

The Home-Grown Player Rules

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I. Introduction

In modern sport, especially in professional football, there are clubs that spend huge sums on signing new players in order to become ever more competitive, as in Europe or as in Saudi Arabia and the US with stars like Ronaldo or Messi, trying to bring their competition into the focus of spectators, fans and the media.

According to FIFA in 2023 USD 9.63 billion were spent on international transfer fees, which is an increase of 48.1% compared to 2022. A total of 1,024 clubs spent money on international transfers in 2023, the first-ever time that more than 1,000 clubs invested in transfer fees for new players from abroad. The number of clubs that received transfer fees, 1,241, was also another new high.¹

In order to protect the pool of players for the national teams, protect the competitive balance between the clubs, promote the work of the football clubs' academies and generally promoting the training and development of youth, the sport governing bodies, like UEFA or the national football federations try to regulate their competition with specific rules. The home-grown players (HGP) rule is one of them.

Recently, the HGP rule and its compatibility with the EU Law was analysed by the Court of Justice of the EU (CJEU).² This chapter will only analyse the rules *per se*, without entering the reasoning and legal argumentation of the compatibility of the rules with the EU law.

II. The HGP Rule

In this part of the chapter, we will explain the HGP rule, first as the rule applied by UEFA for its competitions and then as the rule applied at national level by the national football associations. We will also provide some data showing the number of HGP used at both competition levels.

1. The UEFA HGP Rule

The UEFA HGP rule was endorsed on 21 April 2005 during its congress in Tallinn, Estonia, when presented to UEFA's, at the time, 52 national member associations.³

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¹ FIFA, *Global Transfer Report 2023* (January 2024) <<https://digitalhub.fifa.com/m/114622e4e17cf6a8/original/FIFA-Global-Transfer-Report-2023.pdf>> accessed 2 September 2025.

² Case C-680/21 *Royal Antwerp FC* ECLI:EU:C:2023:1010.

³ UEFA, 'Declaration of the UEFA Congress on the Subject of Local Training of Players' (2005) <www.uefa.com/MultimediaFiles/Download/uefa/UEFAMedia/297202_DOWNLOAD.pdf> accessed 2 September 2025.

The initial proposal was made after UEFA identified a number of perceived negative trends in European football, including: a lack of incentive in training players, lack of identity in local/regional teams, ‘hoarding’ of players, and related problems for national teams. UEFA intention with the implementation of the HGP rule was to fight less competitive balance in UEFA club competitions and domestic leagues, an increased link between money and sporting success, and fewer opportunities for locally trained players to play. As a result, it was claimed that clubs were re-evaluating whether it was worthwhile developing young talent when the best young players would gravitate to the richest clubs without necessarily providing a good return on the training club’s investment. We may conclude that such trends are present even after almost 20 years. The question is also, do those clubs’ talents, when minors, have the opportunity to play at the highest level? The International Centre for Sports Studies (CIES) data shows that in matches of the five major European leagues⁴ played over the 15-year-period between the 1 January 2009 until the 31 December 2023, no less than 402 footballers played before turning 18 in Big 5 league matches. With 119 underage players fielded, the French Ligue 1 is the leader in this domain, which reflects both its status as a stepping stone for the other Big 5 championships and the excellence of the French training system. From a historical point of view, no noticeable change in the use of minors by Big 5 league clubs was observed over the first ten years studied, with annual values situated around 30. A first increase was recorded between 2019 and 2021, with an average of 36.7 minors fielded, as opposed to 30.1 during the previous decade. An even more important increase was recorded over the past two years, with no less than 61 minors fielded in 2022 and 49 in 2023.⁵

Of course, investing in the clubs’ academia and the training of young players is important since it could also be a profitable way of running a club. The ten most profitable football club academies worldwide in terms of revenue generated over the last ten years by the transfer of players who spent at least three seasons there between the ages of 15 and 21 are all European football clubs, with the Portuguese side SL Benfica clearly in the lead with 516 million euros, two thirds of which has been collected in the last five years. The other clubs in the top ten are (in euros) AFC Ajax (376 million), Olympique Lyonnais (370 million), Real Madrid (364 million), Chelsea FC (347 million), AS Monaco (325 million), Portuguese Sporting CP (306 million), Tottenham Hotspur (256 million), Manchester City (254 million) and Italian side Atalanta BC (250 million). Outside Europe, the clubs with the most profitable academies are Brazil’s CR Flamengo (thirteenth with 228 million) and Argentina’s River Plate (fourteenth with 223 million).⁶

