



ALBUQUERQUE & ASSOCIADOS  
LL. LAW FIRM



## **Regulation of Players' Agents and Third Party Ownership**

*"Theory and Practice"*

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**Albuquerque & Associados (Portugal) & Edge Hill Centre for Sports Law Research (United Kingdom)**

**Lisbon, 17 June 2014**

### **15.00 Welcome & Opening**

*António Mendonça Raimundo – Albuquerque & Associados*

### **15.10 Introduction: International regulation of Players' Agents and Third Party Ownership**

*Prof. Richard Parrish - Edge Hill Centre for Sports Law Research*

### **15.50 TPO in Portugal: An Overview from a Legal and Fiscal Perspective**

*António Mendonça Raimundo / Henrique Nogueira Nunes – Albuquerque & Associados*

### **16.15 Refreshments**

### **16.30 TPO: fiscal residence of Football Investment Funds in the Netherlands**

*Patrice van Oostaaijen – Maguire*

### **16.50 Panel Discussion – Moderator: João Querido Manha, Director of newspaper *Record***

- *Roberto Branco Martins*
- *José Fanha Vieira*
- *Serge Rossmeisl*
- *Alexandre Miguel Mestre*
- *Luis Paulo Relógio*

### **17.45 Conclusion and Closing Remarks**

*Networking cocktail offered by Albuquerque & Associados*

\*With the participation of representatives of the Liga Portuguesa de Futebol Profissional (LPFP), Sindicato dos Jogadores Profissionais de Futebol (SJPF) and the Associação Nacional de Agentes de Futebol (ANAF).

## Profiles

### **Richard Parrish**

*Professor Richard Parrish is the Director of the Centre for Sports Law Research at Edge Hill University, Ormskirk, United Kingdom. His research explores the interface between sport and European Union law. He is author of two monographs and two edited collections and he has co-authored sports law reports for the European Commission and the European Parliament. Professor Parrish is a member of the European Commission's Group of Independent Sports Experts (2010) and acts as an expert adviser for the European Commission's TAIEX programme with work having been undertaken in the Ukraine, Albania, Belarus and Turkey on the approximation of European laws relevant to sport. He is also a Specialist Adviser to the House of Lords Inquiry into Grassroots Sport and the European Union (2010/11). He is Honorary Chair of the Association for the Study of Sport & the European Union, a group now numbering over 400 members. Professor Parrish is an editorial board member on the International Sports Law Journal, the International Journal of Sports Policy and Politics, Sport and the Law Journal and the European Sports Law and Policy Bulletin.*

### **Antonio Mendonça Raimundo**

*Born in Porto, graduated in law from the Universidade Católica, Lisbon, in 1986. Diplome Supérieur d'Études Françaises, University of Toulouse. Member of the Portuguese Bar Association since 1987. He joined the firm in 1987. He heads the Commercial, Corporate and M&A Department, working in international and domestic practice centred on corporate law and international contracts, with a special emphasis on mergers and acquisitions. He has specialized in acquisitions in Portugal and abroad by Portuguese companies, and in the negotiation and signing of joint venture agreements and other international corporate link-ups. Much of his work has been in the telecommunications and IT, and he has also taken an active part in investment processes and operations, including the negotiation of foreign investment agreements and privatization of public sector companies and assets. His various publications include Leasing Law in the European Economic Community, 1991, London, Euromoney Books, 2nd edition 1993 (co-author: Finance Leasing Law in Portugal), Agency and Distribution Contracts in Portugal, 1992, Chamber of Trade and Industry, Valencia (Spain), Telecommunication Laws in Europe, London, Butterworths, 1998, and Tottel Publishing, 2005 (co-author of the chapter on Portuguese telecommunications law). He has appeared as a speaker at various conferences in his specialist field in Portugal and abroad.*

### **Henrique Nogueira Nunes**

*Born in Lisbon, graduated in Law from the Law Faculty of the University Lusíada of Lisbon. He also has a specialization course in taxation from the Lisbon University for Business Sciences and Techniques (OVERGEST/ISCTE) and postgraduate in Business Law from the Catholic University of Lisbon. "Is clear in presenting his points, taking time for all necessary explanations, clients comment" in Chambers Europe 2009. Member of the Portuguese Bar Association, of the Portuguese Tax Association, of the International Tax Association and of the Hispano-Portuguese Chamber of Commerce. Former tax consultant at the Tax Division of Deloitte – Lisbon, former lawyer at the Tax Department of Simmons & Simmons and former responsible partner for the tax department in the law firm of Alves Pereira & Teixeira de Sousa, he is author of several articles related to the Portuguese tax system at Verlag Dashöfer Portugal and Euromoney Tax Handbook. He is responsible for the department of tax law.*

### **Patrice van Oostaijen**

*Holds degrees in civil law from Utrecht University and in tax law from Leiden University. Patrice founded Amsterdam-based Maguire Tax & Legal in 2006, a boutique firm servicing the sports branche on national and international level. He has been involved in numerous football transfers and is experienced in building corporate income structures, royalty structures and other structures that benefit from the extensive tax treaty network of The Netherlands. Besides football players and agents, Maguire counsels racing drivers, professional fighters, entertainers/artists and regular entrepreneurs.*

