Band 2	Band 3	Band 4	Band 5	Band 6
90-100%	12 points	10 points	8 points	6 points	4 points	2 points
80-89%	11 points	9 points	7 points	5 points	3 points	1 point
70-79%	10 points	8 points	6 points	4 points	2 points	0 points
60-69%	9 points	7 points	5 points	3 points	1 point	0 points
50-59%	8 points	6 points	4 points	2 points	0 points	0 points
40-49%	7 points	5 points	3 points	1 point	0 points	0 points
30-39%	6 points	4 points	2 points	0 points	0 points	0 points
20-29%	0 points	0 points	0 points	0 points	0 points	0 points
10-19%	0 points	0 points	0 points	0 points	0 points	0 points
1-9%	0 points	0 points	0 points	0 points	0 points	0 points
Debut for Youth Player	6 points	5 points	4 points	3 points	2 points	1 point

With the removal of a separate criteria for youth players, The FA introduced criteria that allowed youth players (that is, players born on or after 1 January 2001) to be granted points where they make their first appearance (on the pitch) for the senior team of a club during the 12 months preceding the GBE application. Given that it is increasingly common to see players under 21 making their first team debuts, this provision is likely to benefit clubs wishing to sign talented young players.

- c. **Player's Continental Minutes: As with domestic leagues, The FA has classified continental club competitions** (such as the UEFA Champions League) into 3 Bands.
 - i. **Band 1** includes *the UEFA Champions League and the Copa Libertadores*. This is significant, given that the Copa Libertadores has been given the same value as the UEFA Champions League. Perhaps this is indicative of the value placed by The FA on South American players, in that they are viewed at par with those playing in the UEFA Champions League.
 - ii. **Band 2** includes the UEFA Europa League and the Copa Sudamerica.
 - iii. Any other continental competition not classified as Band 1 or 2 above, is classified as **Band 3** (so this includes continental competitions organised by the AFC, CONCACAF, CAF, OFC as well as the UEFA Europa Conference League).

Player's Continental Minutes	Band 1	Band 2	Band 3
90-100%	10 points	5 points	2 points
80-89%	9 points	4 points	1 point

70-79%	8 points	3 points	0 points
60-69%	7 points	2 points	0 points
50-59%	6 points	1 point	0 points
40-49%	5 points	0 points	0 points
30-39%	4 points	0 points	0 points
20-29%	0 points	0 points	0 points
10-19%	0 points	0 points	0 points
1-9%	0 points	0 points	0 points

- d. **Final League Position of the Player's Last Club:** Players will be awarded points based on the final league position of the player's last club, subject to the following two conditions:
- i. The player must have been included in the matchday squad for at least one match in the domestic league competition; or
 - ii. The player must have played at least 1% of the minutes for his previous club in a domestic cup competition (and such competition must have a qualification route to a continental competition, for e.g., The FA Cup, but not the EFL Cup).

A player will be awarded more points if the finishing position of the player's previous team falls within a higher domestic band (see 7.b above).

Interestingly, under this category, The FA values promotion to a higher division more than even qualification for continental competitions in some instances.

Last Club's Final League Position	Band 1	Band 2	Band 3	Band 4	Band 5	Band 6
Title Winner	6 points	5 points	4 points	3 points	2 points	1 point
Qualified for Group Stages of Band 1 Continental Competition/ League Conference Winner	5 points	4 points	3 points	2 points	1 point	0 points
Qualified for Qualifiers of Band 1 Continental Competition	4 points	3 points	2 points	1 point	0 points	0 points
Qualified for Group Stages of Band 2 Continental Competition	3 points	2 points	1 point	0 points	0 points	0 points
Qualified for Qualifiers of Band 2 Continental Competition	2 points	1 point	0 points	0 points	0 points	0 points
Mid-table	1 point	0 points	0 points	0 point	0 points	0 points
Relegated to lower division	0 points	0 points	0 points	0 points	0 points	0 points

Promoted to higher division	N/A	1 point	1 point	1 point	1 point	1 point
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If, for example, a team wins the league title (e.g., La Liga), thereby also qualifying for a continental competition (UEFA Champions League), the player will only be granted the higher of the points he is eligible for, so in this case – only points available for winning the La Liga (6) as opposed to 6+5 points (for also qualifying for the UEFA Champions League).