The basis of the solution to the problems of investing in the training and developing of youth players instead of just signing players for a transfer fee or as free agents was to introduce rules which encouraged clubs participating in UEFA club competitions to include a minimum number of locally trained players (LTP) in their squad (commonly referred to as HGP). The implementation of the rules was staggered to afford clubs a transition period with minimum numbers of HGP to be implemented gradually as follows: season 2006–2007: 4 HGP in 25-man squad; season 2007–08: 6 HGP in 25-man squad, and season 2008–2009 onwards: 8 HGP in 25-man squad.⁷ In the end, clubs have no obligation to put a certain number of HGP on the field of play, or on the match sheet. They are entirely free in their team and matchday squad selection.

⁴ Ligue 1 (FRA), Serie A (ITA), Premier league (ENG), Bundesliga (GER) and La Liga (SPA).

⁵ CIES Football Observatory, *Monthly Report No 91: Younger Than Ever? The Use of Minors in the European Big-5 (2009–2023)* (January 2024) <<https://football-observatory.com/MonthlyReport91>> accessed 2 September 2025.

⁶ CIES Football Observatory, ‘Weekly Post No 446: Most Profitable Club Academies Worldwide’ (10 January 2024) <<https://football-observatory.com/WeeklyPost446>> accessed 2 September 2025.

⁷ Dalziel Murray and others, *Study on the Assessment of UEFA’s ‘Home Grown Player Rule’* (2013) 9–10 <<https://ec.europa.eu/assets/eac/sport/library/studies/final-rpt-april2013-homegrownplayer.pdf>> accessed 2 September 2025.

To give a picture how the rule looks like, we will take the UEFA Champions league regulations.⁸ The same rules apply also in other two UEFA competitions, the Europa League,⁹ the Conference League¹⁰ and additionally to the Super Cup Competition. Clubs must submit an ‘A’ List of players (List A) and a ‘B’ List of players (List B) duly signed by the club and verified, validated and additionally signed by its association. No club may have more than 25 players on List A during the season. As a minimum, eight places are reserved exclusively for ‘locally trained players’, what UEFA is calling the ‘home-grown players’ and no club may have more than four ‘association-trained players’ listed in these eight places on List A. List A must specify the players who qualify as being ‘locally trained’, as well as whether they are ‘club-trained’ or ‘association-trained’.¹¹

A ‘club-trained player’ is a player who, between the age of 15 (or the start of the season during which he turns 15) and 21 (or the end of the season during which he turns 21), and irrespective of nationality and age, has been registered with their current club for a period, continuous or not, of three entire seasons (ie a period starting with the first official match of the relevant national championship and ending with the last official match of that relevant national championship) or of 36 months. In the context of this paragraph, the season immediately preceding a player’s 15th birthday may be counted if their birthday is after the last match of the relevant national championship but on or before 30 June (winter championships) or 31 December (summer championships), and the season immediately following their 21st birthday may be counted if their birthday is on or after 1 July (winter championships) or 1 January (summer championships) but before the first match of the relevant national championship.¹²

An ‘association-trained player’ is a player who, fulfilled all the conditions to be defined a ‘club-trained player’ with an exception that has been registered with a club or with other clubs affiliated to the same association as that of their current club.¹³

It is important to highlight that, if a club has fewer than eight locally trained players in its squad, then the maximum number of players on List A is reduced accordingly.¹⁴

Table 1 below, illustrates how the List A of a team competing in UEFA Champions League Competition 2023–2024 could look with the implementation of the HGP rule.¹⁵

⁸ UEFA Champions League Regulations (2022–2024) <<https://documents.uefa.com/r/Regulations-of-the-UEFA-European-Football-Championship-2022-24-Online>> accessed 2 September 2025.

