



FEDERAZIONE  
ITALIANA  
PALLACANESTRO

# REGULATION FOR BASKETBALL SPORT AGENTS

APPROVED BY FEDERAL COUNCIL ON JUNE 13 2024 WITH RESOLUTION N. 250/2024



The official text of the Agent Regulations is published in Italian. In case of disparity between the Italian and English versions, the Italian version will prevail.

# REGULATIONS FOR BASKETBALL SPORTS AGENTS

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## Part I

### Chapter I - Background

#### Article 1 – Purpose and scope

1. These Regulations govern and regulate, in accordance with the CONI Regulations for Sports Agents, the activities that sports agents carry out as part of the Professional Championships organised by the Italian Basketball Federation (hereinafter referred to as the “FIP”), such agents acting as a liaison between two or more individuals for the purpose of:
  - i) Establishing, making changes to and terminating dealings concerning the supply of professional sports services;
  - ii) Arranging for players to be registered with a national professional sports federation.
2. For any matter not covered under these Regulations, reference shall be made to the CONI Regulations for Sports Agents.
3. In this connection, the FIP:
  - Maintains a Register for Basketball Sports Agents
  - Has established a Sports Agent Commission
  - Keeps an Agency Agreement Register
4. Anyone acting as a liaison between two or more individuals for the purpose of carrying out the activities referred to under 1 hereabove shall be required to be registered in the aforesaid Register.

### Chapter II – FIP Sports Agent Register

#### Art. 2 – FIP Sports Agent Register

1. The FIP Sports Agent Register consists of a:
  - a) Sports agent section;



- b) Established sports agent section (i.e., individuals who are licensed to operate in a Member State of the European Union other than Italy and as part of the relevant national sports federation of that country, provided that they have passed tests equivalent to those required in Italy for the purpose of engaging in the activities outlined in Article 1(1) hereabove);
- c) List of sports agents who have been suspended from professional practice for any reason;
- d) List of sports agents who have been subject to disciplinary proceedings that can no longer be contested, other than censorship;
- e) List of clubs established in accordance with the CONI Sports Agent Regulations;
- f) List of domiciled Sports Agents and legal entities through which the activity is possibly organised pursuant to Article 19 of the CONI Sports Agent Regulations;
- g) List of sports agents requiring compensatory measures;
- h) List of sports agents in respect of whom training compensatory measures apply;
- i) Note section

2. The sections and lists of the Register shall include the following information:

- a) First name, last name, place and date of birth, nationality, tax identification number, residence of registered members, certified email [locally known as PEC] address, telephone numbers;
- b) Date of registration in the FIP Register or of renewal thereof;
- c) Number of identification card issued by the FIP and CONI;
- d) The name, registered office, tax identification number, VAT registration number, certified email address, first name and last name of member Agent or Agents, and companies on the list referred under 1(e);
- e) Disciplinary measures, if applicable.

### **Article 3 – Individual eligibility requirements for registering and remaining in the FIP Register**

1. In order to be eligible for registration and to remain in the FIP Register, an individual must:

- a) be an Italian national or a national of another European Union Member State or a national of non-European Union States holding a regular residence permit;
- b) have the capacity to exercise civil rights and have not been declared disqualified, incapacitated, bankrupt or subject to judicial liquidation proceedings, without prejudice to the effects of discharge in bankruptcy;
- c) hold a secondary school diploma or equivalent qualification;
- d) have not been found guilty, including following non-final decisions, of offences committed with criminal intent during the past five years;
- e) have not been found guilty, including following non-final decisions, of sports fraud offences as pursuant to Law 401/1989 or of doping offence as pursuant to Section 586(a) of the Italian Criminal Code;
- f) have not been inflicted disqualification sanctions of two or more years — or shorter periods if inflicted in the past five years — for violation of the CONI Anti-Doping Sports Regulations or the provisions of the WADA World Anti-Doping Code;
- g) have not been inflicted disciplinary sanctions for sports offences;
- h) not be subject to ongoing disciplinary sanctions inflicted by the Italian Basketball Federation or disqualification sanctions of five or more years inflicted by another national sports federation;
- i) where monetary sanctions have been inflicted under sports regulations, have settled the related payments or be in good standing with any instalments;
- j) hold an appropriate licence (recognised nation-wide, being EU equivalent or issued under the old system);
- k) not be found to be in any situation of incompatibility as under Article 15;

2. Established sports agents shall be registered in the established sports agent section pursuant to Article(2)(1)(b) after the FIP Agent Commission has established that they meet the requirements set out under 1 hereabove. Failure to meet any of such requirements shall prevent established sports agents from being registered. The provisions under 1 above shall apply to established agents.



## Article 4 – Registration process

1. A sports agent meeting the requirements set forth in Article 3 and wishing to register in the FIP Register must submit a specific application to the FIP Sports Agents Commission. The application must be drafted using the form provided in Annex A, and must be filed together with the “Declaration by Natural Persons” drafted using the form provided in Annex B.

Individuals who engage in sports agent activities through a company must, under Article 16(2) of these Regulations, submit their application for registration through their legal representatives.

The application must be sent, duly signed in all its parts, whether electronically or otherwise, to the FIP Sports Agents Commission at the Italian Basketball Federation, by certified email [PEC] to the following address: [giustizia.fip@pec.it](mailto:giustizia.fip@pec.it). For the purposes of the date of delivery, the date of submission shall be deemed to apply.

