



Slovakia NDRC Pilot Project

**NDRC Regulations
possible amendments
June 13, 2017**

Key finding & Direction for next step

Topic	Finding	Directions for next step
NDRC Regulations	<ul style="list-style-type: none"> • The current Slovakian NDRC Regulations contain detailed information regarding the NDRC and its procedures. • • However, amendments and clarifications are advisable. 	<ul style="list-style-type: none"> • Parties acknowledge that the Slovakian NDRC Regulations are detailed and in many points in line with the FIFA Standard Regulations. • • However, amendments are needed in order to fully comply with the minimum requirements. • • Circular letters 1010 and 1129.

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NDRC Regulations	<p>Scope of the Chamber – art. 2 (art. 59 Statutes)</p> <ul style="list-style-type: none"> • Concepts such as “SFZ Members” and “Property disputes” should be defined. Impact on the scope of the NDRC. • Clarify the difference between paras (1) and (2) of article 2. (arts. 33 to 35 do not seem to be related to contractual disputes, but rather disciplinary matters. Advisable to differentiate the competence.) 	<ul style="list-style-type: none"> • A proposal was made to amend the article. • For the sake of clarity, same wording should be used, differentiating both paragraphs.
	<p>Composition of the NDRC – art. 5</p> <ul style="list-style-type: none"> • 8 clubs and 8 players representatives complies with the principle of equal representation. • <p>Term of office – art. 5 (3)</p> <ul style="list-style-type: none"> • 5 years (as long as it is limited in time) 	<ul style="list-style-type: none"> • Players raised the issue that all players can be a representative. • It was agreed that it should be related to the scope of the DRC - “if it is employment-related dispute the players must have a contract/be professional”.

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NDRC Regulations	<p>Appointment of the President – art. 6 (arts. 42(3)c) and f) and art. 59(10) Statutes)</p> <ul style="list-style-type: none"> •The SFZ conference elects the President and the Vice-President, which shall be a candidate either nominated by the clubs or by the players. •The principle of equal representation appears not to be respected, since players and clubs might not have equal influence on the appointment of the President and the Vice-President. •The President and Vice-President should be elected by consensus of both players and clubs representatives. •The SFZ conference can dismiss the President, the Vice-President and the members of the NDRC. 	<ul style="list-style-type: none"> • This amendment is crucial for the NDRC to meet the FIFA’s requirements. • A proposal was made for the stakeholders to jointly find a solution to ensure that clubs and players have equal influence on the candidates for President and Vice-President, while respecting the applicable national law. • • It is recommended that the dismissal of the President, the Vice-President and the members follows the same respective internal procedure for the appointment.

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NDRC Regulations	<p>Quorum – art. 7</p> <ul style="list-style-type: none"> • The Senate shall decide at the presence of three members including the President and Vice-president of the Chamber. • The principle of equal representation appears not to be respected due to the election process of the President and Vice-president. 	<ul style="list-style-type: none"> • It shall be clearly indicated in the Regulations that the Senate shall be composed by one club representative and one player representative. • • The process of appointment and election of the President and Vice-President shall be reviewed, as already mentioned.
	<p>Judges (members)</p> <ul style="list-style-type: none"> • The Regulations do not seem to establish any requirements: the responsibility lies on the national stakeholders to propose appropriate candidates. No need for members to be lawyers, however, good knowledge of regulations regarding employment-related matters is advisable. 	<ul style="list-style-type: none"> • To be further discussed among the stakeholders.

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NDRC Regulations	<p>President of the Chamber – art. 9</p> <ul style="list-style-type: none"> •(1) d) appoints members of the Senate – only if equal number of clubs and players representatives are appointed. •(1) e) it appears not to comply with equal representation, but seems not related to employment-related disputes. 	<ul style="list-style-type: none"> • It shall be clearly indicated in the Regulations that the President shall appoint one club representative and one player representative to ensure the Senate is composed in accordance with the principle of equal representation. • • The apparent confusion was clarified. Letter e) is not related to labour disputes.
	<p>Objection to members – art. 16 (7)</p> <ul style="list-style-type: none"> •It does not allow appeals against the decision of the Chamber’s Plenary body. •Advisable to have the possibility to appeal. 	<ul style="list-style-type: none"> • To be further discussed among the stakeholders.

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NDRC Regulations	Deadlines – art. 19 •Define the deadlines that are not extendable.	<ul style="list-style-type: none"> • Ensure that the non-extendable deadlines are clearly defined.
	Form of Submission – art. 20 •The Regulations thoroughly establishes the requirements of written submissions and possibility of hearings.	
	Decisions – art. 29 •All details and requirements are clearly specified.	

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NDRC Regulations	Motivation of Decisions – art. 31 <ul style="list-style-type: none"> • Clearly defined as well. • • Costs cannot hinder the access to justice. 	<ul style="list-style-type: none"> • Players raised the issue of the costs of the NDRC proceedings. • Stakeholders agreed that no obstruction to justice can result from the imposition of fees. • • Stakeholders agreed to review the administration fees in place.
	Appeal – art. 36 <ul style="list-style-type: none"> • It is highly advisable to establish the possibility to appeal the decisions. • • Clarify the apparent contradiction between the non-possibility to appeal and the fact that the decisions are subject to examination. 	<ul style="list-style-type: none"> • The apparent contradiction was clarified.

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NDRC Regulations	<p>Scope of Appeal</p> <ul style="list-style-type: none"> • Define the scope of the examination – limited or decision <i>de novo</i>? • • The appeal body should also comply with the principle of equal representation. • • Difference of Appeals Board (NDRC Regulations) and the Jury of Appeals (Statutes). 	<ul style="list-style-type: none"> • Ensure that the appeal body also complies with the principle of equal representation. • • For the sake of clarity, ensure that the different regulations and statutes use the same wording in all versions.