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CHAPTER II. - INTERNATIONAL TRANSFER OF PLAYERS

APPLICATION OF THESE REGULATIONS

37. All decisions related to an international transfer shall be made by FIBA.
38. All decisions related to a special agreement according to article 3-40 below shall be the exclusive competence of the Secretary General.

GENERAL PRINCIPLES

39. Any basketball player shall have the right to play basketball in any country in the world, within the limits established by the General Statutes and Internal Regulations of FIBA and the eligibility regulations of the respective member federation.
40. These regulations governing international transfer apply in their entirety to all member federations. However, in exceptional circumstances, FIBA may reach a special agreement with a national member federation or one of its member organisations.
41. For national transfers, member federations are invited to draw on these Internal Regulations and to establish their own regulations governing the transfer of players in the spirit of the FIBA Regulations.

LETTER OF CLEARANCE

42. A letter of clearance must be obtained from the national member federation where a player was last licensed before he can be licensed by another member federation. A copy of each letter of clearance must be sent (also by email) to FIBA. This document certifies that the player concerned is free to be licensed by another member federation.
43. A letter of clearance may not be issued to more than one national member federation at any one time. Sanctions may be imposed on a national member federation in the event of misleading practices and/or procedures.
44. The letter of clearance may not be limiting or conditional.
If applicable, the letter of clearance must mention any sanctions applied under the auspices of the national member federation that may be in force against the player. Such mention shall include the unexpired period of suspension from playing, the unpaid amount of a monetary fine which is part of the sanction applied by the national member federation, or the unexpired portion of any other sanction.
FIBA must be informed when a letter of clearance is issued where there is an outstanding sanction.
45. The national member federation requesting a letter of clearance must indicate the name, nationality and license number of the FIBA player's agent(s) involved in the transfer, where applicable. This obligation is also valid for the national member federation receiving a request for a letter of clearance.



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46. The only reason for which a national member federation may refuse to grant the request for a letter of clearance is if the player is under contract to play for his club beyond the scheduled transfer date. See article 3-76.
A letter of clearance may not be delayed or refused because of a monetary dispute between a club and a player.
47. The national member federation may charge a maximum administrative fee as stipulated in article 3-305 for the transfer of a player under its jurisdiction to another member federation.
48. All the provisions of these Letter of Clearance Regulations apply to any player licensed by a national member federation who wishes to apply for an international transfer, irrespective of whether the player is a national or foreign player.
49. Failure to comply with the above requirements may lead to sanctions as per article 3-303.

AGE LIMIT/YOUNG PLAYERS

50. International transfer is not permitted before a player's eighteenth (18) birthday, except in special cases as decided by the Secretary General after examination of the matter with the member federations and, if necessary, with the clubs and the player concerned.

Young Players - Special Cases

51. If the proposed transfer is not linked to basketball, the transfer may be authorised.
52. If the proposed transfer is linked to basketball, the following criteria shall be taken into account when making the decision on the authorisation of the transfer:
 - a. The player's new club shall guarantee adequate academic and/or school and/or vocational training which prepares him for a career after his career as a professional player.
 - b. The new club shall provide appropriate basketball training in order to develop and/or further the player's career as a professional player.
 - c. The new club shall demonstrate that it conducts an appropriate training programme for young players of the nationality of the club's home country.
 - d. The new club shall make a contribution to a Solidarity Fund established by FIBA to support the development of young players.
 - e. The young player, his parents, the new club, and the new national member federation shall declare in writing that, until his eighteenth (18) birthday, the player will make himself available for his home country's national team and, if necessary, for the preparation time as well as for training camps provided that they do not interfere with school activities.
 - f. The transfer does not disrupt the player's schooling.
53. Not more than five (5) outward transfers of players under the age of eighteen (18) can be approved in any one year from any one national member federation; similarly, not more than ten (10) such transfers inward can be approved for any one national member federation.