2. When filing their application for registration, sports agent must:

a) Declare that they are aware of and expressly undertake to accept and comply with the rules set out in the Basketball Agents Regulations and the Sports Agents Regulations approved by CONI, as amended from time to time.

b) Declare that they are aware of and expressly undertake to accept and comply with the substantive and procedural rules set out in the Disciplinary Regulations for Sports Agents approved by CONI, as amended from time to time, and acknowledge the disciplinary power of the FIP Sports Agents Commission and the CONI Sports Agent Commission, as well as the “Code of Professional Conduct” as set forth in Annex C.

c) Declare that they are aware of and undertake to comply with both the laws of the State pertaining to the activity of Agent and regulations issued by CONI and FIP.

(d) Specify the certified email [PEC] address where they can receive any communication concerning their position.

3. Registration shall be subject to the payment of a € 300.00 (three hundred/00) fee to cover the costs of keeping the Register and of related activities, through a specific IT platform, the access methods for which will be provided by the Secretariat of the Sports Agents Commission.

4. The application must be filed together with:

a) a copy of a valid identity document and a copy of the residence permit in cases where the Agent is from a non-EU Member State;

b) a copy of the insurance certificate or insurance policy complying with the requirements set out in Article 4(3) and Article 10(1)(f) of the CONI Sports Agents Regulations.

5. The FIP Sports Agents Commission shall, within twenty days of the application, check the validity of the application, and, without prejudice to the effects of procedures for remedying deficiencies, shall register the applicant in the FIP Register of Sports Agents and issue the appropriate registration certificate to the applicant.

6. Registration in the FIP Register shall be valid for a calendar year (i.e., from 1 January to 31 December) as of the date of registration.

## Article 5 - Annual registration renewal

1. Notwithstanding the permanent nature of the licence obtained by passing the qualification examination, in order to remain on the FIP Register Agents who intend to continue to operate shall – in the same manner as under Article 4(1) and no later than thirty (30) days prior to the end of the calendar year in which the current registration is valid – (i) submit to the FIP Sports Agent Commission an application for renewal of their registration with the FIP Register for the following calendar year, using the form set out in Annex D, and (ii) pay a fee, through the appropriate IT platform as specified in Article 4(3).

2. When filing their renewal application Sports Agents shall:

a) pursuant to Articles 46 and 37 of Presidential Decree No. 445 dated 28 December 2000, acknowledge that all the statements provided when they first register in the Register are true and current;



b) confirm the commitments set out in sub-paragraphs (b), (c) and (d) of Article 4(2) undertaken upon filing their application for registration.

3. The documents specified in Article 4(4)(a) and (b) must be attached to the renewal application.

4. Within twenty days of receipt of the application, the FIP Sports Agent Commission shall verify its regularity and, without prejudice to reliance on any procedure for remedying deficiencies, shall renew it, issuing the agent with a registration renewal certificate.

5. The renewal of registration in the FIP Register shall be valid for the calendar year (1 January - 31 December) to which it relates.

## **Article 6 - Removal from the Register**

1. Removal from the FIP Register shall be decided by the FIP Sports Agent Commission upon any of the following events occurring:

a) Request submitted by the individual concerned. Any such request, which will not require reasoned grounds, must be duly signed, whether electronically or otherwise, and sent to the FIP Sports Agent Commission by certified email [PEC]. The FIP Commission shall, at its first meeting, proceed with cancellation forthwith, notifying the individual concerned. Cancellation shall not result in reimbursement of any registration or renewal fee already paid.

b) Failure to submit the renewal application with the attached documents within the time limit set out in Article 5(1). In such a case, the FIP Sports Agent Commission, having established the failure to submit the application and/or non-payment of the fee, shall grant a deadline of no more than 30 days to do so, after which it will proceed with cancellation at its next meeting.

c) In all cases where even one of the subjective requirements set out in Article 3 or the conditions necessary to register and continue to be listed in the Register are no longer met. Cancellation in such cases may take place at any time, including as a matter of course, following verification by the FIP Sports Agent Commission. The FIP Commission shall grant the Agent a deadline of no more than 30 days to remedy his position, after which it shall proceed with the cancellation at its next meeting.

d) Cancellation from the National Register notified by the CONI Agent Commission.

2. Removal shall take effect from the date of the FIP Sports Agent Commission's decision, which shall be notified to the individual concerned.

3. The FIP Sports Agent Commission shall forthwith forward the measure adopted to the CONI Sports Agent Commission for the adoption of the measures within the competence of the latter.

4. In any event, once the reasons underlying such removal no longer apply, agents may submit a new application for registration.

## **Chapter III – FIP Sports Agent Commission**

### **Article 7 – Membership and operation**

1. The FIP Sports Agent Commission shall consist of a Chairman, a Deputy Chairman and three members to be chosen from among individuals having legal and sports experience nominated by the FIP Board.

As a matter of special urgency, the Chairman of the Commission may adopt such measures or take such actions as lying within the province of the FIP Sports Agent Commission and then submit them for ratification on the occasion of the next Commission meeting.

The FIP Sports Agent Commission shall be assisted by a Secretary.



2. The FIP Sports Agent Commission shall remain in office for four years. Members who take up their duties during the four-year period shall at any rate remain in office until the relevant term of office of the FIP Sports Agent Commission expires.
3. The meetings of the FIP Sports Agent Commission shall be deemed to be valid if attended by at least 3 members, one of whom must be the Chairman or Deputy Chairman. Members may also participate in the meetings remotely by video conference or audio conference.
4. The FIP Sports Agent Commission shall decide by simple majority of those in attendance. In the event of a tied vote, the Chairman shall have the casting vote.
5. Minutes of the Commission's meetings shall be drawn up by the Secretary and kept on file.
6. The Commission shall, at its sole discretion, decide on any other matters relevant to its work, the conduct of meetings and the proper keeping of records.
7. The FIP Sports Agent Commission shall discharge its disciplinary duties pursuant to the Disciplinary Regulations for Sports Agents approved by CONI.

