
Committee Stage: Tuesday 21 May 2024

Football Governance Bill (Amendment Paper)

This document lists all amendments tabled to the Football Governance Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

This document should be read alongside the Chair's provisional Selection and Grouping, which sets out the order in which the amendments will be debated.

★ New Amendments.

New Amendments: 33 to 36 and NC10

Ian Byrne

4

Rachel Hopkins

Schedule 4, page 93, line 3, leave out from “has” to end of line 6 and insert—

- “(a) adequate means by which to consult its fans about relevant matters, and
- (b) structures and processes for effective engagement with its fans and takes the views of its fans into account in making decisions about the relevant matters.”

Stephanie Peacock

16

Jeff Smith
Rachel Hopkins

Schedule 4, page 93, line 4, leave out “consults” and insert “has structures and processes for effective engagement and consultation with”

Ian Byrne

8

Rachel Hopkins

Schedule 4, page 93, line 4, after “matters,” insert—

- “including any proposal by the club
- (i) to play matches in a competition to which the notice requirements in section 54(7) and (8) apply, or
 - (ii) to play home matches at a ground other than the club’s home ground, before giving notice of that intention to IFR under section 48(1),”

Ian Byrne

6

Rachel Hopkins

Schedule 4, page 93, line 10, after “issues” insert “including ticket pricing”

Stephanie Peacock

18

Jeff Smith
Rachel Hopkins

Schedule 4, page 93, line 12, at end insert—

“(f) match ticket prices and kick-off times”

Stephanie Peacock

17

Jeff Smith
Rachel Hopkins

Schedule 4, page 93, line 12, at end insert—

- “(2A) The IFR must—
- (1) consult the Football Supporters’ Association on defining what constitutes effective fan engagement and consultation by clubs and,
 - (2) issue guidance on measures to be taken by clubs to ensure effective fan engagement and consultation and lay a copy of that guidance before Parliament within six months of this Act coming into force.”

Ian Byrne

5

Rachel Hopkins

Schedule 4, page 93, line 17, at end insert—

- “(4) The club’s establishment and continued delivery of such fan engagement must be independently assessed ahead of it being awarded a full operating licence and in the event of the breach of relevant licence conditions or provisions of this Act.”

Mr Clive Betts

36

★ Schedule 5, page 95, line 22, at end insert—

“(c) must include in its Code a requirement that clubs in the Premier League and Championship appoint two independent non-executive directors following the principles in the more recent version of the UK Corporate Governance Code issued by the Financial Report Council.”

Stephanie Peacock

19

Jeff Smith
Rachel Hopkins

Schedule 5, page 95, line 36, at end insert—

“8A Where a club’s fans have established legally registered Supporters Trusts, clubs must have regard to whether these bodies should become the appropriate representation in its fan consultation process under paragraph (8).”

Ian Byrne

7

Rachel Hopkins

Schedule 5, page 95, line 40, at end insert—

- “(3) “Persons selected as representing the views of the club’s fans should be appointed through a process that is democratic and independent of club control.
- (4) Where the club’s fans have established a legally registered Supporters Trust, that body should have appropriate representation in the club’s consultation processes.”

Stephanie Peacock

12

Jeff Smith
Rachel Hopkins

Clause 32, page 24, line 2, at end insert—

“(2A) A determination period as specified in subsection (2) should have an end date which is as soon as is reasonably practicable.”

Member's explanatory statement

This amendment would ask the Secretary of State to propose a timely end date to a determination period.

Dame Tracey Crouch

1

Clause 37, page 27, line 30, leave out “must” and insert “may”

Mr Clive Betts

21

Rachel Hopkins

Clause 45, page 37, line 11, leave out from “fans” to “about” in line 12 and insert “players and staff of regulated clubs in England and Wales”

Mr Clive Betts

22

Rachel Hopkins

Clause 45, page 37, line 12, after “competition” insert “and the full impacts of such a decision”

Stephanie Peacock

13

Jeff Smith
Rachel Hopkins

Clause 45, page 37, line 15, at end insert—

“(aa) professional football players,”

Member's explanatory statement

This amendment expands the list of those whom the IFR must consult.

