

Football transfers and the role of agents in a transfer

1. WHAT IS THE ROLE OF AGENTS IN FOOTBALL TRANSFERS?

1.1. Conduct of AGENTS are guided by the SAFA Rules & Regulations.

1.2. In June 2014 the FIFA Congress adopted a resolution to replace the then existing Players' Agents Regulations with a new regulation titled 'Regulations on Working with Intermediaries' in order "maintain the integrity of the sport of football by promoting and safeguarding considerably high ethical standards in the relations between players, clubs and third parties, and thus live up to good governance and financial responsibility principles."

1.3. The SAFA National Executive Committee approved the 'Regulations on Working with Intermediaries' in March 2015. The previous system where an agent had to apply for a SAFA Accredited Player Agent Licence were abandoned herewith.

1.4. The regulations were revised, amended and approved by the NEC on the 2 April 2016, and have now come into effect.

1.5. The revised regulations focus specifically on transactions that are concluded — as opposed to licensing of individuals.

1.6. The failure to register a transaction and comply with these requirements will be an act of misconduct and any club or player found guilty of such an offence risks the sanctions provided for in the Association Regulations.

1.7. The Association has implemented the FIFA TMS Intermediary Regulation Tool (IRT) which is designed to facilitate compliance with the Regulations on Working with Intermediaries.

1.8. All Intermediaries who are engaged in transactions involving players and clubs in their jurisdiction must be registered on the IRT system through the clubs belonging to the Premier Soccer League and National First Division.

1.9. Read the Guidance Notes [here](#).

2. WHAT IS THE PROCEDURE TO FOLLOW FOR A PLAYER TO TRANSFER TO ANOTHER CLUB WITH THE AGENT ACTING AS A MIDDLE-MAN?

2.1. In South Africa, the South African Football Association (SAFA), which is a member of FIFA, has issued its own regulations on the Status and Transfer of Players (SAFA Regulations).

2.2. FIFA, SAFA and NSL require that soccer players, whether professional (those players who are remunerated for participating in soccer) or amateurs (those players who are not remunerated for playing soccer) must be registered with the relevant association to which they belong.

2.3. In South Africa, the players would be registered with SAFA. However, NSL administers the registration of players who belong to the clubs that participate in its leagues. Players are also required to enter into professional contracts with the clubs for which they play.

2.4. The duration of such contracts cannot exceed three years in the case of minor players and five years in the case of adult players.

2.5. Where a player is still contracted, meaning that the player's contract has not been terminated, a transferor club may charge a fee for the transfer. This fee is referred to as a "transfer fee".

2.6. Where the player's contract has been terminated, the player is regarded as a free agent and is allowed to change registration to any other club without the transfer fee being payable. Free agents can register anytime during the soccer season, but the contracted players can transfer to other clubs only during the transfer window periods that run from 1 July to 31 August and from 1 January to 31 January every year.

2.7. The process of player transfer has to be approved by the association of the clubs that are involved in the transfer transaction. The process commences with the club that wants to acquire the player rights informing the other club that holds the rights of its intended acquisition. Negotiations between the player and the transferee clubs also take place. Players are usually represented by their agents in these negotiations

2.8. The transferor and transferee clubs then negotiate the transfer fees and an

application is made to the relevant association to change the player's registration from the old club to the new club. If the association approves the registration, then the registration of the player under the new club is effected and the player can play for the transferee club.