

## Constitution of The Professional Football Negotiating and Consultative Committee (England and Wales)

### 1. Title

The committee shall be called the Professional Football Negotiating and Consultative Committee (PFNCC).

### 2. Membership

The PFNCC shall consist of:

- a) Four representatives from the Professional Footballers' Association (the PFA);
- b) Two representatives from The Football League Limited (the EFL);
- c) Two representatives from The FA Premier League Limited (the PL);
- d) One representative from The Football Association Limited (the FA);
- e) The Chief Executive Officer (or equivalent) of each of the four bodies listed above, or their respective nominees, (and the PFA, EFL, PL and FA are together the Members and each a Member).

### 3. Terms of Reference

- a) The PFNCC shall be the forum in which the Members consider matters relating to the employment of, and any associated rules and regulations relating to, those professional football players (Players) employed by clubs in membership of EFL and the PL (the Leagues), including (but not limited to):
  - i) standard terms and conditions for contracts of employment of Players (including contractual obligations, minimum pay, pension provision, treatment of benefits in kind and holidays);
  - ii) matters relating to health & safety of Players, and appropriate insurance arrangements;
  - iii) a code of practice for clubs and Players to abide by;
  - iv) minimum standards for the resolution of disputes between clubs and Players;
  - v) the effects of any applicable legislation.
- b) No major changes in the regulations of the Leagues affecting a Player's terms and conditions of employment shall take place without full discussion and agreement in the PFNCC.
- c) The PFNCC can be used to facilitate consultation on any matter relating to professional football upon which any of the Members considers that the view of the PFNCC would be desirable to help further the best interests of the game.

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### 4. Chair

- a) The PFNCC shall appoint an independent chair.
- b) In the event of the unavoidable absence of the independent chair, a meeting may be chaired by a Member of the PFNCC by agreement of all four Members.
- c) The independent chair shall be appointed for a term of 3 years and no individual may serve more than 2 consecutive terms.
- d) The independent chair shall retire at the July meeting next following their 75th birthday.
- e) Clauses (c) and (d) shall not apply to the independent chair in post at the date of adoption of this revised constitution (the Current Chair). The Current Chair shall continue to hold office until 30th June 2019, whereupon he shall retire from office.
- f) Any independent chair to be appointed after 30th June 2019 shall be permitted to attend meetings of the PFNCC prior to their appointment.

### 5. Secretary

- a) The Chief Executive Officer of the EFL and the Chief Executive of the PFA shall act as joint secretaries of the PFNCC.
- b) The administration and secretarial services to be provided by the EFL.

### 6. Executive Officers

A senior executive officer of each of the Members shall meet as and when necessary and in any event shall meet before any meeting of the PFNCC in order to give preliminary consideration to items which are to appear on the agenda for the next PFNCC meeting.

### 7. Meetings

- a) There shall be four ordinary meetings of the PFNCC each Season. They shall ordinarily take place in July, October and April, and in January. An ordinary meeting shall be called on not less than 14 days' notice.
- b) Special meetings may be called (in addition to the ordinary meetings set out in paragraph 7(a)) at the discretion of the Chair at the request of any Member. At least seven days' notice of such meetings shall be given and the business of the meeting shall be stated in the notice.
- c) Other parties may be invited to attend any meeting of the PFNCC at the request of any Member and at the Chair's discretion. The Chair shall also be empowered to invite third parties to any meeting following consultation with the Members.



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- d) The EFL and PL shall communicate with those clubs employing any Player nominated by the PFA as a representative in accordance with Clause 2(a), and request that such representatives and deputies are given reasonable facilities to attend meetings of the PFNCC.

### 8. Minutes

Full minutes of all meetings shall be drafted by the secretary provided by the EFL in accordance with Clause 5(b). The draft minutes shall not be circulated until approved by the Chair. Draft minutes should normally be circulated within 4 weeks of the meeting to which they relate. Minutes will be subject to approval of the PFNCC at the next meeting.

### 9. Resolution of Differences

- a) It shall be the duty of the Members of the PFNCC to take all reasonable steps to ensure the acceptance of agreements reached. Where appropriate, any Member may seek the assistance of the Chair in expounding and explaining agreements reached.
- b) Where the Members are unable to reach agreement they may by agreement seek the advice of the Chair on any matters before the PFNCC.
- c) If the Members are unable to reach agreement following the processes outlined above they may by agreement seek independent arbitration by the Advisory Conciliation and Arbitration Service or any other agreed independent arbitrator.

### 10. Sub-Committees

- a) The PFNCC shall have the power to set up such sub-committees or joint working parties not restricted to Members of the PFNCC as it considers necessary.
- b) Each sub-committee or joint working party shall agree terms of reference which shall be subject to the approval of the PFNCC.
- c) Full minutes of sub-committee and/or joint working party meetings shall be kept and appended to minutes of meetings of the PFNCC for distribution to Members.

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### 11. Finance

- a) Each Member shall be responsible for meeting the expenses of its representative(s) for attending meetings.
- b) Any fees and/or expenses of the Chair shall be shared equally by the Members.
- c) Any other expense shall be shared equally by the Members.

### 12. Amendment of Constitution

Any proposed amendments to the constitution of the PFNCC shall only be considered at a meeting called specifically for that purpose and notice of any proposed amendment shall be given in writing 28 days previous to such meeting. Any amendment to the constitution shall only take effect after approval to it has been given by each of the Members.

### 13. Status of Constitution

The constitution shall be subject to the approval of each of the Members. If approved by each of them it shall be regarded as an agreement binding on each and all of them and shall be appended to the rules of each League and published in their respective handbooks.