

**CANADA SOCCER
CLUB LICENSING REGULATIONS
NATIONAL YOUTH CLUB LICENCE
MARCH 2018**

PREAMBLE

- ▶ The following are the Club Licensing Regulations of the Canadian Soccer Association, hereinafter referred to as Canada Soccer, which reflect the principles of the FIFA and CONCACAF Club Licensing Regulations.
- ▶ Canada Soccer recognizes the everyday effort club stakeholders, especially their owners, boards, administrators, and technical personnel make for our Canadian players, professional and amateur, youth and senior, female and male, to have an opportunity to play soccer and futsal. These efforts also contribute to bringing our game to fans at the stadiums, on their television screens and on the radio so that soccer may be enjoyed by all.
- ▶ The Club Licensing Regulations have been designed as a development tool for all soccer clubs in Canada. The criteria outlined in the Canada Soccer Club Licensing Program have been carefully selected to serve as guidelines for clubs looking to increase their professionalism.
- ▶ The current version of the Canadian Soccer Association Club Licensing Regulations was adopted by the Canada Soccer Board of Directors on July 20 in Ottawa, ON.

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SECTION I: INTRODUCTION

1. Goals of the Club Licensing Project

The overall aim of Canada Soccer's Club Licensing program is to raise the level of club soccer in Canada. With this in mind, four (4) main goals have been developed for professional Clubs in membership of Canada Soccer:

- ▶ Understand and safeguard club soccer in Canada;
- ▶ Raise the level of professionalism in club soccer administration;
- ▶ Identify and share best practices of our clubs and leagues to further development; and
- ▶ Formalize requirements for participation in national and regional club competitions.

Additionally, an aligned set of four (4) main goals have been developed for grassroots clubs:

- ▶ Set clearly defined standards and expectations for Clubs;
- ▶ Recognize excellence in the soccer community;
- ▶ Raise the level of all soccer organizations throughout Canada; and,
- ▶ Drive change in the soccer system.

2. The Level of Criteria

The criteria described in Canada Soccer's Club Licensing Regulations herein (the "Regulations") outline the criteria for clubs to obtain a National Youth Club Licence (hereinafter referred to as a "National Youth Licence"). The fundamental items and procedures that the following categories of clubs need to meet to receive Canada Soccer Approved Youth Soccer Club endorsement and associated MLS Home Grown Player benefits beginning in 2018:

- ▶ All grassroots Clubs wishing to be eligible for participation in the Canada Soccer Player Development Program; and,
- ▶ All grassroots Clubs wishing to be eligible to participate in standards-based national club competitions of Canada Soccer as of the 2018 season and for every club who has qualified by sporting merit to a CONCACAF club competition.

3. Scope of Application

1. These Regulations apply to all categories of youth clubs that are members of Canada Soccer, Canada Soccer member Provincial/Territorial Sport Organizations (P/TSOs), and P/TSO member Districts or Regions, excluding those to which the Regulations of the National Club Licence apply.
2. These Regulations govern the rights, duties and responsibilities of all parties involved in the Canada Soccer Club Licensing system and define:
 - a. the minimum requirements to be fulfilled by Canada Soccer to act as the licensor for our clubs;
 - b. the licence applicant (club) and the licence required to enter the Canada Soccer Player Development Program, standards-based national club competitions of Canada Soccer and CONCACAF club competition, and/or to receive endorsement as a Canada Soccer Approved Youth Soccer Club; and
 - c. the minimum criteria to be fulfilled by a club to be granted a license by Canada Soccer.

SECTION II: CANADA SOCCER CLUB LICENSING SYSTEM

4. Exception Policy

Canada Soccer and/or CONCACAF Administration may grant exceptions to the provisions set out in these Regulations.

5. Canada Soccer Responsibilities

Canada Soccer is the licensor of the Club Licensing system and is therefore in charge of implementing the Club Licensing system at the national level. For the implementation of the National Youth Club Licensing system, Canada Soccer will:

- a. Include a provision regarding Club Licensing in the Canada Soccer By-laws and/or Regulations. As an alternative, the Club Licensing system may also be based on a binding agreement between the club and Canada Soccer or between the club and the affiliated league or member P/TSO to which the Club Licensing system has been delegated;
- b. Appoint a Club Licensing Manager;
- c. Ensure consistency between the CONCACAF Club Licensing Regulations and the Canada Soccer Club Licensing Regulations, as applicable;
- d. Appoint the Club Licensing Committee; and
- e. Establish a Catalogue of Sanctions as outlined in Article 15.