⁹ UEFA Europa League Regulations (2022–2024), art 45 and Annex H <<https://documents.uefa.com/r/Regulations-of-the-UEFA-European-Football-Championship-2022-24/Article-4-Admission-criteria-and-procedure-Online>> accessed 2 September 2025.

¹⁰ Ibid.

¹¹ Ibid art 45.02.

¹² Ibid art 45.04.

¹³ Ibid art 45.05.

¹⁴ Ibid art 45.06.

¹⁵ Ibid Annex H – Locally Trained Players.

Table 1: UEFA Champions League Regulations 2023–2024

	Potential List A	"Free" players	Club- trained	Association- trained	Actual List A
1	25	17	8	0	25
2	25	17	7	1	25
3	25	17	7	0	24
4	25	17	6	2	25
5	25	17	6	1	24
6	25	17	6	0	23
7	25	17	5	3	25
8	25	17	5	2	24
9	25	17	5	1	23
10	25	17	5	0	22
11	25	17	4	4	25
12	25	17	4	3	24
13	25	17	4	2	23
14	25	17	4	1	22
15	25	17	4	0	21
16	25	17	3	4	24
17	25	17	3	3	23
18	25	17	3	2	22
19	25	17	3	1	21
20	25	17	3	0	20
21	25	17	2	4	23
22	25	17	2	3	22
23	25	17	2	2	21
24	25	17	2	1	20
25	25	17	2	0	19
26	25	17	1	4	22
27	25	17	1	3	21
28	25	17	1	2	20
29	25	17	1	1	19
30	25	17	1	0	18
31	25	17	0	4	21
32	25	17	0	3	20
33	25	17	0	2	19
34	25	17	0	1	18
35	25	17	0	0	17

It is important to note that before enacting the HGP rule, UEFA organised a two-year consultation with fans, national associations, national leagues, clubs, players' unions and all the institutions of the EU, meaning that the stakeholders were consulted in drafting the rule. In parallel, UEFA spent two years providing detailed research to the European Commission DGs that were most interested in the rule (education and culture, employment and social affairs, competition, and the legal service).¹⁶ It is not only a highly appreciated sign of good governance, but also an important sign of real stakeholder involvement in the creation of a rule and a real sign of the social dialogue in professional football.

Now the question is, how is the rule implemented in reality and what are the data? Has the rule achieved its aims? According to UEFA reports it could be concluded that there is an insufficient number of locally trained players in UEFA competitions group stage squads.

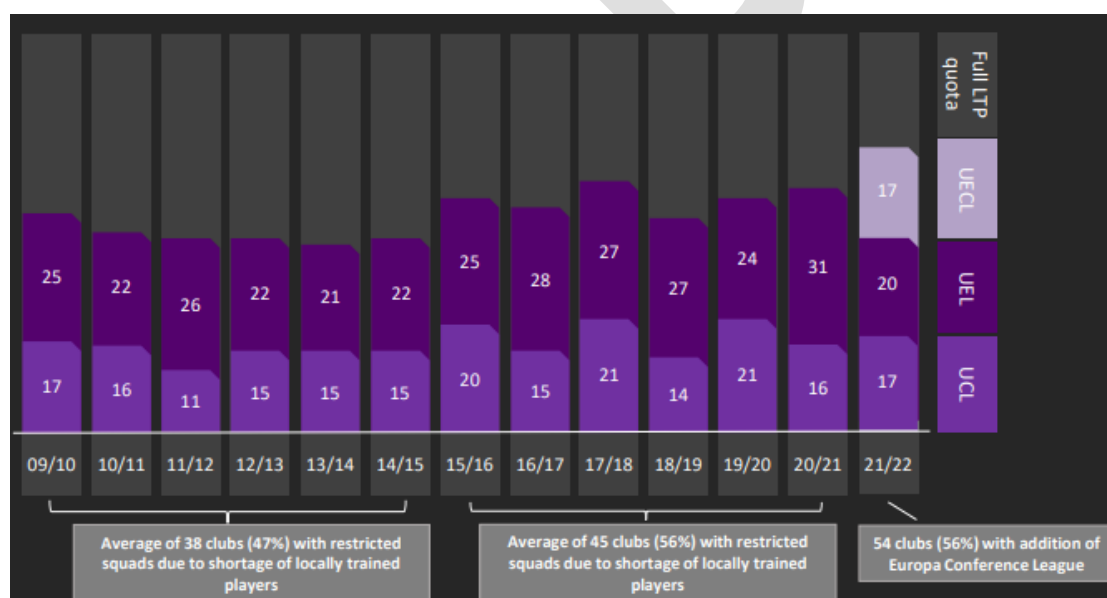
As shown in Figure 1, in the 2020–2021 season, half (16 out of 32) of the clubs in the UEFA Champions League group stage and almost two-thirds (31 out of 48) of the clubs in the UEFA Europa League group stage, failed to