### **Roberto Branco Martins**

*Branco Martins started in 2002 as the European Affairs Manager of the Dutch Professional Football League clubs (FBO). In his two years at the FBO, Branco Martins managed two international projects that were funded by the European Commission. During these projects he joined the Asser International Sports Law Centre (The Hague) where he managed and participated in numerous international projects in sports law for over ten years. In 2005 Branco Martins joined the University of Amsterdam (UvA), where he established the courses "labour law and sport" and "International Sports Law". In 2006 Branco Martins created, together with leading Players' Agents, Pro Agent, a Dutch business association uniting Licensed Player's Agents. In 2007 the creation of the European Football Agents Association (EFAA) followed. EFAA is currently the international voice of the Player's Agents and is recognized by the European Commission and the football stakeholders as an official organization. Branco Martins is the general counsel of EFAA and represents the organisation in all international activities. Since 2011 Branco Martins is registered at the Amsterdam Bar Association as an advocate. He runs the sports law practice of AbelN Advocaten. Branco Martins has written numerous articles in international labour and sport law journals as well as contributions to sport law books, as an author or editor. He is a regular speaker at international sports law events and guest lecturer at Universities offering sports law courses. In June 2014 he is expected to graduate at the University of Edge Hill (United Kingdom) with his PhD research on the Social Dialogue in the European Professional Football Sector.*

**Serge Rossmeißl**

*Serge Rossmeißl is director of the Dutch Professional Football Clubs Association (FBO). Serge works since 1999 in the professional football industry. He was involved in the organisation of EURO 2000 in the Netherlands and has since then never left governing positions in professional football. In 2001 he started to work for the FBO and in 2010 he became the CEO of the Dutch football clubs' body. Serge assists clubs in legal issues and in their day to day administration. He is the clubs' representative in Collective Bargaining negotiations. Also, Serge is the representative of the Dutch football employers at the European Professional Football Leagues (EPFL). At the EPFL he holds several committee positions, such as the committee that deals with player agent issues. Serge has studied law at the University of Leiden.*

**Alexandre Miguel Mestre**

*Mestre is a leading figure of International Sports Law. He has contributed in academic literature and academic debate on a number of topics dealing with sports law and the Olympic Games. He is educated as a lawyer at the University of Lisbon, where he graduated in 1998. He then completed a post-graduate course in European Union Law in Paris (Panthéon-Sorbonne). This was followed by a post-doc in Olympic Studies at Loughborough University and a Masters degree in European Studies at Lisbon Catholic University. Mestre is involved in PhD research at Edge Hill University, also focusing on EU law and sport. Before being registered at the Lisbon bar in 2003, he gained experience at the legal services of the European Commission in Brussels. He worked on many prestigious projects as the legal support of the secretary of state for sport and youth in Portugal between 2002 and 2005, after which he picked up his career as a practising lawyer. His return to politics was only to become the secretary of state for sport in 2011-2012. Currently Mestre holds a position as official counsel of Abecacis, Azoia, Moura, Marques Advogados (AAMM) in Lisbon. Next to his professional ties he is member of the International Sports Lawyers Association. Mestre teaches sports law and sport management at two Lisbon universities and is frequently invited as visiting professor in other international universities. He is a regular speaker in conferences and has written numerous articles.*

**Luis Paulo Relógio**

*Relógio has been an household name in Portuguese and international sports law for over three decades. He is the founder of the Portuguese association for sportslawyers. He is registered at the Lisbon bar since 1978. In 1993 he founded his firm Relógio, Rocha & Simões. His career is a combination of an advisory role as well as a pioneering spirit and leadership. Relógio is the long-term advisor of the Portuguese Football Federation, also in issues such as agents and Third Party investments, many times representing the Federation in UEFA committees and in FIFA special advisory functions. His current UEFA relation is focused on the licensing system for clubs in UEFA competitions. During his career he held high rank positions in a large number of sport associations such as futsal and golf. From a legislative perspective, he was part of the committee establishing drafts for sports legislation in Portugal. In addition, he was member of the legal support group surrounding Jean Marc Bosman during his epic case at the European Court of Justice. Relógio has participated in a large number of (inter)national conferences and has given lectures at many universities. He is truly one of the pillars of sportslaw in Portugal and worldwide.*

**José Eduardo Fanha Vieira**

*Fanha Vieira is licensed in law by the Lusitana University in Lisbon, where he also obtained his post graduation in sportslaw. In 1995 he opened his own law firm Fanha Vieira & Associados. He has been linked with sportslaw ever since the mid-nineties and has represented Portugal in the European Union and at the Council of Europe. These positions followed national (senior) advisory functions to the government and also to the secretary of state for sport more in particular. Fanha Vieira contributed to legal literature by publishing the collections on sports legislation, many of which he was involved in the process of drafting and revisions. The Portuguese sport institute is responsible for the collaboration with the government in implementing sports policy and law. Fanha Vieira was the Vice President of this institute for three years, until 2011. Currently he is the advisor on the revision of the basic Portuguese sports act, where the issue of players' agents is mentioned as a topic for potential further regulation.*