Ian Byrne

3

Rachel Hopkins

Clause 46, page 38, line 15, at end insert—

“(6A) Before the IFR grants an approval under subsection 6 it must—

- (a) consult the supporters of the body in question, the relevant competition organisers and persons representing the local community with which the body is associated; and
- (b) have regard to the views expressed by those consulted.”

Mr Clive Betts

33

★ Clause 48, page 39, line 20, at end insert—

“(c) has the approval of UK-based supporters.”

Mr Clive Betts 29

Clause 48, page 39, line 20, at end insert—

“(4A) A regulated club must take reasonable steps to establish that the majority of the club’s fans in England and Wales do not consider the arrangements to constitute significant harm to the heritage of the club under subsection 4(b).”

Mr Clive Betts 30

Clause 52, page 42, line 28, at end insert—

“(9A) The starting point for calculation of the levy payment under subsection (9) applicable to a particular club shall be a percentage of its annual revenue.”

Stuart Andrew Gov 23

Clause 54, page 43, line 29, leave out “23” and insert “24”

Member's explanatory statement

This amendment corrects a cross-reference in clause 54(1)(b).

Mr Clive Betts 35

★ Clause 55, page 44, line 30, leave out “by a specified competition organiser”

Mr Clive Betts 34

★ Clause 55, page 44, line 37, leave out paragraph (ii) and insert—

“(ii) revenue received by the competition organiser or directly by licensed Clubs in that competition, and”

Mr Clive Betts 27

Clause 55, page 45, line 1, leave out paragraph (b)

Member's explanatory statement

This amendment allows the regulator to consider the effect of “parachute” payments when assessing the distribution of revenue between competition organisers.

Stephanie Peacock 31

Jeff Smith

Clause 55, page 45, line 3, at end insert—

“unless the IFR specifies otherwise in rules.

- (2A) The IFR can only make such rules if it can be satisfied that their inclusion furthers its objectives under section 6 by protecting and promoting—
- (a) the financial soundness of regulated clubs, and
 - (b) the financial resilience of English football.
- (2B) The IFR should also have regard when making any rules under section 7 to act in such a way that avoids any—
- (a) effects on sporting competitiveness of any regulated club against another regulated club,
 - (b) adverse effects on the competitiveness of regulated clubs against other clubs, and
 - (c) adverse effects on financial investment in English football.”

Stuart Andrew

Gov 24

Clause 65, page 54, line 12, after “IFR” insert “may”

Member's explanatory statement

This amendment inserts a missing word into clause 65(9).

Stuart Andrew

Gov 26

Schedule 7, page 100, line 4, leave out “23” and insert “24”

Member's explanatory statement

This amendment corrects a cross-reference in paragraph 6(a) of Schedule 7.

Stuart Andrew

Gov 25

Clause 90, page 71, line 12, leave out “55(2)(b)” and insert “55(2)(a)(ii)”

Member's explanatory statement

This amendment corrects a cross-reference in clause 90(3)(a)(iii).

Stephanie Peacock

32

Jeff Smith

Page 73, line 14, leave out Clause 94

Member's explanatory statement

This amendment is linked to NC9.

Stephanie Peacock

NC1

Jeff Smith
Rachel Hopkins

To move the following Clause—

“Reporting requirement (women’s football)

- (1) The Secretary of State must, no later than five years from the date on which this Act is passed, carry out a review of the professional tiers of women’s football to determine whether the competitions specified by the Secretary of State under section 2(3) should include women’s football competitions.
- (2) For the purposes of subsection (1), the review should take account of—
 - (a) the State of the Game Report,
 - (b) the risk of financial failure in women’s football, and
 - (c) such other considerations as the Secretary of State considers appropriate.
- (3) The results of the review must be published and laid before Parliament.”

Member's explanatory statement

This new clause would review whether or not women’s football should be added to the scope of the IFR.

Mr Clive Betts

NC2

To move the following Clause—

“Heritage of English football to cover league and existing cup competitions

In this Act, reference to the heritage of English football includes the heritage of its league and existing cup competitions.”

Member's explanatory statement

This new clause includes the heritage of league and existing cup competitions in the Act’s “heritage objective”.