- e. **Continental Progression of Player's Last Club:** Players will be awarded points based on how far his team progresses in Continental Competitions, subject to two conditions:
- The player must have been included in the matchday squad for at least one match in the domestic league or continental competitions; or
 - The player must have played at least 1% of the minutes for his previous club in a domestic cup competition (and such competition must have a qualification route to a continental competition, for e.g., The FA Cup, but not the EFL Cup).

The FA have assigned 'Bands' to continental competitions (different to the Bands 1-6 assigned to domestic leagues). The UEFA Champions League and Copa Libertadores are classified as Band 1, while the UEFA Europa League and Copa Sudamerica qualify as Band 2. All other continental competitions fall under the Band 3 category.

A player will be awarded more points if his team progressed further within a higher banded continental competition (see 7.c above).

Continental Progression	Band 1	Band 2	Band 3
Final	10 points	7 points	2 points
Semi-final	9 points	6 points	1 points
Quarter-final	8 points	5 points	0 points
Round of 16	7 points	4 points	0 points
Round of 32	6 points	3 points	0 points
Group Stage	5 points	2 points	0 points
Other	0 points	0 points	0 points

As with the finishing position of the player's previous team in domestic league competition, the player will only be granted the higher of the points he is eligible for; so for example, if a player's team reaches the final of the UEFA Europa League (Band 2), the player will only be granted 7 points, and not 7 + 6 + 5 + 4 + 3 + 2 points for every stage of the competition the team would have progressed through, as a result.

- f. **League Quality of the Transferor Club:** Finally, a player will also be awarded points based on which 'Band' League (1-6) he is transferring from. Higher points are awarded for Band 1 clubs (12) as opposed to Band 2 (10), Band 3 (8), Band 4 (6), Band 5 (4) and Band 6 (2).

Points under this category will only be awarded if:

- The player appeared on the matchday squad list for at least one match in the domestic league/continental competition; or

- ii. The value of the player's domestic cup minutes was at least 1% during the 12 months preceding the GBE application.

8 What criteria do youth (u21) players need to satisfy for a GBE?

While previously, youth players were subject to a distinct set of criteria, this is no longer the case. Accordingly, youth players will be subject to the same regime as senior players, whereby they must qualify either by number of international appearances, achieving 15 points against the above criteria or by means of the exception panel procedure.

The GBE Rules do, however, make certain allowances for Youth Players. For example:

- a. The **'International Reference Period'** – i.e., the period for determining how many points a player can score for national team appearances – is 12 months as opposed to 24 months for senior players;
- b. Youth players stand to benefit from additional points if they make their **senior club debut** during the season in question; and
- c. **Exceptions Panels** are more easily available to Youth Players, who do not need a minimum of 10 points, provided the club that is signing them can demonstrate their potential and quality.

9 What happens after a player obtains a GBE?

Once a player's application for a GBE is granted by The FA, his club will then proceed to assign the player a 'Certificate of Sponsorship' ("**CoS**"). Only clubs who hold a valid Sponsor's License may issue a CoS to a player. Premier League and English Football League clubs are eligible for a sponsor's license.

Within 3 months of the CoS being assigned, the player must then present his GBE and CoS to the UK Home Office to apply for 'entry clearance' or a visa.

Previously, under the old visa regime, there were two types of visas that a player could be granted – Tier 2 or Tier 5.

- i. **Tier 2** visas will be granted for **three years or the length of the player's contract** (whichever is shorter); and
- ii. **Tier 5** visas will be granted for **twelve months or the length of the player's contract** (whichever is shorter).

Since October 2021, the Tier 2 and Tier 5 system was replaced by the **International Sportsperson (ISP) visa**. The current GBE regulations distinguish between **long-term and short-term ISPs**, with the former replacing the old Tier 2 visa and the latter replacing the Tier 5 visa.

10 Can a club sign a player before they obtain a GBE?

A player can register for a club without a GBE (which may be crucial for those deadline day signings), but before he can play any football (including participation at training and in friendly matches), he must have obtained his GBE, been assigned his CoS, and secured leave to remain in the UK by way of an ISP visa.

Section 2 – the Women’s GBE Criteria

11 How many points does a women’s player need under the 2022/23 GBE framework?
Under the 2022 GBE Rules, female players are required to score **a total of 24 points across five different categories.**

As with the GBE criteria for the men’s game, the women’s game does not provide for a separate set of criteria for youth female players.

Note that only Women’s Super League and Women’s Championship clubs (i.e. clubs from the first two women’s professional divisions) are eligible to apply for GBE’s and subsequently sponsor female players.