¹⁶ UEFA, 'Protection of Young Players' (UEFA.com, 2025) <www.uefa.com/development/youth-players/promoting-young-talent/> accessed 2 September 2025.

include the full contingent of eight locally trained players in their squads. The number of A-list players they could register was reduced accordingly.¹⁷

In 2021–2022, more than half (17 out of 32) of the clubs in the group stage of the UEFA Champions League, almost two-thirds (20 out of 32) of the clubs in the group stage of the UEFA Europa League and more than half (17 out of 32) of the clubs in the group stage of the UEFA Europa Conference League, failed to include the full contingent of eight locally trained players in their squads. While there is some fluctuation from year to year, the number of clubs that are unable to register enough locally trained players at the group stage does appear to be increasing, with an average of 56% of clubs being in that situation in the period between 2015–2016 and 2020–2021, up from 47% in the period between 2009–2010 and 2014–2015, with a figure of 56% being seen in 2021–2022 also. Players who are still young are placed on List B, so do not count towards the List A quota. The analysis suggests that the 2022–2023 group stages followed the same pattern, with 56% of clubs registering reduced squads.¹⁸

Figure 1: Number of group-stage squads reduced in size for lack of locally trained players (LTP)



Source: UEFA, *The European Club Finance and Investment Landscape* (2023) 29

To be listed on List A of 25 players does not mean that the HGP will actually take part in the game. There were even four UEFA Champions League, four UEFA Europa League and five UEFA Europa Conference League clubs that did not give a single group-stage start to a club-trained player in 2021–2022.¹⁹ Locally trained players accounted for only 37% of total minutes played in the group stage of the 2021–2022 UEFA Champions League (including young club-trained List B players, who accounted for 5%), compared with 41% for the UEFA Europa League (4% for List B players) and 46% for the UEFA Europa Conference League (4% for List B players). While this is clearly influenced by the clubs that qualify in any given season, the chart below indicates a downward trend in minutes for locally trained players. Preliminary analysis of the 2022–2023 group stages shows an increase in

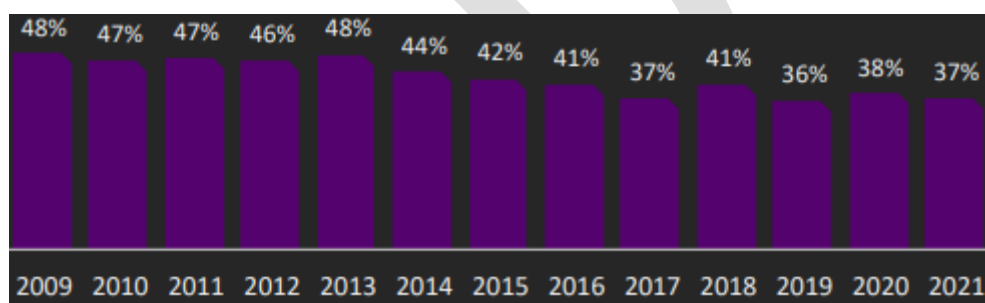
¹⁷ UEFA, *The European Club Footballing Landscape* (13th edn, 2022) 46 <https://editorial.uefa.com/resources/0272-145b03c04a9e-26dc16d0c545-1000/master_bm_high_res_20220203104923.pdf> accessed 2 September 2025.

¹⁸ Ibid (14th edn, 2023) 29 <https://editorial.uefa.com/resources/027e-174740f39cc6-d205dd2e86bf-1000/ecfl_bm_report_2022_high_resolution_.pdf> accessed 2 September 2025.

