

Turkish Football Federation

LAW ON THE ESTABLISHMENT AND DUTIES OF THE TURKISH FOOTBALL FEDERATION

Law No. 5894

Enacted: 05 May 2009

Objective

ARTICLE 1 - (1) The objective of this Law is to set out the principles and procedures regarding the establishment, organizational structure, duties and powers of the Turkish Football Federation, a self-governing association subject to private law, to conduct, organize and develop all kinds of football activities in accordance with the related national and international laws and also to represent Turkey in Turkey and abroad on subjects related to football.

Definitions and acronyms

ARTICLE 2 - (1) The following terms used herein shall have the following meanings:

- a) FIFA: Fédération Internationale de Football Association.
- b) UEFA: Union of European Football Associations.
- c) TFF: Turkish Football Federation.
- ç) Congress: The Congress of the Turkish Football Federation.
- d) President: The President of the Turkish Football Federation.
- e) Executive Board: The Executive Board of the Turkish Football Federation.
- f) Emergency Committee: The Committee that takes decisions between two Executive Board meetings concerning the urgent matters,
- g) Audit Committee: The Audit Committee of the Turkish Football Federation.
- ğ) Disciplinary Committees: Committees that examine and sanction any disciplinary infringement or unsporting behavior by any club or person in accordance with the Football Disciplinary Regulations drawn up by the Executive Board.
- h) General Secretary: The General Secretary of the Turkish Football Federation.
- i) General Secretariat: The General Secretariat of the Turkish Football Federation.
- ı) TFF Statutes: The regulatory arrangements adopted by the TFF Congress with respect to association football, the procedures and principles stipulated under this Law and all other matters concerning the enforcement of this Law.
- j) Regulations: The regulatory arrangements adopted by the TFF Executive Board in accordance with and within the framework of the Statute.
- k) Standing and Ad Hoc Committees: The ancillary committees formed outside the central organization of the TFF to carry out the activities described under this Law.
- l) Club Licensing Committee: The Committee which decides to issue a license to an applicant club or not, under the Club Licensing Regulations of the TFF.

Duties of the Turkish Football Federation

ARTICLE 3 - (1) The duties of the Turkish Football Federation are as follows:

- a) To organize, regulate and monitor all football activities within Turkey;
- b) To promote the development and expansion of football throughout the country;
- c) To ensure the proper implementation of the rules set by the governing bodies of FIFA and UEFA, set up all domestic regulations and represent Turkey abroad on subjects related to football;
- ç) To make plans, programs, arrangements and agreements of any kind related to football activities both domestically and abroad and to take the necessary measures to achieve successful results;
- d) To organize and regulate competitions at all levels and take all necessary steps to ensure the admission and participation of its representative national and club teams in international competitions;
- e) To observe the principles of loyalty, integrity and sportsmanship in accordance with the rules of Fair Play;
- f) To ensure that its own members, clubs, football players, officials, managers, head coaches and trainers, medical staff, players' agents, match agents and all other related people comply with the statutes, regulations and directives set forth by FIFA, UEFA and the TFF as well as the decisions adopted by the competent organs and bodies of these governing bodies;
- g) To fight against violence, match-fixing, illegal performance incentives, racism, doping and any kind of discrimination;
- ğ) To provide both financial and in-kind support to amateur sports clubs, associations and including the sports associations for the disabled involved in football, with a view to improving the game of football.

(2) The organization, duties and powers of the TFF, the rules of procedure for the TFF organization, the responsibilities of the TFF's other central, domestic and overseas units, departments and offices as well as all other matters concerning the enforcement of this Law shall be set forth in accordance with both the TFF Statute, which will be adopted by the Congress in line with the statutes of both FIFA and UEFA, with which the TFF is affiliated, and take effect upon being published in the Official Gazette, and the regulations that will be drawn up by the Executive Board and, unless otherwise stipulated, take effect upon being announced on the official website of the TFF.

Organisation

ARTICLE 4 –

- (1) The organization of the TFF shall be set out in the TFF Statutes.
- (2) The organization of the TFF shall be composed of its Head-office and both affiliated domestic and overseas offices. The Head-office of the TFF is in Ankara.
- (3) All football organizations in Turkey shall be legally subordinated to the TFF and their respective rights and responsibilities shall be described by the TFF Statutes and regulations.
- (4) TFF is a member of both FIFA and UEFA.
- (5) The central organization of the TFF shall consist of at least the following organs:
 - a) Congress
 - b) President
 - c) Executive Board

- ç) Emergency Committee
- d) Legal committees
- e) Audit Committee
- f) General Secretary

(6) The consultative and administrative units of TFF shall consist of the following bodies:

- a) General Secretariat
- b) Standing and Ad Hoc committees

(7) The members of the TFF organs and committees shall either be appointed or elected in accordance with the TFF Statute.

(8) Elections for all TFF organs shall be held by means of free and independent democratic procedures.