## **Article 8 – Duties and powers**

1. The FIP Sports Agent Commission shall:
  - a) deal with registration in the Register of persons meeting the requirements set forth in Article 3, in accordance with Article 4;
  - b) deal with the renewal of registration in the FIP Register in accordance with Article 5;
  - c) deal with the removal from the FIP Register to the extent as applicable and in accordance with Article 6;
  - d) deal with registration in the lists referred to in Article 2;
  - e) exercise disciplinary power over Sports Agents, as laid down in these Regulations and in the Disciplinary Regulations for Sports Agents approved by CONI, taking the disciplinary measures set forth therein;
  - f) prepare the announcement for the special qualifying examination, defining the examination programme, and setting the date and venue thereof, admission requirements and examination topics;
  - g) assess the adequacy of applications for admission to the special qualifying examination and exclude from such examination any candidates who do not meet the requirements;
  - h) discharge any other duty it is required to perform under these Regulations, as the CONI Sports Agent Regulations and the Disciplinary Sport Agents Regulations approved by CONI.
2. Measures pertaining to registration, registration renewal and removal from the Register shall be forwarded to the CONI Sports Agent Commission in respect of measures falling within the latter's remit, against which an appeal may be filed under the terms of the CONI Sports Agents Regulations.

## **Chapter IV – Licence and qualifying examination**

### **Article 9 – Licence**



1. Any individual intending to engage in sports agent activities must hold a specific national licence issued by the CONI Agent Commission according to current legislation and in compliance with these Regulations as well as the CONI Regulations for Sports Agents.
2. The national licence shall be granted to natural persons who have passed the relevant qualifying examination in Italy, such examination consisting of a general test to be held at CONI headquarters and a special test to be held at the Italian Basketball Federation headquarters.
3. The national licence shall be granted on a permanent basis and shall, subject to registration in the FIP and National Register, authorise holders to practice their profession lawfully without any limitation of time, without prejudice to the effect arising from any suspension and removal measures. The national licence shall be strictly personal and non-transferable.
4. Any licence issued according to the old system shall be deemed to be equivalent to the national licence and shall allow sports agents to be registered in the FIP Register and in the National Register under the same conditions as those set out in the foregoing paragraphs.
5. The EU equivalent licence shall allow established sports agents to be registered in the special section of the FIP Register.
6. Upon three years having elapsed since registration as under Article 2(1)(b), established sports agents who are found to be in compliance with the refresher training course requirements and who have received at least five assignments in Italy for three consecutive years within the same professional national sports federation may apply for registration in the National Register without having to sit for a qualifying examination.

## **Article 10 – Special qualifying examination test**

1. Special tests shall consist in a written and/or oral exam covering the following subjects:
  - FIP By-Laws
  - Rules of Justice
  - Executive Regulations Governing Players' Registration
  - Executive Regulations Governing the Professional Sector
  - Annual Organisational Provisions for Professionals
  - Professional Players' Collective Agreement
  - Professional Coaches' Collective Agreement
2. Special tests shall be organised by the Italian Basketball Federation in accordance with the provisions of Article 8. The syllabus shall be published on the FIP official website together with the notice setting forth the conduct of special tests.
3. The FIP shall organise two special test sessions annually, which shall be completed by the end of June and December, unless special circumstances require otherwise.

## **Article 11 – Special test requirements and eligibility criteria**

1. In order that applicants may be eligible for the special test to be taken as part of the national qualifying examination, they must:
  - a) be Italian nationals, nationals of another European Union Member State or nationals of a non-European Union State holding a regular residence permit;
  - b) have the capacity to exercise civil rights and have not been declared disqualified, incapacitated, bankrupt or subject to judicial liquidation proceedings, without prejudice to the effects of discharge in bankruptcy;





- c) hold a secondary school diploma or equivalent qualification;
- d) have not been found guilty, including following non-final decisions, of offences committed with criminal intent during the past five years;
- e) have not been found guilty, including following non-final decisions, of sports fraud offences as pursuant to Law 401/1989 or of doping offence as pursuant to Section 586(a) of the Italian Criminal Code;
- f) have not been inflicted, in the past five years, sanctions for violation of the CONI Anti-Doping Sports Regulations or the provisions of the WADA World Anti-Doping Code;
- g) have not been inflicted disciplinary sanctions for sports offences;
- h) not be subject to ongoing disciplinary sanctions inflicted by the Italian Basketball Federation or disqualification sanctions of five or more years inflicted by another national sports federation;
- i) not be in default in respect of payments if monetary sanctions have been inflicted under sports regulations;
- j) be in good standing with the payment of administrative fees;
- (k) have passed the general test to be taken as part of the national qualifying examination.

2. Where granted, eligibility for the general test to be taken as part of the national qualifying examination shall be valid for two years.

3. Under penalty of exclusion, all requirements must be met when applying for the special test to be taken as part of the national qualifying examination.

4. The application — to be prepared and sent in accordance with the terms and conditions as set out in the notice prepared by the FIP Sports Agent Commission and published on the FIP website — must be submitted complete with a receipt certifying payment of the examination fee.

## **Article 12 – Examination Board**

1. The special test shall be assessed by an Examination Board to be established on a yearly basis and consisting of at least three members appointed by the FIP Board. The Examination Board shall include a legal expert selected from among university lecturers, lawyers who have been registered with the Bar for at least five years and magistrates.