¹⁹ Ibid.

minutes played by LTP+ players: 39% of total minutes in the UEFA Champions League; 44% in the UEFA Europa League; 45% in the UEFA Europa Conference League. In 2021–2022, club-trained players on Lists A and B (CTP+) accounted for just 17% of total minutes in the UEFA Champions League group stage, 16% in the UEFA Europa League and UEFA 15% in the Europa Conference League, with significant variation from club to club. Only four UEFA Champions League clubs (FC Dynamo Kyiv, BSC Young Boys, Manchester United FC and AFC Ajax) recorded figures of more than 30%, while FC Sheriff Tiraspol, Atalanta BC and LOSC Lille relied entirely on bought-in talent, with no CTP+ featuring in the group stage. Although the marked differences between clubs creates a lot of fluctuation, CTP+ have never accounted for more than 19% of total minutes in the group stage of a UEFA competition.²⁰

Figure 2: Minutes played in the UEFA Champions League by locally trained players + players²¹



Source: UEFA, *The European Club Footballing Landscape* (2023) 30

2. UEFA Members HGP Rule

The UEFA HGP rule applies to UEFA competitions. On the other hand, national Football Associations (FA), as members of UEFA, may also implement exactly the same rule in their competitions or they could modify it.²² Of 55 UEFA member FAs, in 2022–2023 there were 29 FAs with association-trained player requirements and 11 FAs with club-trained player requirements in their national regulations. Eight FAs apply the same HGP rule as UEFA (4+4 or 4+2), 21 FAs have some regulation on HGP, while 25 FAs do not have any kind of regulation at all.²³

According to the UEFA report, domestically, locally trained footballers played an estimated 52% of total minutes in the 2022–2023 season in the 20 leagues analysed: 13% for club-trained players and 39% for association-trained players. These are the same percentages as observed in the 2021 season. Denmark recorded the highest figure for club-trained players (24%), followed by Switzerland and Norway (19%), while association-trained footballers in Ukraine spent 76% of the total minutes on the pitch, pushing Ukrainian clubs' combined average for club and association-trained players to 91%. Four countries (Scotland, Italy, Türkiye and Greece) recorded figures of less than 8% for club-trained players, which is less than one in eleven. Turkish clubs had the lowest average for club-trained players (5%) while Greek clubs had the lowest average for association-trained players (23%). Looking at

²⁰ Ibid 30.