Mr Clive Betts

NC3

To move the following Clause—

“Owner’s commitment to future use of a club’s football ground

- (1) A person may not become or continue to be an owner of a regulated club unless they provide to the IFR a commitment to maintain long-term use of the football club’s grounds as a mandatory licensing condition.
- (2) The IFR must codify the commitment.
- (3) The IFR may only determine a person to be or remain a suitable owner of a club if the person has made a commitment under subsection (1).”

Member's explanatory statement

This new clause introduces a new licensing condition requiring an owner to provide a commitment to the future ongoing use of a football ground by a club.

Mr Clive Betts

NC4

To move the following Clause—

“State of the Game report and regulator’s trigger of revenue distribution process

- (1) The IFR may trigger the resolution process under this Part where, in the opinion of the IFR and subject to subsection (2) the State of the Game report has identified an issue that requires intervention.
- (2) Before triggering the resolution process under subsection (1) the IFR must consult fans on the question of whether the process should be triggered.”

Member's explanatory statement

This new clause provides provision for the IFR to trigger the revenue distribution process on its own initiative following relevant findings in a State of the Game report and following consultation with fans.

Dame Tracey Crouch

NC5

To move the following Clause—

“Use of revenue from IFR imposed fines for investment in grassroots football

- (1) The IFR must pay into the Consolidated Fund any amounts received by it under section 52 (levy) that are attributable to—
 - (a) the recovery of the IFR’s initial costs, or
 - (b) the Secretary of State’s establishment costs.
- (2) The IFR must, in respect of each financial year, pay the receipts of any penalties imposed under the provisions in this Act and moneys raised above and beyond the regulator’s costs into a dedicated fund for investment into grassroots football.
- (3) The Secretary of State may give a direction to the IFR as to how the IFR is to comply with its duty under subsection (2).
- (4) In this section—

“financial year” means the period beginning with the day on which this section comes into force and ending with 31 March in the following year, and the IFR’s initial costs” and “the Secretary of State’s establishment costs” have the same meaning as in section 52.”

Mr Clive Betts

NC6

To move the following Clause—

“Financial Distribution Committee

- (1) The Chief Executive Officer must establish a financial distribution committee ("the FDC") of the Expert Panel as under schedule 2(19).
- (2) The FDC must be established within three months of the date on which this section comes into force.
- (3) Once established, the FDC must prepare and publish a report (a "financial distribution report") on the state of the distribution of relevant revenue between relevant specified competition organisers and onwards to regulated clubs so far as relevant to the exercise of the IFR's functions under this Act.
- (4) A financial distribution report must—
 - (a) include an assessment of the main issues that affect the distribution of relevant revenue between relevant specified competition organisers;
 - (b) include an assessment of the impact of the difference in the overall availability of financial resources on the competitive nature of English Football,
 - (c) include a review and consideration of the terms and impact of any persisting distribution agreement and any proposed future distribution agreement(s) available at the time;
 - (d) include an assessment of whether any feature, or combination of features, of English football jeopardises, or risks jeopardising, the ability of specified competition organisers to enter into a distribution agreement;
 - (e) state the applicability of each of the conditions set out in section 56(3) to (6);
 - (f) include suggested solutions or changes to any persisting distribution agreement or proposed future distribution agreement(s), including but not limited to those required—
 - (i) to reduce any impact of the difference in the overall availability of financial resources on the competitive nature of English football,
 - (ii) to support clubs that are identified by the IFR as being well operated and managed,
 - (iii) to provide further support to grassroots football in England, and
 - (iv) to provide further support to initiatives, projects and developments aimed at improving the fan experience, and
 - (g) include information about any other matters relating to the distribution of relevant revenue between relevant specified competition organisers, so far as relevant to the exercise of the IFR's functions under this Act, that the IFR considers appropriate.
- (5) The first financial distribution report must be published before the end of the period of one year beginning with the day on which this section comes into force.

- (6) Each subsequent financial distribution report must be published either—
 - (a) before the end of the period of three years beginning with the day on which the previous report is published, or
 - (b) within one year of the determination of any distribution order as set out in section 62(2).
- (7) Before publishing a financial distribution report, the IFR must—
 - (a) publish a notice—
 - (i) stating that it intends to prepare a report, and
 - (ii) inviting suggestions about issues or other matters to be included in the report, and
 - (b) have regard to any suggestions made within the period specified in the notice.
- (8) The IFR may specify in the notice the form and manner in which any financial distribution report (and supporting evidence) may be published.”