2. The composition of the Examination Board shall be published on the FIP official website.

# **Part II**

## **Chapter I – General principles and common provisions**

### **Article 13 – Sports agents' duties and restrictions**

1. Sports agents shall carry out their activities with autonomy, transparency and independence, in compliance with the state laws and the sports laws.

2. Sports agents shall be required to comply their conduct is in compliance with the principles of loyalty, fairness, probity, dignity, diligence, transparency and competence.





3. Sports agents shall notify the FIP Sports Agent Commission of any changes to the information provided at the time of registration.
4. Sports agents shall provide their services on the basis of a specific written agency agreement, including in compliance with the provisions of Article 23 herebelow.
5. Sports agents shall be required to comply with the rules of conduct and code of ethics contained in the Disciplinary Regulations for Sports Agents approved by CONI, in these Regulations and in the Regulations of the Italian Basketball Federation, which they declare that they know and accept at the time of registration in the FIP Register and any renewal thereof.

## **Article 14 – Refresher training courses**

1. In order to maintain their registration with the FIP Register, Sports Agents shall be required to attend refresher courses for a minimum amount of training hours per year, as established by the Italian Basketball Federation, the latter also being responsible for their organisation and preparing the relevant syllabuses, including on the proposal of the FIP Sports Agent Commission. FIP may rely on the support of FIP-accredited associations representing clubs, coaches, players and agents.
2. The FIP Sports Agent Commission shall ensure that this obligation is duly met by each Sports Agent.
3. Failure to attend the refresher courses shall result in the consequences set forth in these Regulations, in the CONI Sports Agent Regulations and in the Disciplinary Regulations for Sports Agents approved by CONI...

## **Article 15 – Incompatibility and conflict of interest**

1. Sports agents may not be directors or employees of public entities.
2. Sports agents may not hold direct or indirect interests in firms, associations or companies operating in the sports sector related to the national professional sports federation that issued their licence.
3. The following individuals shall not be allowed to engage in the regulated sports agent profession:
  - a) Professional or amateur athletes registered with a national professional sports federation;
  - b) Non-professional athletes, registered in a national championship in the sports sector in which they obtained their licence;
  - c) Individuals who hold corporate offices, executive positions, have technical and sports responsibilities or are contractors or employees of the IOC, CONI, international sports federations, national sports federations, associated sports disciplines, sports promotion organisations and the Institute for Sports Credit, companies in which the Ministry of Economy and Finance or other bodies delivering services of general interest for the benefit of sport hold an interest, including their subsidiaries, and in any case sports associations or clubs or other bodies, whether Italian or foreign, operating in the sports sector related to the national professional sports federation within which such individuals obtained their licence;
  - d) Individuals who establish and maintain relationships, of any other kind whatsoever, including de facto relationships, involving a significant influence on sports associations or clubs or other bodies, whether Italian or foreign, operating in the sports sector related to the national professional sports federation within which they obtained their licence. Incompatibility shall be deemed to have ceased after six months will have elapsed since the date of termination of each of the relationships referred to in this Article. In the case of athletes, incompatibility shall be deemed to cease at the end of the sports season in which they stopped engaging in competitive activity.
4. Sports agents, or the company/partnership of which they are a partner, shall be required to refrain from conducting negotiations or entering into agreements that cause conflicts of interest. A conflict of



interest shall also be deemed to exist when negotiations are carried out or an agreement is executed with a sports club in which the spouse, a relative or a close relative, including second-degree relatives, holds direct or indirect interest, holds a corporate office or an executive or technical and sports position. The same restriction shall also apply in respect of the execution of agreements concerning the transfer and registration of an athlete to/with such club.

5. Save for the consideration under Article 21(1)(d), a conflict of interest shall also arise if sports agents have a direct or indirect interest in the transfer of an athlete and/or receive bonuses, remuneration or any economic or financial benefit in relation to such transfer.

6. Any agency agreement executed by sports agents in breach of the provisions under 4 and 5 hereabove may be deemed to be null and void.

## **Article 16 – Activity organisation method**

1. Only natural persons who have obtained their licence may act as sports agents. However, agents shall be entitled to conduct their activity as part of a business by setting up a partnership or a company in accordance with current legislation.

2. In order that sports agents may organise their activity as a legal entity, all the conditions laid down in Article 19(2) and (3) of the CONI Regulations for Sports Agents shall be required to be met.

3. Partners who do not hold a licence may not carry out any activities, including activities indirectly similar to those carried out by sports agents. They may only perform supportive administrative tasks, whether under an employment agreement or a casual labour agreement, except for individuals who are authorised by law to provide professional assistance to athletes and sports associations or clubs or other bodies operating in the sports sector.

## **Article 17 – Disciplinary provisions**

1. Sports Agents shall be subject to the disciplinary and sanctioning power of the FIP Sports Agent Commission, and of the CONI Sports Agent Commission, in accordance with the provisions of these Regulations, the CONI Sports Agent Regulations and the Disciplinary Sports Agent Regulations approved by CONI, which they declare to accept at the time of registration in the FIP Register and any renewal thereof.

2. Without prejudice to the provisions of these Regulations and the CONI Sports Agent Regulations, the rules of conduct, code of ethics and related duties and restrictions that Sports Agents are required to comply with, the rules governing the exercise of the disciplinary power of the FIP Sports Agent Commission and the CONI Sports Agent Commission as well as the rules of the disciplinary procedure are contained in the Disciplinary Regulations for Sports Agent approved by CONI, which Sports Agents declare that they are aware of and accept at the time of registration in the FIP Register and any renewal thereof.