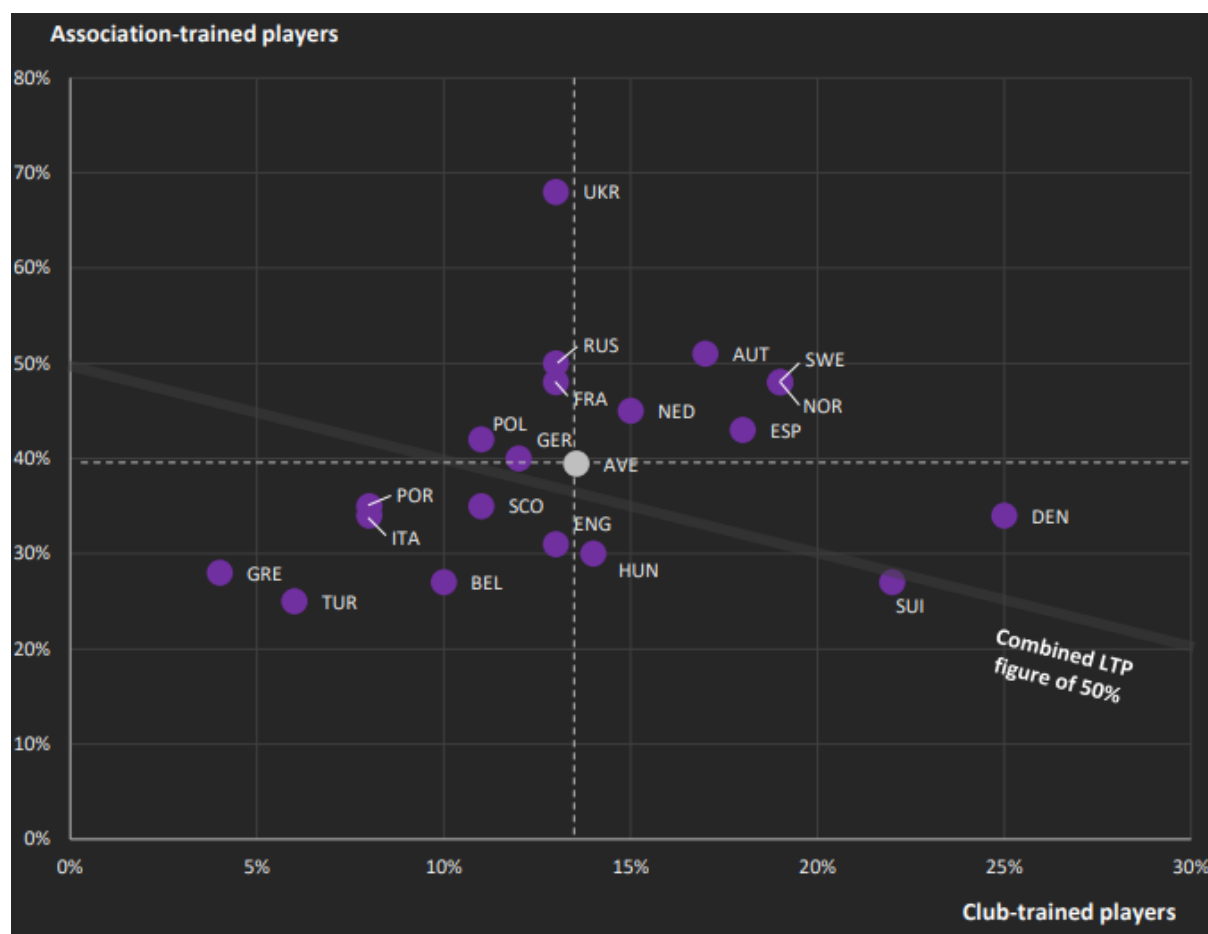
²¹ Locally trained players (LTP) + players are defined as locally trained players plus any B-list players. Similarly, CTP+ players are defined as club-trained players on list A plus all players on list B. Although the requirements for list B are separate from the locally trained player rules, the combination of the two provides a better overview of clubs' use of academy players past and present. The main differences in terms of eligibility relate to the minimum period of time with the club (two years for list B; three seasons to be regarded as locally trained), the continuity of the player's time with the club (uninterrupted for list B; between the ages of 15 and 21 for locally trained players) and current age (under 21 for list B; any age for locally trained players).

²² UEFA, *The European Club Footballing Landscape* (14 September 2023) 44 <https://editorial.uefa.com/resources/0272-145b03c04a9e-26dc16d0c545-1000/master_bm_high_res_20220203104923.pdf> accessed 2 September 2025.

²³ UEFA, *The European Club Talent and Competition Landscape* (2023) 30 <https://editorial.uefa.com/resources/0285-18fa5d2b2412-a34231ef95e1-1000/uefa_bm_report_2023_digital_hires.pdf> accessed 2 September 2025.

the Big 5, Spanish clubs had locally trained players on the pitch for 62% of the total minutes, compared with 57% in France, 50% in Germany, 42% in England and 39% in Italy.²⁴

Figure 3: Percentage of total domestic league minutes accounted for by locally trained players



Source: UEFA, *The European Club Footballing Landscape* (2023) 31

According to the CIES Football Observatory data, the employment rate of club-trained footballers (ie those having been for at least three seasons between the ages of 15 and 21 in their employer club) in 2021 in teams from 27 top divisions of UEFA member associations shows that the highest percentage of minutes by club-trained players overall was recorded for the Slovakian side MŠK Žilina (61.5%), while Athletic Club (50.9%) has the greatest figure for Big 5 league teams. Home-grown footballers played a majority of domestic league minutes also at Dynamo Kyiv (60.2%), Sigma Olomouc (52.0%) and FC Slovácko (51.1%). At the level of the five major European championships, the highest employment rates after Athletic Club were observed in two Spanish sides: Celta Vigo (49.0%) and Real Sociedad (48.5%). AS St-Étienne (35.0%), Brighton & Hove Albion FC (30.1%), FSV Mainz (25.0%) and Genoa CFC (21.0%) top the table in the remaining Big 5 leagues. Per championship, the values stretch from 27.1% in Israel to 5.0% in Italy. Among the Big 5 leagues, only the Spanish Liga (16.3%) is above the European average (13.2%), with a minimum of 5.0% in the Italian Serie A. English teams (12.8%) relied more on club-trained footballers than French (12.4%) and German (11.7%) ones.²⁵ For 2023, the data slightly

²⁴ UEFA, *The European Club Footballing Landscape* (14 September 2023) 31.