These restrictions relate only to transfers linked to basketball, apply separately to male and female players and shall be based on the order in which transfer requests were received by FIBA. National member federations have the right to withdraw a transfer request for a young player before FIBA issues a decision on the matter.

54. In transfer cases linked to basketball where the player lives close to the border, as determined by FIBA on a case by case basis, FIBA may waive the contribution to the Solidarity Fund and not include such transfers in the total inward/outward number of transfers of the national member federations involved. Any subsequent national transfer of the player before his eighteenth (18) birthday, requires approval by FIBA and shall be included in the inward/outward number of transfers.
55. Where the transfer has been approved under article 3-52 the new club and the club of origin shall agree on a compensation for the development of the young player. In case they are unable to agree on such compensation the Secretary General shall fix a reasonable compensation. Such compensation shall be based primarily, but not solely, on the investments made by the club(s) that have contributed to the development of the player and shall take into account the aspects as per article 3-52.
56. At or after the player's eighteenth (18) birthday, the club of origin, i.e. the club or other organisation for which he is licensed at his eighteenth (18) birthday (the "club of origin"), has the right to sign the first contract with the young player.
57. Such contract shall be in written form and respect the laws of the country and of the federation of origin. It shall have a minimum duration of one (1) year and a maximum duration of four (4) years. A copy of such contract shall be submitted to the Secretary General who shall keep it on a confidential basis.
58. Should the player refuse to sign such contract and elect to move to a new club in another country, the two clubs shall agree on a compensation sum to be paid as per article 3-62 and inform FIBA.
59. In the event that the clubs are unable to agree on the compensation within four (4) weeks of the date on which a letter of clearance for the player in question was first requested by the new club's federation, either club has the right to request that the compensation be determined by FIBA. Such request has to be made in writing within six (6) weeks of the date on which a letter of clearance for the player in question was first requested by the new club's federation.
60. The decision as per article 3-59 shall be taken by the Secretary General who may hear the two clubs and/or federations involved and/or the player if he deems it appropriate.
61. The player shall not be allowed to play for his new club until the compensation agreed upon by the two clubs (article 3-58) or determined by the Secretary General (articles 3-59 and 3-60) has been paid as per article 3-62. In the event that an appeal is filed against the decision of the Secretary General, the player shall be allowed to play for his new club as soon as the sum of compensation determined by the Secretary General has been paid into an account of FIBA or the FIBA Zone where it will be held in escrow until the decision on the compensation is final.



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62. The compensation sum shall be based primarily, but not solely, on the investments made by the club(s) that have contributed to the development of the player. It shall be paid to the national member federation of origin which will decide on how to re-distribute the compensation sum among the clubs that have contributed to the development of the player according to specific provisions that the national member federation has officially adopted. Such provisions shall be drafted in a way to respect the principle of protection of clubs forming young players.
FIBA is to be informed of the compensation in all cases where compensation is agreed.
63. Upon expiration of the contract as per article 3-57 above, the player is free to move where he wishes without any compensation being due.
64. Member federations are invited to prepare similar regulations for their internal, i.e. national, transfer systems.
65. Unless provided otherwise, any decision related to articles 3-50 to 3-64 shall be the competence of the Secretary General.

LICENSE RESTRICTIONS

66. A player may not be licensed by more than one national member federation at the same time.
67. A player may not have more than one FIBA Foreign Player License at the same time. A FIBA Foreign Player License is issued for the duration of the national and international competitions in which the player's club is currently participating, unless the player is transferred in accordance with these regulations prior to the completion of the competitions.
68. All licenses held by the player become automatically null and void when the license is revoked by the issuing authority.
69. FIBA Zones may set a deadline to apply during the club competition season after which time a license will no longer be authorised.
70. In the event that FIBA has imposed a sanction on a player in accordance with article 3-300c. and as long as the sanction is in place, the said player cannot be licensed with any national member federation other than the one with which he is licensed at the time the ban is imposed.
71. In the event that FIBA has imposed a sanction on a club in accordance with article 3-300d. and as long as the sanction is in place, only players licensed with the said club's national federation at the time the ban is imposed can be transferred to that club.