Mr Clive Betts

NC7

To move the following Clause—

“Approval of distribution agreements by the IFR

- (1) The specified competition organisers shall not enter into a distribution agreement unless and until the process in this section [Approval of distribution agreements by the IFR] has been complied with.
- (2) Except where section 62 applies, where one or more specified competition organisers intend to enter into a distribution agreement they will submit a draft or summary of that proposed distribution agreement to the IFR.
- (3) The submission will include an explanation of how the proposed distribution agreement is consistent with the principles in section 61(2) (“the minimum requirements”).
- (4) Any of the specified competition organisers may make the submission required by subsection (2) provided that the other specified competition organisers have agreed to its form and content beforehand.
- (5) Upon receipt of a draft or summary of any proposed distribution agreement from any specified competition organiser the IFR shall consider its terms with a view to determining if it is satisfied that such proposed terms satisfy the minimum requirements.
- (6) Upon making a determination under subsection (5) the IFR must give a notice of that determination to the relevant specified competition organisers.
- (7) The notice must include:
 - (a) details of the IFR’s decision;
 - (b) The notice must include the reasons for the IFR’s decision; and

- (c) where the IFR considers the minimum requirements are not satisfied, whether or not the IFR intends to trigger the independent review process set out in section 60.
- (8) Where the notice considers that the proposed distribution agreement satisfies the minimum requirements, the specified competition organisers shall execute it within such time as the IFR may require.
- (9) A notice given under subsection (8) may be revoked by the IFR before the specified competition organisers have executed the proposed distribution agreement where the IFR considers that there has been a material change in circumstances such that the minimum requirements are no longer satisfied by the proposed distribution agreement."

Mr Clive Betts

NC8

To move the following Clause—

"Support to clubs

- (1) The IFR shall provide reasonable and proportionate assistance to—
 - (a) regulated clubs seeking to obtain a provisional club licence;
 - (b) regulated clubs with a provisional operating licence seeking an full operating licence; and
 - (c) unregulated clubs which are reasonably likely to become regulated clubs in the next football season.
- (2) The IFR shall provide reasonable and proportionate assistance to regulated clubs in their efforts to continue to comply with the conditions of a provisional or full operating licence.
- (3) In fulfilling its duty under subsections (1) and (2), the IFR shall have regard to the factors listed in section 52(9)."

Stephanie Peacock

NC9

Jeff Smith

To move the following Clause—

"Funding for grassroots football

- (1) The IFR must following the first year of its operation pay into the Consolidated Fund any amounts received by it under section 52 (levy) that are attributable to—
 - (a) the recovery of the IFR's initial costs, or
 - (b) the Secretary of State's establishment costs.
- (2) The IFR must in subsequent years of operation pay relevant receipts to a dedicated fund to support grassroots football projects.

- (3) The IFR's "relevant receipts", in respect of a financial year, are any amounts received by it during the year that are attributable to—
 - (a) any interest payable on an amount of levy by virtue of section 52(8),
 - (b) any penalty imposed under paragraph 3 or 6 of Schedule 9, or
 - (c) any interest payable on any such penalty under paragraph 13 of that Schedule.
- (4) The IFR's "litigation costs" in respect of a financial year are the costs incurred by it during the year in connection with litigation.
- (5) The Secretary of State may give a direction to the IFR as to how the IFR is to comply with its duty under subsection (2).
- (6) A direction under subsection (5) may in particular—
 - (a) specify descriptions of costs that are, or are not, to be regarded as subsection (4) incurred in connection with litigation for the purposes of,
 - (b) relate to the calculation and timing of the deduction in respect of the IFR's litigation costs, and
 - (c) specify the time when any payment is required to be made to the Secretary of State.
- (7) A direction under subsection (5) may also require the IFR, at times specified in the direction, to provide the Secretary of State with information specified in the direction relating to costs incurred by the IFR in connection with litigation.
- (8) In this section, "the IFR's initial costs" and "the Secretary of State's establishment costs" have the same meaning as in section 52."