6. Canada Soccer's Club Licensing Administration

Upon completion of the tasks outlined in Article 5, Canada Soccer's established Club Licensing

Administration, under the guidance of the Club Licensing Manager, will:

- a. Finalize the Club Licensing Support Manual;
- b. Determine deadlines for documentation to be presented by the club to Canada Soccer Club Licensing Manager;
- c. Make available to all clubs through the existing infrastructure (P/TSOs and/or Districts/Regions) the information necessary to apply for a National Youth Licence;
- d. Review documentation submitted by clubs;
- e. Visit each club during the licensing process;
- f. Base the licence decision-making process on a two-instance approach (i.e. first instance and appeal instance); and
- g. Inform governing P/TSO, MLS, and CONCACAF of all National Youth License decisions (approvals and denials).

7. The Soccer Club

1. The soccer club is defined as being the legal entity fully responsible for a soccer team(s) which participates in local, regional, provincial/territorial, national and/or international competitions and is a

member of or is affiliated through membership to Canada Soccer.

2. The status of a soccer club (not-for-profit or private) is not relevant to the issue of a National Youth Licence.
3. The legal form or structure of a soccer club is not relevant to the issue of a National Youth Licence.
4. Only a registered member of Canada Soccer, a P/TSO or a member through affiliation may apply for a National Youth Licence. Natural persons may not apply for a National Youth Licence.
5. Professional and/or Amateur teams may be members of a P/TSO or Canada Soccer but not both.
6. The club is fully responsible for participation in national and international soccer competitions as well as the fulfillment of the Club Licensing criteria within the deadlines established by CONCACAF and Canada Soccer.

8. The Licence

1. National Youth Licences will be issued by Canada Soccer per the provisions of these Regulations.
2. The soccer club must submit a written and signed letter of intent to apply for a National Youth Licence in advance of the deadline established by Canada Soccer.
3. Upon receipt of a written and signed letter of intent to apply for a National Youth Licence, Canada Soccer will issue a written invitation to the soccer club to apply for a National Youth Licence along with any necessary information and documentation.
4. The club applying for a National Youth Licence must submit a written application to Canada Soccer. In this application, the club must declare that it shall fulfill the obligations of the licensing system.
5. Only clubs which fulfill the criteria established in these Regulations by the relevant deadline will receive a National Youth Licence.
6. Canada Soccer will indicate the National Youth Licence expiration date.
7. A National Youth Licence may be withdrawn by the Club Licensing decision-making bodies in advance of the expiration date if:
 - a. for any reason, a club becomes insolvent and enters liquidation, as determined by Canadian (or applicable Provincial/Territorial) law. Where a club becomes insolvent but enters administration during the licensed period, the National Youth Licence will not be withdrawn if the purpose of the administration is to rescue the club and its business;
 - b. any of the conditions for the issue of a National Youth Licence are no longer satisfied; or
 - c. the club violates any of its obligations under the national regulations.

9. The Territory

1. Soccer clubs that are members of a P/TSO and are issued a National Youth Licence by Canada Soccer will be bound by the by-laws, rules, regulations, policies, procedures and guidelines of their respective P/TSO, those of the P/TSO competition or League in which it participates, and/or the Canada Soccer Player Development Program.

10. The Club Licensing Decision-Making Bodies

1. Canada Soccer shall establish a Club Licensing Committee, which can be appointed or elected, as the first instance decision-making body of the Club Licensing system.
2. The Club Licensing Committee shall be independent from the Canada Soccer Appeals Committee and shall receive administrative support from the Club Licensing Administration. A member of the Club Licensing Committee, or the Appeals Committee must in all cases immediately abstain from participating in the licensing process if there is any doubt as to his/her independence towards the club or if there is a conflict of interest.
3. Canada Soccer may nominate staff of Canada Soccer and the affiliated PTSOs and/or leagues as members of the Club Licensing Committee.
4. The Club Licensing Committee, shall decide on whether a National Youth Licence shall be granted to a club on the basis of the documents provided and in accordance with the provisions of the Regulations at the submission deadline set by Canada Soccer.
5. Canada Soccer Appeals Committee shall decide on appeals submitted in writing and make a final and binding decision on whether a National Youth Licence shall be granted.
6. All decisions by the Club Licensing Committee, must be made in writing and if a National Youth Licence is rejected, the motive for refusal must be reasoned.
7. Canada Soccer may delegate the duties of the Club Licensing Committee, to other existing bodies (e.g. committees and commissions).

11. The Decision-Making Procedure

In the Regulations or in the Support Manual, Canada Soccer shall define procedural rules with respect to decision-making. These shall, as a minimum, regulate the following standards:

- a. deadlines (e.g. submission deadlines) (refer to Support Manual);
- b. the principle of equal treatment (refer to article 12);
- c. representation (e.g. legal representation) (refer to Appeals Policy);
- d. the right to be heard (e.g. convocation, hearing) (refer to Appeals Policy);

- e. official language(s) (refer to Article 20);
- f. time limit to issue a request (e.g. calculation, compliance, interruption and extension thereof) (refer to Appeals Policy and Support Manual);
- g. time limit to appeal (refer to Appeals Policy and Support Manual);
- h. effect of the appeal (refer to Appeals Policy);
- i. type of evidence requested (refer to Appeals Policy);
- j. burden of proof (e.g. club has burden of proof) (refer to Appeals Policy);
- k. decisions (in writing with reasoning, etc.) (refer to Appeals Policy);
- l. ground for complaint (refer to Appeals Policy);
- m. content and form of pleading (refer to Appeals Policy);
- n. deliberation and hearings (refer to Appeals Policy); and
- o. cost of procedure, administrative fee and deposit (refer to Appeals Policy).