Legal committees of first instance

ARTICLE 5 - (1) The legal committees of first instance of the TFF shall consist particularly of the following committees:

- a) Dispute Resolution Committee
- b) Disciplinary committees
- c) Club Licensing Committee
- d) Ethics Committee

(2) TFF's legal committees of first instance shall be exclusively authorized to decide on club licensing matters and adjudicate on disputes that may arise from or in connection with the present Law, the TFF Statute, any other regulations and directives of the TFF as well as any decisions taken by the competent TFF committees and bodies.

(3) TFF's regulations and any decision awarded by any one of the TFF legal committees of first instance shall be final and binding, if not appealed against within seven days following their promulgation or, in the latter case, the notification of the decision. No legal action may be taken against before any judicial body in the matters falling within the jurisdiction of the TFF legal committees of first instance or any decisions of the TFF legal committees of first instance.

(4) The composition, responsibilities, powers, rights, duties, and requirements for its members as well as the procedural rules for each of the TFF legal committees of first instance shall be defined in the TFF Statute and the corresponding regulations.

(5) The individual members of the TFF legal committees of first instance shall be appointed as described in the TFF Statutes.

(6) No member of any of the TFF legal committees of first instance shall hold a seat on any other committee or organ of TFF or carry out a duty for a club or a private-law legal entity which is a member of TFF at the same time. These members must execute their duties in complete independency and impartiality pursuant to their mandate at all times.

Arbitration Committee

ARTICLE 6 - (1) The Arbitration Committee is an independent and impartial compulsory arbitration authority which is the top legal committee of TFF under the present Law and is also the legal body of last instance for disputes covered by the TFF Statutes and corresponding regulations.

(2) The Arbitration Committee exclusively and finally examines and decides over the decisions taken by any TFF organ or body, which has decision-making power given by the TFF Statutes and corresponding regulations. The time limit for appealing against any TFF regulation or any decision of any TFF organ before the Arbitration Committee is seven days following the promulgation of such regulation or, in the latter case, the notification of such decision.

(3) The composition, responsibilities, powers, rights and duties of the Arbitration Committee shall be described in the TFF Statutes and the corresponding regulations as well as the responsibilities, powers, rights, duties, and requirements for its members. The procedural rules for the Arbitration Committee shall be described by regulations to be issued by TFF.

(4) Any decision taken by the Arbitration Committee shall be final and binding for the relevant parties and no legal action may be taken against these decisions before any other judicial authorities.

(5) The members of the Arbitration Committee shall also be subject to paragraph 6 of Article 5 of this Law.

Audit Committee

ARTICLE 7 - (1) The TFF's accounting books and financial position shall be audited by the Audit Committee that is elected by the Congress. A copy of the Audit Committee's report shall be distributed to the Congress delegates at least fifteen days before the date of the next Congress meeting and shall also be presented at the Congress meeting.

Revenues of the TFF

ARTICLE 8 - (1) The revenue of the TFF shall arise from:

- a) 15% royalty collected from clubs in relation to football betting games and fixed-odds betting games;
- b) Application fees and fines;
- c) 10% of the proceeds received by clubs from their matches that will be broadcast through TV, radio, the Internet or through any other similar data carrier and from any contract they have signed with any media company;
- ç) Revenues arising from sponsorship agreements signed by the TFF;
- d) Revenues obtained from official and friendly National Team matches and remaining after all legally required deductions, as well as those proceeds derived from such matches broadcast on TV, radio, the Internet or via any other similar data carrier;
- e) Registration and registration renewal fees, transfer levies, subscriptions and similar other fees collected from players and clubs affiliated with the TFF;
- f) Proceeds derived from the TFF's fixed assets and from other activities such as the transfer, assignment, sale and lease of its real properties;
- g) Income from all kinds of economic enterprises and corporations, whether established or invested in by the TFF;
- ğ) Interest receipts;
- h) Donations and grants;
- i) Others.

Expenditures of the TFF

ARTICLE 9 - (1) The TFF shall prepare its annual budget and incur any and all expenses that may be necessary to perform its duties hereunder in accordance with the TFF Statute.

Independent Audit

ARTICLE 10 - (1) The TFF's financial statements and profit and loss accounts shall be audited on a yearly basis by an independent audit firm that has financial audit experience in the international sports industry.

(2) The audit reports shall be disclosed to the public after being reviewed at the TFF Congress.

(3) The Congress delegates shall be provided with a copy of the audit report prior to the Congress meeting in accordance with the relevant provisions in the TFF Statute.

(4) No audit firm shall provide financial audit services to the TFF for more than five consecutive years.

Tax exemption and priority of sums due to the TFF

ARTICLE 11 - (1) Proceeds derived from matches and competitions organized in Turkey under the auspices of FIFA, UEFA and the TFF and under this Law as well as all other revenues of the TFF shall be exempt from taxes, duties and charges of any nature.

(2) The said tax exemption shall not cover the TFF's economic enterprises and those deductions required under both Income Law No. 193, enacted on 31 December 1960, and Corporate Income Law No. 5520, enacted on 13 June 2006.