Member's explanatory statement

This amendment is linked to Amendment 32 which would leave out clause 94.

Mr Clive Betts

NC10

★ To move the following Clause—

"Duty on competition organiser not to arrange matches away from home grounds

- (1) A specified competition organiser must notify the IFR where the organiser considers that there is a reasonable prospect of the organiser entering into arrangements whereby a match between two teams operated by regulated clubs might be played at a ground that is not the home ground of either team.
- (2) A notification under subsection (1) must be given as soon as reasonably practicable after the organiser considers the duty under that subsection to have arisen.
- (3) The organiser must obtain the approval of the IFR before it enters into the arrangements mentioned in subsection (1).

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- (4) The IFR must grant approval for the organiser entering into those arrangements if the IFR is satisfied that the arrangements—
 - (a) would not harm the financial sustainability of the competition or of English football,
 - (b) would not cause significant harm to the heritage of the competition or of English football, and
 - (c) has the approval of UK-based supporters.
 - (5) The IFR may not grant approval in any other circumstances.
 - (6) The IFR must, as soon as reasonably practicable after the organiser has sought approval, decide whether to grant approval under subsection (4).
 - (7) The IFR must notify the organiser of its decision to grant, or not to grant, that approval and give reasons for its decision.
 - (8) In this section “home ground”, in relation to a regulated club, has the meaning given by section 46(10)(a).”
-

Order of the House

[23 April 2024]

That the following provisions shall apply to the Football Governance Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 6 June 2024.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.

Order of the Committee

[14 May 2024]

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 14 May) meet—
 - (a) at 2.00 pm on Tuesday 14 May;
 - (b) at 11.30 am and 2.00 pm on Thursday 16 May;
 - (c) at 9.25 am and 2.00 pm on Tuesday 21 May;
 - (d) at 11.30 am and 2.00 pm on Thursday 23 May;
 - (e) at 9.25 am and 2.00 pm on Tuesday 4 June;
 - (f) at 11.30 am and 2.00 pm on Thursday 6 June;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

<i>Date</i>	<i>Time</i>	<i>Witnesses</i>
Tuesday 14 May	Until no later than 10.10 am	Mr Kieran Maguire, Senior Teacher in Accountancy, University of Liverpool; Dr Christina Philippou, Principal Lecturer in Accounting, Economics and Finance, University of Portsmouth
Tuesday 14 May	Until no later than 11.00 am	The English Football League; The Premier League; The National League
Tuesday 14 May	Until no later than 11.25 am	The Football Supporters' Association
Tuesday 14 May	Until no later than 2.30 pm	Solihull Moors F.C.; Dagenham & Redbridge F.C.
Tuesday 14 May	Until no later than 3.00 pm	Cambridge United F.C.; Bolton Wanderers F.C.
Tuesday 14 May	Until no later than 3.30 pm	Brighton & Hove Albion F.C.; Crystal Palace F.C.
Tuesday 14 May	Until no later than 3.50 pm	The Football Association
Tuesday 14 May	Until no later than 4.10 pm	Women in Football

<i>Date</i>	<i>Time</i>	<i>Witnesses</i>
Tuesday 14 May	Until no later than 4.40 pm	The Football Foundation; Fair Game
Thursday 16 May	Until no later than 11.50 am	The Professional Footballers' Association
Thursday 16 May	Until no later than 12.10 pm	Kick It Out
Thursday 16 May	Until no later than 12.40 pm	Action for Albion; Supporters Trust at Reading; STAR; Arsenal Supporters' Trust

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 3; Schedule 1; Clauses 4 to 5; Schedule 2; Clauses 6 to 9; Schedule 3; Clauses 10 to 18; Schedule 4; Clauses 19 to 20; Schedule 5; Clauses 21 to 24; Schedule 6; Clauses 25 to 66; Schedule 7; Clause 67; Schedule 8; Clauses 68 to 74; Schedule 9; Clauses 75 to 80; Schedule 10; Clauses 81 to 92; Schedule 11; Clauses 93 to 95; Schedule 12; Clauses 96 to 98; new Clauses; new Schedules; remaining proceedings on the Bill; and
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 6 June.