12 What if a female player does not gather the points required?

A player who does not gather a total of 24 points across all criteria, will only have recourse to an **exceptions panel** if:

- a. The Player achieves between 20-23 points across all criteria (see below) **AND** the club is able to demonstrate that she was prevented from achieving 24 points due to ‘exceptional circumstances’; or
- b. She was unavailable for selection during the International Reference Period (i.e. either 24 months or 12 months before the GBE application depending on whether the player was a senior or youth player). A player will be considered unavailable for selection if she is injured, serving a suspension, is pregnant/on maternity leave or any other circumstance which would legitimately prevent her from physically entering the field of play but which shall not include any other period of suspension imposed by the player’s national association, UEFA, FIFA or the World Anti-Doping Agency.

13 What criteria do female players need to satisfy for a GBE?

Under the 2022 GBE Rules, senior female players (i.e., aged 22 or over years) will be required to score a total of 24 points across the following **five categories**:

- a. **International appearances:** As a general rule, players are required to make a certain percentage of appearances for their national teams over the 24 month period preceding the GBE application. The higher the FIFA ranking of the player’s national team, the lower the % of required appearances the player is required to make.

At the outset, **it is to be noted that this is the only category under which players are eligible for an ‘Auto Pass’ or an automatic GBE**, without the need to score points under the other criteria.

This rule is based on the premise that the better the national team’s FIFA rankings, the better the quality of players generally available for selection in that country.

So, for example, a player from a country like the USA, ranked within the FIFA top 10 only needs to make a minimum of 50% of appearances for her national team (in competitive matches) during the International Reference Period to get an ‘Auto Pass’. On the other hand, a player from, say, Finland (ranked 30), would need at least 80% appearances for her country, if she was to automatically qualify for the GBE.

However, if players do not meet the automatic threshold, they will still be eligible to score points, based on the percentage of appearances they have made during the International

Reference Period. The Auto Pass route is not available to players from countries outside the FIFA top 40. These players can only score points (a maximum of one point) if they have made a minimum of 90% appearances for their national team.

A tabular representation of this criteria, as set out by The FA has been reproduced below:

Aggregated FIFA World Ranking of the Player's National Association					
Player's International Appearances	1-5	6-10	11-20	21-40	41+
90-100%	Auto Pass	Auto Pass	Auto Pass	Auto Pass	1 point
80-89%	Auto Pass	Auto Pass	Auto Pass	Auto Pass	0 points
70-79%	Auto Pass	Auto Pass	Auto Pass	2 points	0 points
60-69%	Auto Pass	Auto Pass	3 points	1 point	0 points
50-59%	Auto Pass	4 points	2 points	0 points	0 points
40-49%	5 points	3 points	1 point	0 points	0 points
30-39%	4 points	2 points	0 points	0 points	0 points
20-29%	3 points	1 point	0 points	0 points	0 points
10-19%	2 points	0 points	0 points	0 points	0 points
1-9%	1 point	0 points	0 points	0 points	0 points

- b. **Player's Domestic Minutes:** The FA have introduced a system of ranking domestic leagues into two categories, or 'Bands'. Band 1 comprises the higher quality leagues and Band 2, the lower.

For instance:

- i. **Band 1** leagues are *the English Women's Super League, Australian W-League, French Feminine Division 1, Italian Femminile Serie A, German Frauen Bundesliga, National Women's Soccer League, Spanish Women's Primera Division, Swedish Damallsvenskan, Norwegian Toppserien, and the Danish Elitedivisionen* ; and
- ii. **Band 2** leagues are all other leagues not expressly classified as Band 1.

Players who play more minutes in a higher 'Band' league, will be awarded more points (as below).

Player's Domestic Minutes	Band 1	Band 2
90-100%	10 points	5 points
80-89%	9 points	4 points
70-79%	8 points	3 points
60-69%	7 points	2 points
50-59%	6 points	1 points
40-49%	5 points	0 points
30-39%	4 points	0 points
20-29%	0 points	0 points
10-19%	0 points	0 points
1-9%	0 points	0 points

- c. **Player's Continental Minutes:** As with domestic leagues, The FA has classified continental club competitions (such as the UEFA Women's Champions League) into two 'Bands'.

- iii. **Band 1** includes the UEFA Women's Champions League and the Copa Libertadores Femenina. This is significant, given that the Copa Libertadores has been given the same value as the UEFA Champions League. Perhaps this is indicative of the value placed by The FA on South American players, in that they are viewed at par with those playing in the UEFA Champions League.
- iv. Any other continental competition not classified as Band 1 above, is classified as **Band 2** (so this includes all other continental competitions organised by the six FIFA confederations).