## **Article 18 – Athletes' duties**

1. An athlete wishing to rely on the services of a sports agent must liaison solely with a person registered in the National Register and the FIP Register or the Special Section thereof, retaining him/her in the manner as set out in Chapter II of these Regulations.



2. Any agency agreement signed in breach of the duties referred to in the foregoing paragraph shall be deemed to be null and void and its execution shall constitute a disciplinary violation by the athlete and shall result in a report being filed, and the related documents being submitted, to the FIP Prosecutor's Office.

3. If an athlete does not rely on the assistance of a sports agent, then this must be expressly mentioned in the sports service agreement.

## **Article 19 – Clubs' duties**

1. A club wishing to rely on the services of a sports agent must liaison solely with a person registered in the National Register and the FIP Register or the Special Section thereof, retaining him/her in the manner as set out in Chapter II of these Regulations.

2. Any agency agreement signed in breach of the duties referred to in the foregoing paragraph shall be deemed to be null and void and its execution shall constitute a disciplinary violation by the club and shall result in a report being filed, and the related documents being submitted, to the FIP Prosecutor's Office.

# **Chapter II – Assignment criteria**

## **Article 20 – Agency agreement**

1. A sports agent may only look after the interests of an athlete or a professional club after receiving a written assignment. In the discharge their duties, sports agents must prevent any kind of conflict of interest from occurring, whether potential or otherwise.

2. The written assignment, under which the sports agent acts as liaison between the parties concerned for the purposes referred to in Article 1(1), shall be known as an "agency agreement".

3. Without prejudice to the professional skills recognised by law, as well as the provisions of Section 348 of the Italian Criminal Code, an agency agreement entered into by a person not listed in the National Register and the FIP Register shall be deemed to be null and void. A sports agent who was likewise a party thereto shall be subject to the sanctions referred to in Article 17(4).

## **Article 21 – Agency agreement requirements**

1. An agency agreement must be in writing and contain at least the following requirements:

- a) Full details of the contracting parties;
- b) Object of the agreement;
- c) Date of execution of the agreement and its term, which may not exceed two years, under pain of being reduced by law to such term (if no term is stated, then the agreement shall be deemed to be effective for two years);
- d) Consideration due to the sports agent as well as terms and conditions of payment, which payment must be made exclusively by the principal(s). However, upon execution of an agreement with the entity to whom professional services are to be provided, the client may provide his/her written consent to authorise the aforesaid entity to pay the sports agent directly on his/her behalf according to the terms and conditions laid down in the agreement;



- e) Signature by the parties to the agreement and, if the agreement pertains to sport services to be provided by a minor, then signature by one of the persons having parental authority or legal guardianship;
- f) Number of parties on behalf of whom the sports agent acts and, where several parties are involved, the written consent of all of them.
- g) Details of the insurance policy taken out pursuant to Article 4(3) and Article 10(1)(f) of the CONI Sports Agents Regulations.

2. Termination clauses and possible penalties must be stated in the agency agreement.
3. The agency agreement may contain an arbitration clause for arbitration to be administered by the Arbitration Dispute Panel established by the Italian Basketball Federation and governed under the Rules of Procedure of the Italian Basketball Federation.
4. The agency agreement must be drawn up in Italian or in the language of one of the countries of the European Union. In the latter case, a sworn translation must be filed in Italian.
5. An agency assignment may be granted:
  - a) By one or more parties (aka multiple agency assignment);
  - b) Exclusively or without an exclusive agreement.
6. An agency agreement may not be tacitly renewed.

## **Article 22 – Remuneration of sports agents**

1. The parties shall be free to set the consideration due to the Agent.
2. The amount of such consideration shall be generally calculated on the basis of the Athlete's gross annual remuneration as shown in the playing contract signed by the Athlete.
3. Failure by the parties to specifically set the Sports Agent's consideration shall cause a 5% rate of the Athlete's gross annual remuneration to apply as a consideration payable to the Sports Agent.

## **Article 23 – Filing of agency agreements**

1. Under penalty of voidance, agents shall be required to file the agency agreement with the secretary's office of the FIP Sports Agent Commission within twenty days of the date of execution, using the standard templates prepared by the Italian Basketball Federation. Agency agreements shall be effective as of the date of filing with the secretary's office as aforesaid.
2. Agents shall also be required to file any amendments to the agency agreement as well as any notices of termination or withdrawal within 20 days of their occurrence.
3. Sports agents shall immediately notify the other parties of the filing and send them the relevant documentation.

## **Article 24 – Agency agreement register**

1. An agency agreement register shall be maintained at the secretary's office of the FIP Sports Agent Commission. The Italian Basketball Federation shall ensure the keeping and disclosure criteria thereof as laid down by law.



## Article 25 – Acceptance of service

1. The provisions set out in this Chapter shall also apply with regard to domiciled Sports Agents as referred to in Article 23(1) of the CONI Sports Agent Regulations.

2. Acceptance of service – with domicile to be chosen at a sports agent holding a permanent licence and duly registered with the FIP Register – shall, in accordance with Article 23(2) of the CONI Sports Agent Regulations, result in the:

a) Obligation to file the professional collaboration agreement with the FIP Sports Agent Commission, complete with a certificate of residence with history details, and records proving registration for at least one year with the Register of the National Sports Federation of the State of residence, or with the relevant International Federation;

b) Domiciliary agent's obligation to collect the remuneration arising under the agency agreement and, consequently, to pay the domiciled sports agent his share of the remuneration, in accordance with the terms and conditions set out in the professional collaboration agreement. The foregoing shall be without prejudice to the obligation of the domiciliary agent and the domiciled sports agent – each to the extent as applicable under their own national legal system – to fulfil any and every tax obligation, including payment thereof;

c) The domiciliary agent also being held liable for violations or irregularities committed by the domiciled sports agent;

(d) The obligation for the domiciled sports agent and the domiciliary agent to act jointly within the scope of the agency, it being understood that the latter shall be required to act in accordance with the instructions given by the domiciled sports agent.