TRANSFER PROCEDURE - DUTIES OF MEMBER FEDERATIONS

72. Whenever a national member federation receives a request for a license for any player who was licensed previously by another national federation, before granting such a



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license in accordance with its own regulations, it must obtain a letter of clearance on behalf of the player concerned. (Exception: players from academic institutions, see articles 3-113 and 3-114).

73. The national member federation may not grant the license until it has obtained the letter of clearance from the national member federation of the country where the player was last licensed or from FIBA in terms of article 3-77.

Deadline for Response

74. A request for a letter of clearance shall be sent by one of the following methods:
- Registered mail with recorded delivery;
 - Email;
 - Telefax (with confirmation of receipt);
 - Express courier with recorded delivery; or
 - Delivery by hand (with confirmation of receipt).
75. The national member federation receiving a request for a letter of clearance must reply within seven (7) days following receipt of the request. It shall either grant or refuse the letter of clearance, and shall indicate whether the player in question was in fact licensed in the national member federation receiving the request for the letter of clearance. It shall also indicate the name, nationality and license number of the FIBA player's agent(s) involved in the transfer, where applicable.
76. If the national member federation refuses the request for the letter of clearance in terms of article 3-46 above, this national member federation shall notify the party requesting clearance and FIBA immediately. The refusal shall be accompanied by a copy of the valid contract in question duly dated and signed by the parties involved. A certified English or French translation of this contract shall be attached.
77. If there is no response within the seven (7) day period, the requesting national member federation shall immediately notify FIBA. This communication must be accompanied by a copy of the first letter requesting clearance addressed to the national member federation concerned and a copy of the passport of the player in question. FIBA will authorise the granting of the license without a letter of clearance, unless there are exceptional circumstances as approved by the Secretary General (however, see articles 3-50 to 65 regarding the transfer of players under eighteen [18] years of age).

PLAYERS' AVAILABILITY TO PLAY FOR A NATIONAL TEAM

General Principles (see also articles 3-1 to 3-9)

78. Any club which signs a contract with a player is obliged to release that player when he is summoned by a national member federation to play for its national team in any age category in a main official competition of FIBA.

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79. Any player registered with a club is obliged to reply in the affirmative when summoned to play for his national team.
80. Upon an international transfer, each national member federation must guarantee to FIBA its responsibility in ensuring that this provision is applied by the clubs.
81. Any special agreement reached by FIBA in accordance with article 3-40 of the Regulations governing the International Transfer of Players shall remain unaffected.

Procedure for Calling a National Team Player

82. A player's availability must be requested by the national member federation concerned in a communication to the national member federation or club with which the player is registered at least thirty (30) days before the first day of the game(s). The request must be sent by one of those methods listed in article 3-74.
83. The player should be available at least for the duration of the competition or for each individual competition day, as well as for a preparation time of:
 - a. Seventy-two (72) hours for qualifying games;
 - b. Fourteen (14) days for a tournament in a main official competition.
84. The member federations concerned may agree on a shorter period of preparation. However, the player must under all circumstances arrive forty-eight (48) hours before the beginning of the first game and be released to return to his club within twenty-four (24) hours of the end of the game(s).
85. If the national team competition is outside the club competition season, the above deadlines do not apply and shall be determined by the requesting national member federation in a reasonable way.
86. A player who claims when summoned that he has an injury or illness, and that he is unable to play must, if the requesting national member federation so wishes, undergo a medical examination by a doctor chosen by the requesting national member federation.

Financial Considerations Involving Players Called for National Team Duty

87. A club having entered into an agreement with a player is obliged to release the player to the requesting national member federation, without any financial indemnity for the period provided for in article 3-83 above.
88. The requesting national member federation must assume the player's travel expenses.
89. The club to which the player is under contract is responsible for covering the player's insurance costs in the case of injury or illness whilst on release from the club and, particularly in the event of injury, during the game(s) to which he is summoned.