12. Equal Treatment and Confidentiality

1. Canada Soccer ensures equal treatment of all clubs applying for a National Youth Licence.
2. Canada Soccer guarantees the clubs full confidentiality regarding all information submitted during the licensing process. Anyone involved in the licensing process or appointed by Canada Soccer must sign a confidentiality acknowledgment before assuming their tasks.

13. Spot Checks

1. Canada Soccer and/or CONCACAF reserves the right to conduct spot checks, at any time, to the clubs, stadiums, training facilities and headquarters.
2. FIFA has the right to request CONCACAF to carry out a specific spot check.
3. The spot checks aim to ensure National Youth Licences have been correctly awarded by Canada Soccer at the time of the final and binding decision.
4. Upon FIFA's request, CONCACAF shall send FIFA comprehensive reports about the results of the spot checks.
5. If CONCACAF determines that Canada Soccer issued a National Youth Licence in breach of the national and CONCACAF Club Licensing Regulations, the Member Association shall be sanctioned by CONCACAF's Disciplinary Committee in accordance with the applicable disciplinary regulations. If deemed appropriate, the matter may also be referred to CONCACAF's Ethics Committee.

14. FIFA Spot Checks

1. If CONCACAF fails to implement a spot check procedure, does not carry out spot checks to Canada Soccer or does not send to FIFA, at its request, comprehensive reports about the result of the spot checks, FIFA shall set CONCACAF a deadline to do so. If this deadline is not respected by CONCACAF, FIFA has the right to carry out the spot checks directly. Canada Soccer is obliged to cooperate with FIFA for this purpose and provide FIFA with full access to the files.
2. If FIFA realizes that Canada Soccer has issued a National Youth Licence in breach of the national and CONCACAF Club Licensing Regulations, FIFA shall inform CONCACAF, so the latter can sanction the Member Association in accordance with Article 13. If CONCACAF fails to take action or fails to impose sanctions, FIFA shall set CONCACAF a deadline to do so. If this deadline is not respected by CONCACAF, the FIFA Disciplinary Committee has the right to sanction the Member Association directly in accordance with the FIFA Disciplinary Code.

15. Catalogue of Sanctions

Under the Club Licensing Regulations or the Support Manual, Canada Soccer will establish a Catalogue of Sanctions for the Club Licensing system (e.g. for non-fulfillment of National Criteria). The Catalogue of Sanctions may include, but is not limited to:

- a. a caution;
- b. a fine;
- c. the obligation to submit evidence or fulfill certain conditions by a certain deadline;
- d. the deduction of points; or
- e. the obligation to submit guarantees.

16. Option for Canada Soccer to Delegate the Club Licensing System to an Affiliated Member

1. Canada Soccer may delegate the Club Licensing system, in whole or in part, to an affiliated league or P/TSO.
2. Canada Soccer, as a member of CONCACAF, remains fully responsible for the proper implementation of the Club Licensing system, regardless of whether there is a delegation.

17. Delegation of Provincial/Territorial Youth Licence and Canada Soccer Standards for Quality Soccer

1. Canada Soccer delegates the implementation and monitoring of the Youth Club Licensing system, excluding the National Youth Licence, to the affiliated P/TSOs as outlined in the Canada Soccer Club Licensing Support Manual.
2. Canada Soccer retains the right to approve the issuing of licences by the affiliated P/TSOs.

SECTION III: CANADA SOCCER CLUB LICENSING CRITERIA

18. National Youth Club Licence Criteria

1. The criteria for the Canada Soccer National Youth Club Licence will be established by Canada Soccer.
2. Canada Soccer will review and confirm the criteria for the National Youth Club Licence and make it available by July 31 each year.

SECTION IV: FINAL PROVISIONS

19. Authoritative Text

If there is any discrepancy in the interpretation of the English or French versions of these Regulations, the English version shall be authoritative.

20. Language Correspondence

All correspondence between Canada Soccer, the league and/or club must be in one of Canada's official languages (English or French). If any correspondence is not written in any of the official languages, then Canada Soccer may request any party for a certified translation of documents at their expense.

21. Adoption and Entry into Force

These Regulations were adopted by Canada Soccer Board of Directors on 20 July 2018 and come into force with immediate effect.