(3) Fines imposed by the TFF on clubs in accordance with Article 15 of this Law shall first be deducted from the sums due by the TFF to such clubs, respectively.

Club Licensing System

ARTICLE 12 - (1) The TFF Executive Board shall set up regulations in accordance with the club licensing system regulations of FIFA and UEFA governing the participation of TFF clubs in the domestic competitions of TFF.

Broadcasting and VIP stand arrangements

ARTICLE 13 - (1) The TFF Executive Board shall be exclusively entitled to broadcast all the football matches in the territory of the Republic of Turkey on TV, radio, the Internet and via all other similar sound and data carriers, and to organize and plan such broadcasts.

(2) The above-said power particularly encompasses the marketing of the TFF's broadcasting rights centrally and the distribution of the proceeds derived from such rights to Member clubs in such manner as may be decided by the relevant bodies of the TFF.

(3) Encrypted broadcasting of national team's matches is prohibited.

(4) In cases where an individual or organisation broadcasts, whether live or in a delayed manner, or reproduces, distributes, sells watches or causes to be watched a football match via a radio station, a TV channel, the Internet or by any other means of broadcast or communication illegally and without the prior written permission of the TFF, such individual or organization shall, upon a complaint filed by the TFF or the authorised broadcaster, be sanctioned under Article 71 of Law No. 5846 on Intellectual and Artistic Works, enacted on 05 December 1951.

(5) The number of individuals who may have access to the VIP stands of any sports facility which the General Directorate of Youth and Sports has transferred or rented out to, or allocated for use for a limited time period by, sports clubs or public organisations or institutions under a protocol shall be decided by the related Provincial or District Directorate of Youth and Sports in line with the instructions of the General Directorate of Youth and Sports and the VIP stands of such sports facility shall be organized by the same Provincial or District Directorate. In the event of national teams matches, these VIP stands shall be organized by the TFF.

Intellectual, industrial and commercial property rights

ARTICLE 14 - (1) The ownership and the utilization rights of the trademarks, logos and similar intellectual and industrial property rights, which are used or will be used by the TFF, shall belong exclusively to the TFF. The existence of these rights does not prevent the TFF from registering such intellectual and industrial property rights to the Turkish Patent Institute and International Patent Offices.

(2) Any individual making public announcements, advertisements, promotional notices or carrying out other similar activities in a manner so as to give third parties the impression that he/she is a sponsor of the TFF despite the fact he/she is not, he/she shall be sanctioned under Turkish Code of Commerce No. 6762, enacted on 29 June 1956.

Sanctions

ARTICLE 15 - (1) Disciplinary infringements and unsporting behaviors by any club or individual in any football match or activity and the penalties that shall be imposed on such

club or individual shall be set out in a regulation drawn up by the Executive Board in accordance with the TFF Statute and in line with the relevant regulations of FIFA and UEFA.

Cancellation of Congress decisions

ARTICLE 16 - (1) An action for rescission can be filed against any decision taken at the TFF Congress in violation of the national law or the TFF Statute before the Civil Court of First Instance, where the TFF has its Head-office, within 30 days from the relevant meeting date. The petty sessions procedure shall apply to such cases.

Leave

ARTICLE 17 - (1) Any referee, representative, observer or a TFF Committee member, who holds a public office and has been assigned to a match which will be played on a business day or weekend, shall be deemed to have obtained official permission to be absent from his public duty throughout the term of such assignment, provided that his supervisor has been informed thereof.

(2) The time period of such assignment shall be fixed under the related regulations of the TFF.

Provisions applicable

ARTICLE 18 - (1) Any regulation or directive issued by the TFF on the basis of this Law as well as practices regarding such regulation or directive can only and solely be appealed against before the Arbitration Committee.

(2) Matters not covered by this Law, the TFF Statute or other relevant regulations shall be governed by Associations Law No. 5253, enacted on 04 November 2004, and Turkish Civil Law No. 4721, enacted on 22 November 2002.

Provisions repealed

ARTICLE 19 - (1) Law No. 3813 on the Establishment and Duties of the Turkish Football Federation, enacted on 17 June 1992, was repealed.

Organs, statute and regulations

TEMPORARY ARTICLE 1 - (1) The organs of the TFF elected under Law 3813 shall hold office until the expiry of their respective terms of office.

(2) The existing Main Statute and regulations of the TFF and those provisions of the TFF Statute, which was adopted by the Congress on 06 June 2008, that are not in contravention of the present Law shall continue to be in effect until the TFF Statute and regulations adopted under the present Law take effect in full.

(3) Any amendments to be made in the TFF Statute in line with the present Law shall be decided at the next ordinary Congress meeting that will be held following the coming into force of the present Law.

Coming into force

ARTICLE 20 - (1) The present Law shall come into force on the date it is published in the Official Gazette.

Execution

ARTICLE 21 - (1) The provisions of the present Law shall be executed by the Council of Ministers.