



REGULATIONS FOR BASKETBALL SPORTS AGENTS

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) Executing agreements for the transfer of the supply of professional sports services;
- iii) Arranging for players to be registered with a national professional sports federation.

2. These Regulations are to be deemed to be in addition to and to form an integral part of all the FIP Regulations, which are and shall remain rules applicable to all individuals operating within the FIP. 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 enrolled 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, which reason must be stated;
- d) List of sports agents who have been subject to disciplinary proceedings that can no longer be contested, leading to their removal from the list;
- e) List of the businesses established by registered sports agents who organise their activities in accordance with the provisions of Article 16, such list being approved by CONI;
- f) List of domiciled sports agents (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 but who have not passed tests equivalent to those required in Italy for the purpose of engaging in the activities outlined in Article 1(1) hereabove, or individuals who are licensed to operate in a non-EU Member State for such purpose);
- g) List of sports agents requiring compensatory measures;

h) List of sports agents in respect of whom training compensatory measures apply.

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

- a) First name, last name, gender, place and date of birth, nationality, tax identification number, residence of registered members, certified email [locally known as PEC] address, telephone numbers;
- b) Date, number and expiry date of the (i) certificate of enrolment in the FIP Register or (ii) certificate of renewal thereof;
- c) Number of identification card issued by the FIP and CONI;
- d) Whether activities are carried out on an independent basis or through a business (i.e., a partnership or a company);
- e) In the event that activities are carried out through a business, the following information shall be required: first name, last name, gender, place and date of birth, nationality, tax identification number, residence, certified email [PEC] address, telephone numbers of the legal representative of the company, as well as VAT registration number, tax identification number, certified email [PEC] address and registered office of the company;
- f) Disciplinary measures, if applicable.

Article 3 – Individual eligibility requirements for enrolling in the FIP Register

1. In order to be eligible for enrolment and to maintain enrolment in the FIP Register, an individual must: a) be an Italian national, 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;

l) 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;

m) be in good standing with the payment of administrative fees as set out in Article 4(2).

2. Established sports agents shall be enrolled 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 enrolled. The provisions under 1 above shall apply to established agents.

Article 4 – Registration process

1. Sports agents shall be enrolled in the Register by submitting an application using the template provided in Annex A, together with the Declaration for Natural Persons to be completed as per template provided in Annex B, whereby the sports agent declares that he/she meets all the requirements as under Article 3 hereabove. Sports agents must also sign the “Code of Professional Conduct” provided in Annex C.

In any event, when completing the application form sports agents shall be required to provide their certified email [PEC] address where any communication concerning their position should be sent.

2. Enrolment in the Register shall require (i) a payment to be made in respect of administrative fees totalling € 300.00 (EUR three hundred/00) — as a contribution to cover Register keeping and maintenance costs — and (ii) a professional liability insurance policy to be taken out (minimum term of one year).

3. Payment may be made by bank transfer payable to FIP - Federazione Italiana Pallacanestro - IBAN: IT90A0100503309000000010119, specifying in the details of payment “Enrolment in the register of basketball sports agents for the year _____”, together with the name of the sports agent submitting the application. A copy of the bank receipt must be attached to the application form.

4. The FIP Sports Agent Commission shall, without prejudice to the effects of procedures for remedying deficiencies, ensure that sports agents are enrolled in the FIP Sports Agent Register within twenty days of the application and shall issue a certificate of enrolment to the applicant.

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

6. By submitting an enrolment application, sports agents undertake to comply with the laws of the State and of the sports legal systems, such as, by way of example and not limitation, statutory rules, regulations, directives and decisions of CONI, higher rank bodies, the Italian Basketball Federation and the FIBA, whether or not they carry out their activity as a business pursuant to Article 16.

7. By applying for registration, sports agents undertake to acknowledge the competence, functions and powers of the FIP Sport Agent Commission and comply with any disciplinary measures adopted by it. Sports agents also undertake to sign the Code of Professional Conduct for Sports Agents.

