



SWF Circular – Registrations Update

Date: 07/02/2020

To: All SWF Member Clubs (Senior)

Dear clubs,

Thank you for attending the Kick Off Meeting at Hampden – it was great to see such a positive turnout and I hope that you found the day informative and helpful in advance of the season ahead.

I am conscious that a number of questions arose on the day with regards registrations so the below information, although not exhaustive, is designed to provide some clarity on the areas presented:

1. Professional Registrations & International Clearance

The Scottish FA are responsible for the processing of all professional registrations and for seeking international clearance for both professional and amateur players. When seeking international clearance, the international clearance form should be completed and submitted via email to Sandy Bryson (sandy.bryson@scottishfa.co.uk) at the Scottish FA, copying in SWF (swf@scottish-football.com)

2. Definitions

- **FIFA** - *A professional is a player who has a written contract with a club and is paid more for her footballing activity than the expenses she effectively incurs and all other players are considered to be amateurs.*
- **Scottish FA:** *A player who is registered at the Scottish FA as a professional or is receiving, in respect of her participation in or an activity connected with Association Football, remuneration or consideration of any sort above or in addition to her necessary expenses actually paid*

3. FIFA International Transfer Matching System (ITMS)

The FIFA ITMS is the result of a decision made in May 2007, when the FIFA Congress voted to create an online system for international professional football transfers, with the objective of increasing integrity and transparency in the transfer market.

Since 1 October 2010, ITMS became mandatory for all international transfers of professional 11 a-side male players around the world. In 2018, the scope of ITMS was extended in accordance with the [FIFA Regulations on the Status and Transfer of Players](#), so that all international transfers of professional female players within 11 a side football were also required to be entered in ITMS.

Club personnel require to be trained on the FIFA TMS by the Scottish FA before being granted access by FIFA for the registration of professional players – should any club require training, please contact SWF in the first instance via swf@scottish-football.com and we will arrange for appropriate training via the Scottish FA's Registrations Department.

4. Changes to FIFA International Matching System (ITMS) - Registration of Amateurs coming from out with Scotland

From 1st July 2020 the request for international transfer clearance (ITC) for an **amateur player** must also now be processed through the Transfer Matching System. This can be done by a club that has access to the system or by the Scottish FA on behalf of the player.

As part of this process, one of questions asked is '*will the player play in competitions in which only amateurs participate on the basis of Article 6.4 of Regulations?*' If the answer to this question is **yes** then the registration can proceed at any time of the year as the amateur window is open all year round (with the exception of any provision within the competition rules which state when the player register closes in any given season – i.e. 15th October for SWF clubs competing in all competitions). However, if the answer to the above question is no then the FIFA ITMS will not let the registration proceed unless it is within the recognised transfer window of that country. For information, the transfer windows for SWF clubs are outlined below:

1st December 2019 – 23rd February 2020

1st – 31st July 2020

At present, there are professional players registered in SWPL 1 only meaning that from 1st July 2020 the international transfers of professional and amateur players to clubs playing in SWPL 1 can only take place during the recognised transfer window outlined above.

Registration of domestic professional players are also bound by the transfer window.

Currently, there are no professional players in the SWPL 2, Championship or SWFL leagues so the international transfer of amateur players can take place at any time during the year in line with competition rules. Essentially the 'status quo' applies for teams within these leagues in terms of transfer windows but it should be noted that should any team within these leagues sign a professional player then the league will automatically be bound by the international transfer windows as outlined above.

I appreciate that this creates an obscure scenario that places limitations on SWPL 1 teams which are a direct consequence of the league having a number of professional players registered within it.

5. Non EU Citizens – Work Permits for Professional Players

In order for a club to be eligible to employ a Non EU player the club requires to become a registered sponsor with the UK Border Agency. As part of the application process the club requires a Governing Body Endorsement from the Scottish FA. Once a club is a registered sponsor with the UK Border Agency then a club will be eligible to employ Non EU Players who qualify for/obtain a work permit. As part of this process a club is required to make an application to the Scottish FA, for a Governing Body Endorsement for the player the club wishes to employ

There is an agreed criteria between the Scottish FA and the Home Office for female footballers for Season 2020 (Player must have played over the past 2 years in 75% of A internationals, excluding friendlies, and country must be ranked 40 and above in the FIFA rankings on average over the past 2 years). If the criteria is met then a Governing Body Endorsement will be issued automatically by the Scottish FA to the club on behalf of the player. This then allows the player to start the entry process into country. If the agreed criteria is not met then a request for an appeal can be made to the Scottish FA and a panel will be convened to hear the appeal and decide whether a Governing Body Endorsement should be issued to the club for the player based upon the agreed parameters.

A professional sportsperson can be brought into the country under either Tier 2 or Tier 5:

- Tier 5 is for a maximum of one year.
- Tier 2 can be for a period up to four years.

6. Non EU Citizens – Amateur Players

The work permit criteria outlined above applies only to professional players.

Should a Club wish to register a Non-EU Citizen as an amateur then the Scottish FA will assess the player's eligibility to play in accordance with the type of visa she is in the country on and only if the UK Border Agency confirms that she is eligible to play under the terms of her entry into the country.