3. The domiciled sports agent's registration with the list referred to in Article 2(1)(f) shall be valid for the relevant calendar year and shall match the domiciliary sports agent's registration with the FIP Register, with renewal thereof being applicable.

4. For the purposes of registration with the special list of domiciled sports agents, domiciled sports agent must submit, whether electronically or otherwise, an application using the form provided in Annex E. The application must be sent to the FIP Sports Agent Commission at the Federazione Italiana Pallacanestro by certified email [PEC] to [gjustizia.fip@pec.it](mailto:gjustizia.fip@pec.it). Domicile sports agents must also:

a) Prove that they meet the requirements set out in Article 23(1) and (2) of the CONI Sports Agents Regulations;

b) Prove that they meet the requirements referred to in Article 3(1)(b), (c), (d), (e), (f), (g), (h), (i), and (k) of these Regulations;

c) File a copy of the bank account for the payment of the fee referred to in Article 4(3) of these Regulations;

d) File a copy of the insurance certificate or of the professional risk insurance policy covering third party liability arising from practising in the Italian territory, consistent with the requirements laid down in Article 4(3) and Article 10(1)(f) of the CONI Sports Agent Regulations.

5. If domiciled sports agents engage in their practice as legal entities by establishing a company, this must be reflected in the collaboration agreement and, in accordance with the provisions of Article 16 hereof, the legal representative of the company must apply for registration in the appropriate list of the FIP Register

## Chapter III - Final provisions



## **Article 26 – Dispute resolution**

1. Failure to agree on the inclusion of the clause under Article 21(3) shall cause any dispute concerning the validity, interpretation and execution of agency agreements entered into by sports agents, as well as any financial dispute related thereto, to be referred to the CONI Sports Supervisory Board.

## **Article 27 – Disclosure of agent fees**

1. By 31 December of each year, sports clubs and athletes shall be required to provide the Italian Basketball Federation with data relating to fees paid to sports agents during the year, according to the template adopted by CONI pursuant to Article 25(2) of the CONI Regulations for Sports Agents.

2. By 31 March of the following year, the Italian Basketball Federation shall publish the above data on its website.

## **Article 28 – Final rules**

1. The provisions referring to sports agents shall be applicable not only to established agents but also to domiciled sports agents.

## **Article 29 - Effective date**

1. These Regulations shall become effective following their approval by the CONI National Board.



**Annex A**

**APPLICATION FOR REGISTRATION IN THE REGISTER OF BASKETBALL SPORTS AGENTS**

**To FIP Sports Agent Commission  
of the Italian Basketball Federation  
Via Vitorchiano 113 –  
00189 Rome  
Certified email [PEC]:  
giustizia.fip@pec.it**

I, the undersigned:

Name

Surname

Gender

Place and date of birth

Tax Identification Number

Place of residence

Nationality

Certified email address [PEC]

Telephone numbers

Date general test was passed

Date special test was passed

Licence:

Company in which agent operates (note: to be completed if practising as a legal entity pursuant to Article 16 of the Basketball Agent Regulations):

**HEREBY APPLY FOR**

Registration in the FIP Register of Basketball Sport Agents in the

Sports agent section

Established sports agent section

To this end, I am aware of the criminal and disciplinary liability arising from false declarations,

**HEREBY REPRESENT THAT I**





1. (i) have read and understood the text and contents of the Basketball Agent Regulations and the contents of the CONI Sporting Agent Regulations, and (ii) by registering in the FIP Register, undertake to accept and comply with all the rules set forth therein, as amended from time to time.
2. (i) have read and understood the text and contents of the Disciplinary Regulations for Sports Agents approved by CONI, and (ii) by registering in the FIP Register, undertake to accept and comply with all the rules set forth therein, as amended from time to time.
3. shall notify the FIP Commission of Basketball Sports Agents of any changes to the information provided in the Declaration by Natural Persons.
4. acknowledge and accept the disciplinary power of the FIP Sports Agent Commission and the CONI Sports Agent Commission, undertaking to comply with their decisions.
5. am aware of and undertake to comply with both the laws of the State pertaining to the practice of Agent and the regulations issued by CONI and FIP.
6. Authorise the FIP and the FIP Commission of Basketball Sports Agents to obtain information and documents from any source, including the public administration, or from myself or from private third parties, for the purpose of establishing whether I provided truthful statements and acted lawfully in the discharge of my duties.

I am attaching:

Declaration by natural persons  
Copy of valid ID paper  
Copy of valid residence permit (for non-EU citizens only)  
Code of Professional Conduct duly signed  
Copy of receipt of payment of registration fee

Copy of the insurance certificate or insurance policy complying with the requirements set out in Article 4(3) and Article 10(1)(f) of the CONI Sports Agents Regulations.

