

Football (Financial Transparency) Bill

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TO

Require a football club playing in the top four tiers of English and Scottish professional football to disclose the identity of its owner, the identity of the owner of its home playing ground, training ground, any intellectual property associated with the club or a third party stake in its players and the identities of outstanding creditors; to require all creditors of a football club to be compensated equally should the club go into administration; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Ultimate beneficial ownership

A football club shall only be entitled to play in the top four tiers of English and Scottish professional football if they declare to their Football Association, League, and in public—

- (a) the ultimate beneficial owner of— 5
 - (i) the club,
 - (ii) the club’s home playing ground,
 - (iii) the club’s training ground,
 - (iv) all intellectual property associated with the club, and
- (b) where the ultimate beneficial owner of the assets under paragraph (a) is a trust, the ascertainable beneficiaries of the trust, and 10
- (c) where the ultimate beneficial owner of the assets under paragraph (a) is a discretionary trust, the beneficiaries of the trust as and when any payment is made by the trust, and
- (d) where the ultimate beneficial owner of the assets under paragraph (a) is a trust, the names of the trustees, and 15
- (e) where the football club is owned by a supporters trust or community group the club should provide to their Football Association and League a list of any shareholders in the club.

2 Third party stakes in players' contracts

- (1) A football club shall only be entitled to play in the top four tiers of English and Scottish professional football if they declare to their Football Association and League all third party stakes in their players' contracts.
- (2) A football player shall only be entitled to play in the top four tiers of English and Scottish professional football if they declare to their football club all third party stake in their contracts. 5

3 Identities of outstanding creditors

A football club shall only be entitled to play in the top four tiers of English and Scottish professional football if they declare every six months to their Football Association and League the names of all outstanding creditors. 10

4 Football Creditors Rule

- (1) The football first creditors rule as applied in England is abolished so that there shall be no preference amongst creditors except as set out in statute.
- (2) In Schedule B1 of the Insolvency Act 1986, after paragraph 43 (6A) insert – 15
- “(6B) Where the company owns a share in the Football Association Premier League Ltd or the Football League Ltd –
- (a) no step or action may be taken by any person to withdraw or suspend such share,
- (b) any contractual provision under which such share or any rights exercisable in respect of such share is or may be withdrawn or suspended or no longer exercisable shall be void and of no effect, 20
- (c) any contractual provision under which any sum either –
- (i) is no longer due or payable by the Football Association Premier League or the Football League to the company which but for insolvency would otherwise have been payable to the company, or 25
- (ii) may be paid direct to a particular class of creditors instead of to the company, 30
- shall be void and of no effect.”

5 Short title, commencement and extent

- (1) This Act may be cited as the Football (Financial Transparency) Act 2012.
- (2) This Act comes into force six months after Royal Assent.
- (3) This Act extends to England and Wales, and Scotland. 35

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To require a football club playing in the top four tiers of English and Scottish professional football to disclose the identity of its owner, the identity of the owner of its home playing ground, training ground, any intellectual property associated with the club or a third party stake in its players and the identities of outstanding creditors; to require all creditors of a football club to be compensated equally should the club go into administration; and for connected purposes.

*Ordered to be brought in by Damian Collins,
Dr Thérèse Coffey, Philip Davies,
Thomas Docherty, Paul Farrelly,
Mrs Mensch, Penny Mordaunt,
Steve Rotheram, Mr Adrian Sanders,
Jim Sheridan, Mr Gerry Sutcliffe
and Mr John Whittingdale.*

*Ordered, by The House of Commons,
to be Printed, 13 March 2012.*

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PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by The Stationery Office Limited
£x.xx