Player's Continental Minutes	Band 1	Band 3
90-100%	10 points	2 points
80-89%	9 points	1 point
70-79%	8 points	0 points
60-69%	7 points	0 points
50-59%	6 points	0 points
40-49%	5 points	0 points
30-39%	4 points	0 points
20-29%	0 points	0 points
10-19%	0 points	0 points
1-9%	0 points	0 points

- d. **Final League Position of the Player's Last Club:** Players will be awarded points based on the final league position of the player's last club, provided that the player has played at least 1% of the domestic minutes she was available for selection.

A player will be awarded more points if the finishing position of the player's previous team falls within a higher domestic band.

Last Club's Final League Position	Band 1 or Band 2
Title Winner	10 points
Qualified for Group Stages of Band 1 Continental Competition/ Play-off stages of a Band 1 League Competition	8 points
Qualified for Qualifiers of Band 1 Continental Competition/ Group Stages of Band 2 Continental Competition/ Top half of League table (excluding automatic relegation places)	6 points
Qualified for Qualifiers of Band 2 Continental Competition/ Bottom half of league table	4 points
Relegated to lower division	0 points
Promoted to higher division	2 points

- e. **Quality of the Transferor Club:** Finally, a player will also be awarded points based on which 'Band' (1 or 2) club she is transferring from. Higher points are awarded for Band 1 clubs (10) as opposed to Band 2 (5).

Section 3 – GBE Criteria for Managers

14 What are the GBE requirements for a Men's Team Manager

A manager needs to satisfy **four criteria** to be granted a GBE:

- a. They must have 'Overall Responsibility' – i.e. the ultimate (but not sole) responsibility and decision making authority – for the first team (and team selection) for the club;
- b. They must hold a UEFA professional license/diploma or equivalent;
- c. The relevant club does not have an 'Existing Manager'; and
- d. The manager has:
 - i. Managed a club in a Top League – i.e. any league in Bands 1-5 (see question 7.b above) for either:
 - a) a cumulative total of at least 36 months; or
 - b) a consecutive total of at least 24 months
 within the 5 year period immediately preceding the date of the GBE application;

OR
 - ii. Managed an international team for either:
 - a) a cumulative total of at least 36 months; or
 - b) a consecutive total of at least 24 months within the 5 year period immediately preceding the date of the GBE application
 which had an aggregated FIFA World Ranking of 50 or above during this period.

15 What if a manager is not granted a GBE in accordance with the criteria at question 21 above?

In this scenario, his employer club has the ability to request that an exceptions panel consider the application. The exceptions panel has the discretion to grant the GBE if it is satisfied that the manager is of *"the highest calibre and is able to contribute significantly to the development of the game at the top level in England"*.

The exceptions panel will take into account criteria which includes previous managerial experience; stature of leagues in which the manager has previously managed; the FIFA ranking and competitiveness of international teams previously managed and any reasons why the automatic criteria (see question 21 above) have not been met.

16 What are the GBE requirements for a women's team manager?

A manager needs to satisfy **four criteria** to be granted a GBE:

- a. They must have 'Overall Responsibility' – i.e. the ultimate (but not sole) responsibility and decision making authority – for the first team (and team selection) for the club;
- b. They must hold a UEFA professional license/diploma or equivalent;
- c. The relevant club does not have an 'Existing Manager'; and
- d. The manager has:
 - i. Managed a club in a Top League – i.e. any league in the women's Band 1 for either:
 - a) a cumulative total of at least 36 months; or
 - b) a consecutive total of at least 24 months

within the 5 year period immediately preceding the date of the GBE application;

OR

- ii. Managed an international team for either:
 - c) a cumulative total of at least 36 months; or
 - d) a consecutive total of at least 24 months within the 5 year period immediately preceding the date of the GBE application
- which had an aggregated FIFA World Ranking of 40 or above during this period.

Section 4 – Loans

The general position with loans (regardless of the jurisdiction in which the loanee club is based) is that if a player who is granted a GBE is subsequently loaned to another club during the validity of that GBE, the player's club must notify the Home Office within 10 working days of the completion of such loan deal.

At the end of the player's loan period, their parent club will not be required to make another GBE application, provided that the original GBE remains valid beyond the date of the player's return.

17 What if an English club obtains a GBE for a player, but then wants to send them out on loan to another English club?

In this case, no GBE application will be required from the loanee club.