Article 5 – Annual enrolment renewal

1. Without prejudice to the permanent nature of the licence obtained upon passing the qualifying examination, agents intending to continue to practice must, within thirty (30) days of the expiry of their enrolment, apply for renewal thereof in order to continue to be listed in the FIP Register. The application must be submitted using the template provided in Annex D either by certified email [PEC] or registered letter with acknowledgement of receipt.

2. Renewal of enrolment in the FIP Register shall require (i) a payment to be made in respect of administrative fees totalling € 300.00 (EUR three hundred/00) — as a contribution to cover Register keeping and maintenance costs — and (ii) a professional liability insurance policy with to be taken out (minimum term of one year).

3. Within 20 days of receipt of the application, the FIP Sports Agent Commission shall provide agents with the relevant enrolment renewal certificate.

4. By submitting an application for renewal, agents shall, pursuant to Articles 46 and 37 of Presidential Decree No. 445 dated 28 December 2000, shall acknowledge that all the statements provided when they first enrolled in the Register are true and current.

5. Upon establishing that no application has been submitted and/or payment has been made, the FIP Sports Agent Commission shall grant a period of no more than 30 days to make good any such failure. Failure to do so shall result in agents being removed from the Register.

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;
- b) Failure to apply for renewal and/or to pay the enrolment renewal fee as under Article 5(1) and (2);
- c) Failure to meet one of the individual eligibility requirements set forth in Article 3;
- d) Removal from the National Register;
- e) Failure to meet the obligation to attend refresher courses as under Prime Minister's Decree dated 23 March 2018, as amended from time to time. The FIP Commission shall be required to notify the CONI Sport Agent Commission on a yearly basis of the names of sports agents who failed to meet such requirement.

2. Prior to adopting the measure referred to under 1(a), (b) and (c) above, the FIP Sports Agent Commission shall send a notice to sports agents to inform them of the 15 (fifteen) strict time limit within which they may provide clarifications or evidence to prove their good standing.

Upon receiving such clarifications, the Commission shall take a final decision.

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

4. The FIP Sports Agent Commission shall forthwith forward the measure adopted to the CONI Sports Agent Commission.

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

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.

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. In the discharge of its duties as under Article 8(1)(h), the Sports Agent Commission, consisting of a three-member panel designated by the Chairman of the Commission, shall have first instance jurisdiction in respect of any infringement committed by sports agents regarding the provisions set forth in these Regulations and in the FIP Regulations in general as well as in the CONI Regulations for Sport Agents.

6. 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.

Article 8 – Duties and powers

1. The FIP Sports Agent Commission shall:

- a) Dispatch formalities for enrolling in the Register individuals who meet the requirements set forth in Article 3;
- b) Define the examination syllabus for the special test;
- c) Prepare the notice for the qualifying examination, setting out the date and place of where the special test will be held, the eligibility requirements and the exam subjects, and shall be responsible for the publication of such notice;
- d) Exclude from the special test any candidates who fail to meet the necessary requirements;
- e) Decide on applications for enrolment in the Register submitted by successful candidates after they have fulfilled the requirements set out in these Regulations and shall issue a FIP Register enrolment certificate;
- f) Arrange for agents to be removed from the Register in the cases as set out in Article 6;
- g) Upon request of the individual concerned — in the case referred to in Article 6(5) — decide whether to renew enrolment in the FIP Register;
- h) Adopt sanctioning measures in the cases as under Article 17;
- i) Arrange for suspensions to be lifted when it finds that the conditions that led to the adoption of the underlying measure no longer apply;
- j) Arrange for checks to be performed, insofar as it deems it apposite, including by requesting sports agents to produce appropriate evidence proving the truthfulness of the statements they provided at the time they were enrolled in the FIP Register or applied for renewal;
- k) Require Italian sports agents and established sports agents to refrain from accepting service on behalf of individuals who, in the discharge of their duties, have violated the principles laid down in these Regulations, the FIBA Regulations or the CONI Regulations for Sports Agents.
- l) Include in the FIP Register a list of legal entities, authorised by CONI, through which sports agents may carry out their activities;
- m) Keep and maintains, as instructed by CONI, the agency agreement register.