Place and date

The applicant



## Annex B

### DECLARATION BY NATURAL PERSONS

#### Pursuant to Articles 46 and 47 of Presidential Decree No. 445 of 28 December 2000

I, the undersigned:

Name

Surname

Gender

Place and date of birth

Tax Identification Number

Place of residence

Nationality

Being aware of the criminal sanctions applicable in case of untrue statements and production of false documents and misrepresentations (as under Article 76 of Presidential Decree 445/2000),

#### HEREBY REPRESENT THAT I

meet the requirements set forth in the CONI Regulations for Sports Agents and the FIP Regulations for Sports Agents as applicable to registration in the FIP Register of Basketball Agents. Notably, I declare that I:

- a) am an Italian national or a national of another European Union Member State or a national of a non-European Union State holding a regular residence permit;
- b) have the capacity to exercise civil rights and have not been declared disqualified, incapacitated, bankrupt or subject to judicial liquidation proceedings, without prejudice to the effects of discharge in bankruptcy;
- c) hold a secondary school diploma or equivalent qualification;
- d) have not been found guilty, including following non-final decisions, of offences committed with criminal intent during the past five years;
- e) have not been found guilty, including following non-final decisions, of sports fraud offences as pursuant to Law 401/1989 or of doping offence as pursuant to Section 586(a) of the Italian Criminal Code;
- f) have not been inflicted disqualification sanctions of two or more years — or shorter periods if inflicted in the past five years — for violation of the CONI Anti-Doping Sports Regulations or the provisions of the WADA World Anti-Doping Code;
- g) have not been inflicted disciplinary sanctions for sports offences;
- h) am not being subject to disciplinary sanctions inflicted by the Italian Basketball Federation or disqualification sanctions of five or more years inflicted by another national sports federation;
- i) not in default in respect of payments or am in good standing with any instalments regarding monetary sanctions inflicted under sports regulations, if applicable;



- j) hold an appropriate licence (recognised nation-wide, being EU equivalent or issued under the old system);
- k) have not been found to be in any situation of incompatibility as under Article 15 of the FIP Regulations for Sports Agents;
- l) have taken out a professional liability insurance policy (minimum term of one year);
- m) am in good standing with the payment of administrative fees.

Place and date

The applicant



## Annex C

### Code of Professional Conduct for Agents of Professional Basketball

- I. The agent shall be required to carry out his/her work conscientiously and to base his/her work on principles of fairness, loyalty, good faith and professional diligence.
- II. The agent shall fully comply with the Standards, By-laws and Rules and Regulations of both the FIP and CONI.
- III. In dealings with the players that he/she represents as well as in negotiations with clubs and any other parties involved, the agent shall act according to principles of truthfulness, clarity and objectivity.
- IV. The agent shall protect the interests of the players that he/she represents, with impartiality and in compliance with the law and sports regulations, establishing business relationships based on clarity and lawfulness.
- V. In the course of negotiations with his/her stakeholders and any other parties involved, the agent shall not fail to respect their rights. In particular, he/she shall be required to respect the contractual relations of his/her colleagues and must refrain from undertaking any action aimed at inducing athletes to revoke assignments granted to fellow agents, even if the underlying goal is not to establish new professional relationships.
- VI. The agent must keep such accounts as required by law and comply with the tax regulations in force.
- VII. At the request of FIP authorities conducting an investigation, the agent must be able to produce records and other evidence directly relevant to the matter at issue.
- VIII. Upon simple request of the person he/she is representing, the agent must, without delay, provide evidence of the costs and expenses and produce tax records as appropriate.

The agent shall authorise the processing of his/her personal data by the Italian Basketball Federation, in full compliance with the GDPR 679/16 (General Data Protection Regulation) in force since 25 May 2018.

Place and date

The agent



## Annex D

### APPLICATION FOR RENEWAL OF REGISTRATION IN THE REGISTER OF BASKETBALL SPORTS AGENTS

I, the undersigned:

Name

Surname

Place and date of birth

Tax Identification Number

Place of residence

Nationality

Certified email address [PEC]

Telephone numbers

#### HEREBY APPLY FOR

renewal of registration in the FIP Register of Basketball Sport Agents in the:

Sports agent section

Established sports agents

#### HEREBY REPRESENT THAT I

- 1) will comply with the laws, by-laws, regulations, guidelines and decisions of the CONI, higher rank bodies and national and international sports federations in respect of which I carry out my professional duties;
- 2) will work in accordance with the principles of loyalty, fairness, uprightness, dignity, diligence and competence;
- 3) will notify the FIP Commission of Basketball Sports Agents of any change to the information provided in the Declaration by Natural Persons;
- 4) meet the requirements set forth in the CONI Regulations for Sports Agents and the FIP Regulations for Sports Agents as applicable to renewal of registration in the FIP Register of Basketball Agents. Notably, I:
- 5) am not in any situation of incompatibility as under Article 18 of the FIP Regulations for Sports Agents;
- 6) confirm that all the statements made at the time of first registration in the Register are true and current;
- 7) will acknowledge the competence, functions and powers of the FIP Sports Agent Commission and comply with any disciplinary measures adopted by it;
- 8) Authorise the FIP and the FIP Commission of Basketball Sports Agents to obtain information and documents from any source, including the public administration, or from myself or from



private third parties, for the purpose of establishing whether I provided truthful statements and acted lawfully in the discharge of my duties.

I am attaching:

Copy of ID paper

Receipt of payment of registration fee

Copy of the insurance certificate or insurance policy complying with the requirements set out in Article 4(3) and Article 10(1)(f) of the CONI Sports Agent Regulations.

Place and date

The agent



## Annex E

### APPLICATION FOR REGISTRATION WITH THE LIST OF DOMICILED PERSONS OF FIP REGISTER OF SPORTS AGENTS

I, the undersigned ....., born in..... on ....., nationality..... Tax ID No.:.....resident in ....., street address....., phone number.....certified email [PEC] address .....

#### HEREBY REQUEST (please tick as appropriate)

- registration of my name in the list of domiciled persons of FIP Register of Sports Agents;
- registration of ....., a company of which I am the legal representative and through which I carry out my professional activity, in the list of domiciled persons of Fip Register of Sports Agents (hereinafter referred to as the “Company”).

