



FOOTBALL – FINANCIAL FAIR-PLAY

THE APPEAL OF BESIKTAS JK DISMISSED BY THE COURT OF ARBITRATION FOR SPORT (CAS)

Lausanne 6 July 2012 - The Court of Arbitration for Sport (CAS) has rendered its decision in the procedure involving the Turkish club Besiktas JK and UEFA. The CAS has confirmed the sanctions imposed by the UEFA Appeals Body on 30 May 2012:

- Besiktas JK is excluded from the next two UEFA club competitions for which it qualifies in the next five seasons;
- The exclusion for the second competition is suspended for a probationary period of five years;
- Besiktas JK is fined EUR 200'000, of which EUR 100'000 is suspended for a probationary period of five years.

Besiktas JK qualified for the 2011/12 UEFA Europa League and obtained a licence to participate in that club competition from the Turkish Football Federation (TFF). On 15 July 2011, the TFF submitted monitoring information to the UEFA Club Financial Control Panel based on the figures provided by Besiktas JK. Such information revealed the existence of overdue payables of several million Euros in total (transfer activities and salaries/social charges/taxes). The overdue payables already amounted to millions on 31 March 2011 when the licence was granted.

On 19 April 2012, the UEFA Disciplinary Inspector concluded that Besiktas JK had violated the UEFA Club Licensing and Financial Fair Play Regulations and referred the case to the UEFA Control and Disciplinary Body, which on 11 May 2012 imposed a fine of EUR 600'000 on Besiktas JK and an exclusion from two UEFA club competition, but suspended for a probationary period. On 30 May 2012, the UEFA Appeals Body confirmed the exclusion of Besiktas JK but reduced the fine to EUR 200'000 and imposed a probationary period on the fine. On 15 June 2012, Besiktas JK filed an appeal against the UEFA Appeals Body's decision at the CAS. In agreement with the parties, the CAS conducted an expedited procedure and heard the parties at a hearing held in Lausanne on 5 July 2012.

The CAS will issue the full award, with the grounds, in a few weeks.

This ruling confirms the previous CAS jurisprudence in relation to the UEFA Licensing and Financial Fair Play Regulations established in the case of the Hungarian club Györi ETO (exclusion from UEFA club competitions for the seasons 2011/12, 2012/13 and 2013/14, the last being suspended for a probationary period).