18 What if an English club obtains a GBE for a player, but then wants to send them out on loan to a Scottish/Welsh/Northern Irish club?

In this case, the GBE process and immigration requirements of the association to which the player is being loaned will have to be satisfied by the loanee club.

19 What if an English club obtains a GBE for a player, but then wants to send them out on loan to a non-UK club?

In this case, the GBE process and immigration requirements of the association to which the player is being loaned will have to be satisfied by the loanee club.

Section 5 – Minors

20 After Brexit, can UK clubs benefit from the exemption under Art 19.2(b) of the FIFA RSTP, allowing them to sign minors from the EU, aged 16-18?

Article 19.1 of the RSTP provides the general prohibition of the international transfer of players under the age of 18. However, among the exceptions to the rule, Article 19.2(b) of the FIFA Regulations on the Status and Transfer of Players ("RSTP"), players aged 16-18 could transfer within the territory of the EU or the EEA, in compliance with the EU principle of 'free movement of people'.

With Brexit, the UK will no longer form part of the "territory of the EU/EEA" and therefore **clubs will not be able to benefit from the exemption which allows them to sign minors from the EU aged 16-18.**

21 Can 16-18 year olds transfer within the UK (England, Scotland, Wales, Northern Ireland)?

Notwithstanding the position at question 14 above, FIFA amended the RSTP to include a 'Brexit exemption' in the form of Article 19.2(b) (ii), which states that players aged between 16-18 can transfer "*between two associations within the same country*". This would enable players from the four UK football associations – England, Wales, Scotland and Northern Ireland – to transfer between each other from the age of 16 onwards.

22 What about 16-18 year olds from the Republic of Ireland?

In 2019, the UK and Republic of Ireland negotiated the terms of a 'Common Travel Area' ("CTA") between the two countries, giving Republic of Ireland nationals the right to travel to, live and work freely in the UK, post-Brexit.

However, this arrangement does not apply to the transfer of 16-18 year old players from the Republic of Ireland. This is because such transfer:

- i. Would qualify as an 'international transfer' for the purposes of the RSTP; and
- ii. Would not fall within the 'Brexit exemption' as the Republic of Ireland does not form part of the UK.

However, with the Republic of Ireland being members of the EU, 16-18 year old Irish nationals would still be able to benefit from the 'EU exemption' by transferring to clubs within the EU/EEA.

23 Do players aged 18 + from the Republic of Ireland require a GBE?

No. Players aged 18 and over from the Republic of Ireland do not require a GBE.

This is because Irish nationals have the right to work in the UK under the terms of the CTA. It is just that the FIFA provisions relating to the international transfer of minors restrict the transfer of Irish nationals aged 16-18.

The GBE Rules also clarify that they are applicable to "*any player who is not a citizen of the UK or Ireland....*".

Section 6 – EU nationals

24 What happens to EU players already playing in the UK before 1 January 2021?

If an EU national (say for example, a Spanish player) can evidence that he moved to the UK before 11pm on 31 December 2020, they will be eligible to apply either for 'settled status' or 'pre-settled status' under the EU Settlement Scheme, depending on how long he has been in the UK.

- i. ≥ 5 years = player can apply for settled status;
- ii. < 5 years = player can apply for pre-settled status.

Within 12 months of securing 'settled status', players (and managers) will be eligible to apply for naturalisation as British citizens. Players who apply for and receive 'pre-settled status' can be 'upgraded' to settled status upon completing 5 years of residence in the UK.

NB: All applications for settled/pre-settled status must have been made before 30 June 2021.

25 What happens to EU minors already playing in the UK before 1 January 2021?

If an EU minor (say, for example, an Italian) currently playing at a UK club, wanted to transfer to another UK club, he would be able to do so, if he applied under the EU Settlement Scheme for 'pre-settled status'.

From an immigration perspective, the EU minor would have exercised his EU free movement rights before 31 December 2020. From an immigration law perspective, the UK does not distinguish between England, Scotland, Northern Ireland or Wales, so once he obtains his pre-settled status, the player is eligible to work anywhere in the UK.

26 If an EU national entered the UK and obtains pre-settled status before 1 January 2021, will they be subject to the new GBE requirements?

EU nationals who entered the UK by 11pm on 31 December 2020 would have been eligible for 'pre-settled status', provided they applied before 30 June 2021. Players who have been granted pre-settled status are exempt from fulfilling GBE requirements.

If you have any queries or comments, we would love to hear from you.

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