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 enrolment 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 enrolled 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 enrolled 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 enrolment 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 FIP Sports Agent Commission, which shall determine the test syllabus and date. 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 May and November, 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 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 with the CONI and FIP By-laws and Regulations, and to ensure that 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 enrolment. They shall do so within twenty days of the fact or event that gave rise to any such changes.

4. Sports agents shall attend refresher courses organised or endorsed by the Italian Basketball Federation for a minimum amount of training hours per year, as set out in an appropriate FIP resolution.

5. 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.

6. Sports agents shall be required to refrain from liaising with athletes who have already entered into an agreement with another sports agent with the aim of inducing them to terminate the agreement ahead of its expiry date or of violating the obligations thereunder.

7. Sports agents shall not be allowed to extend or pay commissions or other fees or give gifts to colleagues or third parties as a consideration for any referral (whether concerning athletes or sports clubs) or for gaining assignments.

8. During negotiations, sports agents shall be required to refrain from pursuing personal interests other than those of the athlete or the club they represent. In the discharge of their duties, they must avoid any conflict of interest, whether potential or otherwise.

9. Sports agents shall be subject to the disciplinary powers of the FIP Sports Agent Commission and the CONI Sports Agents Commission.

Art. 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 set out in an appropriate FIP resolution. These courses shall be organised and/or endorsed by the FIP Sports Agent Commission, which shall also define the relevant procedures and syllabuses.

2. The FIP Sports Agent Commission may rely on the support of FIP-accredited associations representing clubs, coaches, players and agents.

3. The obligation to attend refresher courses shall be required to be met on an ongoing basis by the mere fact of being enrolled in the FIP Register, whether or not sports agents actually engage in their profession.

4. Failure to attend refresher courses shall be notified to the CONI Agent Committee in order that the measure referred to in Article 7(1)(e) of the CONI Regulations for Sports Agents may be adopted.

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 – Performing sports agent tasks as a legal entity

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 – Penalty provisions

1. The FIP Sports Agent Commission, as established under Article 7(5), shall have first instance jurisdiction in respect of any infringement committed by sports agents regarding the provisions set forth in these Regulations and in the FIP Regulations in general as well as in the CONI Regulations for Sport Agents. Disciplinary proceedings shall be governed pursuant to the Disciplinary Regulations for Sports Agents adopted by the CONI National Board.

2. The CONI Sports Agent Commission shall have second instance jurisdiction in respect of appeals filed against the decisions of the FIP Sports Agent Commission.

3. In pursuance of Article 54 ff. of the CONI Sports Justice Code, an appeal may be filed with the Sports Supervisory Board against any decisions issued by the CONI Sports Agent Commission.

4. Any violation of the regulations applicable to sports agents shall, depending on its severity, duration and any repetition, result in the following (possibly combined) sanctions being inflicted:

- a) Reprimand;
- b) Monetary sanction ranging from € 10,000.00 to € 100,000.00;
- c) Suspension from practice for up to thirty-six months;
- d) Removal from the National Register.

5. In the event that a sports agent commits an offence punishable under paragraph 1 and is the legal representative of or a partner in a company as under Article 16 of these Regulations, the following provisions shall apply:

- a) If the offence is committed in the exercise of the company's management powers, then a monetary sanction shall also be inflicted on the company, based on the passive solidarity tie;
- b) The sports agent' suspension from conducting his/her activity shall likewise result in his/her inability to act on behalf of the company throughout the suspension period.

6. Monetary sanctions must be settled within and no later than thirty days of the relevant notice. Failing this, the agent shall be automatically suspended from conducting his/her activity until payment is made. The FIP Sports Agent Commission may authorise payment of the monetary sanction in instalments, subject to review of the application submitted by the individual concerned.

7. A sports agent shall be punished with a six to thirty-six month suspension from the Register if, upon being found to be in breach of his/her duties of fairness and loyalty, he/she starts dealings with athletes bound by an agreement with another sports agent with the aim of inducing them to terminate the agreement ahead of its expiry date or violating the obligations thereunder.