To this end, I choose my address for service to be at the following sports agent:

Surname.....Name.....born in.....on.....nationality.....tax id no.:....., resident in.....street address.....number..... phone.....certified email [pec] address..... Registered with the CONI National Register of Sports Agents, licence No.....

Being aware of the criminal sanctions applicable in case of untrue statements and production of false documents and misrepresentations (as under Article 76 of Presidential Decree 445/2000),

#### HEREBY REPRESENT THAT I

- meet the requirements under Article 25 of the Basketball Agent Regulations for registration with the List of Domiciled Agents, and more specifically
- have the capacity to exercise civil rights and have not been declared disqualified, incapacitated, bankrupt or subject to judicial liquidation proceedings, without prejudice to the effects of discharge in bankruptcy;
- hold a secondary education diploma or equivalent;
- have not been found guilty, including following non-final decisions, of offences committed with criminal intent during the past five years;
- have not been found guilty, including following non-final decisions, of sports fraud offences as pursuant to Law 401/1989 or of doping offence as pursuant to Section 586(a) of the Italian Criminal Code;
- have not been inflicted disqualification sanctions of two or more years — or shorter periods if inflicted in the past five years — for violation of the CONI Anti-Doping Sports Regulations or the provisions of the WADA World Anti-Doping Code;
- have not been inflicted any disciplinary sanctions for sports offences;
- am not be subject to ongoing disciplinary sanctions inflicted by the Italian Basketball Federation or disqualification sanctions of five or more years inflicted by another national sports federation;
- where monetary sanctions have been inflicted under sports regulations, have settled the related payments or be in good standing with any instalments;





- am not in any situation of incompatibility or conflict of interest as referred to in Article 15 of the Basketball Agent Regulations;
- have not violated, while engaging in my practice, either the principles laid down by the CONI Sports Agent Regulations and those of the Italian Basketball Federation or those laid down by the national sports federation of another country or by the international federation under whose authority I operate;
- have been a resident for at least one year in a State other than Italy (San Marino and the Vatican City) .....
- have been licensed for at least one year to act as a sports agent by the corresponding national sports federation of such other State, in whose register I am duly listed, or by the relevant international federation;
- have received and actually executed at least two agency agreements over the past year;
- have taken out a professional liability insurance policy (minimum term of one year) with an insurance company having its registered office in Italy or in another Member State of the European Union; Insurance company....., policy no....., limit....., effective date.....;

**I FURTHER REPRESENT THAT I SHALL**

- comply with the rules of state and sports legal systems, statutory rules, regulations, directives and decisions of CONI, higher rank bodies, of the Italian Basketball Federation and of the International Sports Federations under the authority of which I engage in my practice, whether acting as a natural person or legal entity pursuant to Article 16 of the Basketball Agent Regulations;
- acknowledge the jurisdiction, functions and powers of the CONI Sports Agent Commission and FIP Sports Agent Commission, undertaking to comply with any disciplinary measures adopted by them.
- accept the CONI Disciplinary Regulations for Sports Agent, as amended from time to time;
- abide by the Code of Professional Conduct of the Italian Basketball Federation;
- wish to receive any communication pertaining to this application and its subsequent phase, including the outcome of inclusion in the FIP Register of Sports Agents, at the email address of the Domiciliary Agent, with such communication having full legal value and without any further communication being required from FIP, even in the event that an ordinary email address has been specified instead of a certified email [PEC] address;
- engage in my practice in accordance with the principles of loyalty, fairness, uprightness, dignity, diligence and competence;
- notify FIP Sports Agent Commission of any changes to the information provided in this application within twenty days of the fact or event that gave rise to any such change;
- authorise FIP and the FIP Basketball Sports Agent Commission to obtain information and documents from any source, including the public administration, or from myself or from private third parties, for the purpose of establishing whether I provided and filed truthful statements and have been acting lawfully in the discharge of my duties.

**I FURTHER REPRESENT THAT (only if a company)**

- the corporate purpose of the Company includes the activity governed under the aforementioned Regulations as well as any activities related thereto;
- the sports agent partners of the Company hold direct absolute majority of the share capital;
- representation and management powers of the Company are vested exclusively with sports agents qualified to perform the activity in accordance with the aforementioned Regulations;
- any other persons without a licence are not vested with any powers of representation or management and in any event do not engage in activities even indirectly similar to those of a sports agent;
- the Company's partners do not own, whether directly or indirectly, any interest in other companies having a similar corporate purpose;
- I undertake to notify and file with FIP Sports Agent Commission any changes to company information provided in this application within twenty days of the fact or event that gave rise to any such change;



**ENCLOSURES**

- Copy of signed professional collaboration agreement;
- Copy of licence;
- Copy of valid identification document;
- Copy of insurance policy;
- Copy of payment of registration as under Articles 4(3) and 25(4c) of the Basketball Agent Regulations;
- Copy of the memorandum of association (only if a company);
- Copy of the articles of association (only if a company);
- Copy of the Company's up-to-date Chamber of Commerce certificate or, in the case of companies incorporated under foreign law, equivalent documentation or a statement in lieu of certificate pursuant to Articles 46 and 47 of Presidential Decree 445/2000 (only if a company);
- List of employees and contractors (only if a company).

Place and Date, \_\_\_\_\_

Domiciled Agent's Signature \_\_\_\_\_

To signify acknowledgement of the obligations and restrictions under the FIP Sports Agent Regulations

Domiciliary Agent's Signature \_\_\_\_\_



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