

FAW Fit and Proper Person Test Regulations – Guidance

Unless otherwise defined, defined terms used in this guidance note have the same meaning as set out in the Fit and Proper Person Test Regulations.

The Fit and Proper Person Test Regulations (the **Regulations**) form part of the FAW's Men's Tier 1 Club Licensing framework and are designed to safeguard the integrity, reputation and proper governance of the Cymru Premier.

The Regulations overarching objective is to ensure that individuals who hold positions of significant influence or control within a club are suitable to do so, and that the Association is able to assess and monitor that suitability on an ongoing basis. In doing so, the Regulations promote transparency, accountability and confidence in the governance of clubs participating in, or seeking to participate in, the Cymru Premier.

The Regulations apply to each Club entitled to participate in the Cymru Premier in the then current Playing Season or which wishes to be entitled to participate in the Cymru Premier in the forthcoming Playing Season.

Club and Relevant Club Person obligations under the Regulations

Annual Submission requirement:

No later than 30th September in each year, any Club that is currently participating in the Cymru Premier or wishes to be entitled to participate in the Cymru Premier in the forthcoming Playing Season must submit to the Association an Official Club Annual Return. The Official Club Annual Return must contain the required information relating to all Relevant Club Persons as set out in more detail in the regulations.

For the purposes of the Official Club Annual Return, examples of a Relevant Club Person include:

- key management personnel, such as directors, the chairman, the club secretary and any equivalent office holders; and
- any individual or individuals who are the legal or ultimate beneficial owner(s) or who exercise ultimate control over the Club, where different.

Clubs must ensure that all such individuals are properly identified and the required information for each Relevant Club Person identified is included within the Official Club Annual Return.

Clubs should note the requirement to inform the FAW of any amendments to the Required Particulars of an existing Relevant Club Person or the Required Particulars of a proposed new Relevant Club Person within 10 Business Days of the amendments coming into effect. It is suggested that clubs comply with this requirement before any changes are confirmed.

Personal Declaration

Each Relevant Club Person identified in the Official Club Annual Return must complete and submit a Personal Declaration. The Personal Declaration will be provided by the Club to the Relevant Club Person for completion. It requires each Relevant Club Person to confirm that they satisfy the Fit and Proper Person Test by declaring the absence of disqualifying interests, criminal convictions, regulatory breaches, insolvency events or other matters that could compromise the administration or reputation of a Club.

The declaration also imposes ongoing notification obligations and confirms the Association's powers to verify information and take disciplinary or publication action where the requirements are not met. The completed Personal Declaration must be submitted to the FAW not later than 30 September in the relevant year. Clubs are responsible for ensuring that each Relevant Club Person complies with this requirement and that all required documentation is submitted in full and on time.

Clubs should ensure that appropriate internal processes are in place to identify Relevant Club Persons, gather the required information, and secure timely completion of all Personal Declarations in advance of the 30 September deadline.

Foreign Owners

The Regulations set out extra requirements where a Relevant Club Person is, or is connected to, a Foreign Owner of a Club.