Sanctions

90. If a player licensed with a club is called to play on his national team for one of the main official competitions of FIBA and this player refuses to play for his national team for



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whatever reason (including injury or illness), he may not play for the club with which he is licensed for the entire duration of the training period and the competition. Restriction from playing for his club will be increased by thirty (30) days if the player's refusal to play is not manifestly due to illness or injury.

If the period of application of the thirty (30) day sanction falls outside the national championship season, it is carried over to the following season.

91. If a club refuses to release a player, the club is liable to:
 - a. A fine as stipulated in article 3-303; and/or
 - b. A suspension.
92. If a club allows a player to play during the period provided for in article 3-90, this club is liable to:
 - a. A fine as stipulated in article 3-303; and/or
 - b. A suspension; and/or
 - c. A default of zero: twenty (0:20) for all games played with the player during the said period, unless the club loses by more than twenty (20), in which case the result stands.
93. Should a national member federation act against the spirit and/or the letter of this rule, this national member federation is liable to:
 - a. A fine as stipulated in article 3-303 and/or
 - b. A suspension.
94. The decisions as per articles 3-91, 3-92 and 3-93 above shall be taken by the Secretary General. The decisions shall be subject to appeal.
95. Should a club be sanctioned in accordance with articles 3-91 and/or 3-92 the national member federation of this club is responsible for enforcing those sanctions.
96. In the event that a club fails to settle its debts with the FIBA Zone, that Zone shall be authorised to collect these debts from the national member federation to which the club is affiliated.

DISPUTES

97. All disputes arising from a refusal to issue a letter of clearance shall be decided within seven (7) days of the point in time when the dispute has arisen by the Secretary General of FIBA with the possibility of appeal (see article 3-112).
The foregoing shall apply mutatis mutandis in the event of a dispute regarding the question to which national member federation a player transfers.

BILATERAL AGREEMENTS

98. National member federations may establish bilateral agreements regarding the transfer of players between clubs of the two countries involved, with provisions to regulate such transfers to the satisfaction of all concerned. Such agreements must be approved by the Secretary General of FIBA before being implemented.

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ILLEGAL TRANSFERS

99. Any international transfer having taken place without a letter of clearance is invalid and, in this event, a national member federation issuing a license will be liable to a fine in accordance with article 3-110 of these Regulations.
100. Any international transfer carried out in accordance with the procedures set out in these regulations, but having taken place after an illegal transfer, is null and void, other than in exceptional cases upon the decision of the Secretary General.

CHAPTER III. - REGISTRATION OF PLAYERS AND FIBA PLAYER LICENSES

REGISTRATION

101. Member federations must register all foreign players in their country. Additionally, they must annually:
 - a. Obtain a Foreign Player "A" License from the FIBA Zone for those players participating in the 1st and 2nd divisions of the national championship. After the national member federations have registered players for their respective national championship, they have a period of ten (10) days within which the documents required to obtain an "A" License must arrive at the FIBA Zone.
A failure to abide by this deadline will incur an administrative fine as stipulated in article 3-303.
 - b. Obtain a FIBA Player "B" License from FIBA for those players participating in official cups and tournaments of FIBA.
 - c. Register with the Secretariat of the competent Zone a list indicating full name, nationality by birth, current nationality and club's name for each foreign player having reached the age of eighteen (18) and participating in the 3rd and 4th divisions.

PROCEDURE

102. FIBA authorises the Zones to issue "A" and "B" licenses within their respective Zones.
103. To obtain a Foreign Player "A" License from the FIBA Zone, each national member federation must submit the following documents to its Zone Secretariat:
 - a. List of its foreign players' names;
 - b. Registration form for each foreign player;
 - c. Letter of clearance or statement for players from academic institutions;
 - d. Photocopy of the player's passport showing the bearer's full name (and, if applicable, his former name[s]), date and place of birth, legal nationality and date of expiry;
 - e. A recent passport-compliant photograph of the player.