



Sent by email

Bosnia and Herzegovina Football Federation
Mr Jasmin Baković, General Secretary
Ferhadija 30, 71000 Sarajevo
Bosna i Hercegovina

Your reference	Your correspondence of	Our reference	Date
01-112/18	20 June 2018	KNCLS/aza/aag	21 June 2018

Conclusion of the FF BH Executive Board on the request of FK "Borac" Banja Luka for an extraordinary review of the Decision of the FF BH Club Licensing Second Instance Commission

Dear Mr. Baković,

Further to your letter dated 20 June 2018 concerning FK "Borac" Banja Luka's request for an extraordinary review of the decision of the FF BH Club Licensing Second Instance Commission and your description of the matter, it is our understanding that FK "Borac" Banja Luka (hereinafter: FK Borac) was refused a licence for participation in the 2018/19 domestic top-tier championship, first by the FF BH Club Licensing First Instance Commission, and then by the FF BH Club Licensing Second Instance Commission on 29 May 2018 following an appeal by the club.

Kindly note that Article 7 paragraph 2 and 3 of the *UEFA Club Licensing and Financial Fair Play Regulations, Edition 2015* (hereinafter: CL&FFP) clearly state that "*the First Instance Body [FF BH Club Licensing First Instance Commission] decides on whether a licence should be granted to an applicant on the basis of the documents provided by the submission deadline set by the licensor and on whether a licence should be withdrawn*" and "*the Appeals Body [FF BH Club Licensing Second Instance Commission] decides on appeals submitted in writing and makes a final decision on whether a licence should be granted or withdrawn*". In summary, decisions on the issuing of a licence can solely be taken by the club licensing decision-making bodies as defined and in accordance with the relevant regulations and FF BH Statutes.

Furthermore, Article 7 paragraph 7 of the CL&FFP states that members of the decision-making bodies "*must not belong simultaneously to the executive body of the UEFA member association*", a provision also reflected Article 8 paragraph 9 of the *FF BH Club Licensing Regulations, Edition December 2017*, as well as Article 13 of the FF BH Statutes. Within this context, it should be stressed that a key good governance and club licensing principle is the separation of powers and independence of the relevant bodies and decision-making process. Indeed, all those involved in the club licensing system must respect these principles of independence in accordance with the relevant regulations, statutes, and national legislation.

Therefore without entering into the merits of the case, which is related to the domestic top-tier championship and under the responsibility of the relevant FF BH bodies, the FF BH Executive Board should not have jurisdiction to interfere in the licensing process and/or to change a decision taken by the independent decision-making bodies, as rightly pointed out in your letter. Decisions of the First-Instance Body and the Appeals Body should be, according to FF BH regulations and Statutes, final and binding.

Yours faithfully,

U E F A

A handwritten signature in blue ink, appearing to read 'Aleš Zavrl', is positioned above the printed name and title.

Aleš Zavrl
Head of Club Licensing