It should be noted that in 2019 the Home Office recently widened its definition of a 'professional sportsperson' meaning that although a club may wish to bring the player in as an amateur, the Home Office may determine that they are classed as a professional sportsperson therefore prohibiting them from participating in activities of a 'professional sportsperson'. The definition of those activities has also been expanded. Further details of those changes and definitions are outlined below:

In January 2019, the Home Office amended and significantly widened the definition of a "professional sportsperson". A number of immigration categories contain a condition of stay prohibiting individuals from participating in activities of a "professional sportsperson" and those activities have now been expanded.

The following visas restrict the holder from undertaking activities that fall within the definition of a "professional sportsperson":

Tier 4 Student; Tier 1 Investor; Tier 1 Exceptional Talent; Tier 1 Entrepreneur; Tier 2 and Tier 5 (unless you obtain sponsorship)

The new definition states that a "professional sportsperson" is someone, whether paid or unpaid, who:

- 1. is currently providing services as a sportsperson, playing or coaching in any capacity, at a professional or semi-professional level of sport;*
- 2. is currently receiving payment, including payment in kind, for playing or coaching that is covering all, or the majority of, their costs for travelling to, and living in the UK, or who has done so within the previous four years;*
- 3. is currently registered to a professional or semi-professional sports team, or who has been so registered within the previous four years. This includes all academy and development team age groups;*
- 4. has represented their nation or national team within the previous two years, including all youth and development age groups from under 17's upwards;*
- 5. has represented their state or regional team within the previous two years, including all youth and development age groups from under 17's upwards;*
- 6. has an established international reputation in their chosen field of sport;*
- 7. engages an agent or representative, with the aim of finding opportunities as a sportsperson and/or developing a current or future career as a sportsperson, or has engaged such an agent in the last 12 months;*
- 8. is providing services as a sportsperson or coach at any level of sport, unless they are doing so as an "Amateur" in a charity event.'*

The new definition now expressly refers to activities which captures not only academy players but also the use of agents. The Home Office, in widening the definition, has attempted to reduce instances of clubs being able to circumvent the previous definition, particularly in relation to registering migrant players of school age, into academies or development squads.

The amendments are particularly relevant to individuals holding a Tier 4 (student) visa, or Tier 2 dependants.

As per the guidance received from the Home Office on 7th February, students on Tier 4 visas are therefore prohibited from registering to participate as amateurs for a SWPL 1 team in the league, league cup and Scottish Cup as noted below:

A Tier 4 Sportsperson can engage in sporting activities on a truly amateur basis.

For someone to be considered truly amateur, they would need to be an amateur player, signed to an amateur team, in an amateur league and playing other amateur teams. If they are playing against teams with professionals in (even if on loan), this could call into question whether they were playing on a truly amateur basis.

At present this doesn't prohibit those with Tier 4 visas being registered as amateurs to participate in SWPL 2, the Championship and the SWFL league competitions by virtue of the fact that there are no professional players registered in those leagues. Please see below for detailed guidance which includes eligibility for cup competitions:

- Players on a Tier 4 visa **cannot** participate for a SWPL 1 team in any competition including League Cup & Scottish Cup
- Players on a Tier 4 visa can participate for an SWPL 2 team in the SWPL 2 league competition as long as they don't fall into the Home Office's definition of a 'professional sportsperson' and pending receipt of international clearance and eligibility to play from Scottish FA & SWF. They **cannot** play in the SWPL League Cup or Scottish Cup.
- Players on a Tier 4 visa can participate for a Championship & SWFL team in the league and league cup only as long as they don't fall into the Home Office's definition of a 'professional sportsperson' and pending receipt of international clearance and eligibility to play from Scottish FA & SWF. They **cannot** participate in the Scottish Cup
- Non-EU citizens visiting the UK and tourists are **unable to be registered** for and SWF member club or participate in any competitions under the jurisdiction of SWF

The eligibility outlined above is subject to change pending any information to the contrary from the Home Office or pending the registration of any professional players in leagues out with the SWPL.

7. Brexit:

Lastly, it should be noted that the impact of Brexit on football has yet to be fully understood. We will continue to liaise with the Scottish FA and keep clubs apprised of any information in relation to this area.

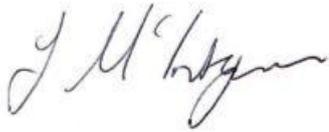
8. Summary:

In summary, there are some significant changes by FIFA and the Home Office which may impact on SWF member clubs ability to register international players. As stated previously, the registration of professional players, request for international clearance and correspondence with the Home Office in relation to players eligibility/visas to play football in Scotland are all functions of the Scottish FA so if you have any particular queries that are specific to your club then please continue to contact Sandy Bryson at the Scottish FA – sandy.bryson@scottishfa.co.uk. This document is designed to provide some basic information on the changes and potential impact for SWF member clubs.

I trust that the above information is helpful and would be grateful if you could take the time to familiarise yourself with these changes and share as appropriate within your club.

We look forward to working with our member clubs throughout the 2020 season and beyond through these exciting and equally challenging times for the girls' and women's game in Scotland.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Fiona McIntyre', written in a cursive style.

Fiona McIntyre
Executive Officer
Scottish Women's Football