8. Sports agents may not start dealings with clients in a manner contrary to fairness and decorum. Sports agents shall not be allowed to extend or pay commissions or other fees or give gifts to colleagues or third parties as a consideration for any referral (whether concerning athletes or sports clubs) or for gaining assignments. Any violation of these duties shall result in a disciplinary sanction consisting of a disqualification period ranging from six to thirty-six months, or removal from the Register in cases deemed to be more serious.

Article 18 – Athletes' duties

1. An athlete wishing to rely on the services of a sports agent must liaison solely with a person enrolled 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.

3. 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.

4. 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 enrolled 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.

3. 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.

2. Termination clauses and possible penalties must be stated in the agency agreement.

3. 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.

4. An agency assignment may be granted:

- a) By one or more parties (aka multiple agency assignment);
- b) Exclusively or without an exclusive agreement.

5. An agency agreement may not be tacitly renewed.

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 forth in this Chapter shall also apply with regard to sports agents who can provide evidence that they:
 - a) obtained a licence with recognition subject to compensatory measures;
 - b) are duly enrolled in the Register of a national sports federation of another country or of the relevant international federation or of another country;
 - c) meet the requirements referred to in Article 3(1)(b), (c), (d), (e), (f), (g), (h), (i), (k), (l).
2. Before entering into one of the agreements under Article 1(1), sports agents as referred to in 1 hereabove shall, under penalty of voidance of the agency agreement herein being referred to, be required to choose their address for service, for a period of one year as of such choice, with an Italian or established sports agent, such sports agent being required to act as instructed by the client.

3. Acceptance of service — which may be relied upon only by a client who has been a resident in the country where the Federation list with which he is registered is kept prior to 1 January 2018 or for at least 5 years — must be performed, in respect of each transaction, by an agent holding a permanent licence and duly enrolled with the National Register and the Federation Register.

4. Acceptance of service shall require the parties to file the professional cooperation agreement with the CONI Sport Agent Commission and the FIP Sport Agent Commission.

5. Acceptance of service shall also cause the domiciliary agent to be held responsible for violations or irregularities committed by the client.

Chapter III – Final provisions

Article 26 – Dispute resolution

1. Without prejudice to any specific exception to the jurisdiction of the Arbitration Dispute Panel established by the Italian Basketball Federation, any dispute concerning the validity, interpretation and execution of agency agreements entered into by sports agents, as well as any financial dispute related thereto, shall be referred to the CONI Sports Supervisory Board, provided that any such exception must be reflected in the agency agreement.

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 – Transitional provisions

1. Pursuant to and for the purposes of Article 4(5), enrolments in the FIP Register completed during 2019 or until the amendments made to the CONI Regulations for Sport Agents became effective (i.e., 14 May 2020), shall be valid until 31 December 2020, provided that administrative fees totalling € 150.00 have been paid.

Article 29 – Effective date

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

Annex A

APPLICATION FOR ENROLMENT IN THE REGISTER OF BASKETBALL SPORTS AGENTS

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:

HEREBY APPLY FOR

Enrolment in the FIP Register of Basketball Sport Agents in the

Sports agent section

Established sports agent section

HEREBY REPRESENT THAT I WILL

1. 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. work in accordance with the principles of loyalty, fairness, uprightness, dignity, diligence and competence;
3. notify the FIP Commission of Basketball Sports Agents of any changes to the information provided in the Declaration by Natural Persons within twenty days of the fact or event that gave rise to any such change;
4. acknowledge the competence, functions and powers of the FIP Sports Agent Commission and comply with any disciplinary measures adopted by it.

5. 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 ID paper

Code of Professional Conduct duly signed

Receipt of payment of registration fee

Copy of professional liability insurance policy

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 enrolment in the FIP Register of Basketball Agents. Notably, I declare that I:

- a) am an Italian national, 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.

I am attaching a copy of my valid personal identity paper.

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 ENROLMENT 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 enrolment 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 within twenty days of the fact or event that gave rise to any such change;
- 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 enrolment 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 enrolment 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 professional liability insurance policy

Place and date

The agent