²⁵ CIES Football Observatory, 'Weekly Post No 337: Club-trained Players' Employment across Europe' (10 May 2021) <<https://football-observatory.com/IMG/sites/b5wp/2020/wp337/en/>> accessed 2 September 2025.

changed. For 60 leagues around the world according to the percentage of domestic league minutes played by club-trained footballers during the 2023 season, the Basques of Athletic Club (68.9%) tops the Europe's Big 5 leagues table again, while the Ukrainians of Dynamo Kiev (82.9%) have the highest proportion in absolute terms and the Colombians of Envigado (67.8%) among non-European clubs. Olympique Lyonnais (45.6%) and Real Sociedad (45.4%) complete the podium in the Big 5. The highest values in the English Premier League were measured for Arsenal (22.1%), Manchester United (20.4%) and Chelsea (19.8%), while the teams with the most confidence in youth academy graduates in the Italian Serie A and the German Bundesliga are, respectively, Atalanta BC (18.7%) and SC Freiburg (34.5%). Outside Europe, Envigado is ahead of Argentina's Gimnasia La Plata (60.1%) and Vélez Sarsfield (52.1%), followed by Shanghai Port (51.4%) and two Mexican clubs: Pachuca (51.3%) and Chivas (48.8%). The CIES post also shows the number of club-trained players fielded, with a maximum of 30 for Gimnasia, as well as their average age, with a minimum of 18.56 years for the Venezuelan side UCV FC among teams having used at least ten club-trained players.²⁶

Let's give an overview of the HGP rule in England and in one of the (if not), the top Big 5 leagues. In the Premier League the HGP rule was introduced for the start of the 2010–2011 season and it does not distinguish between association and club-trained players.²⁷ 'Home-grown player' means a player who, irrespective of nationality or age, has been registered with any Club (or club) affiliated to the UK Football Association or the Football Association of Wales for a period, continuous or not, of three seasons or 36 months prior to their 21st birthday (or the end of the season during which they turn 21) and, for the purposes of this definition of 'home-grown player', a season will be deemed to commence on the date on which the relevant summer transfer window closes and to expire on the date of the final league match of the season.²⁸ Each Premier League club submits a squad list after each transfer window closes and it can contain no more than 17 players who do not fulfil 'HGP' criteria.²⁹ The remainder of the squad, up to a total of 25 players, must be HGP.³⁰ Here, it is important to stress that for the 2023–2024 season any player born on 1 January 2002 or later qualifies as under 21. There is no limit on how many such players can be included in a club's top-flight squad, so even if they're not English, they aren't classed towards the non-home-grown quota.

In November 2022 the Premier League has published a report marking ten years of the Elite Player Performance Plan (EPPP),³¹ highlighting the significant progress that has been made in the development of young, homegrown players throughout the football pyramid. The EPPP is the result of consultation between the Premier League and its clubs, representatives of the Football League, the Football Association and other key football stakeholders. The mission is producing more and better home-grown players, the plan promotes the empowerment of each individual player through a player-led approach. After ten years, the result is that there were 566 home-grown premier league debutants since the launch of the EPPP and out of 1,866 players that have featured in the Premier League since season 2012–2013 47% were HGP.³²

²⁶ CIES Football Observatory, 'Weekly Post No 440: Global Rankings of Club-Trained Players' Employment' (22 November 2023) <<https://football-observatory.com/WeeklyPost440>> accessed 2 September 2025.

²⁷ Nick De Marco, *Football and the Law* (2nd edn, Bloomsbury Professional 2022) para 4.139.

²⁸ Premier League, *Handbook: Premier League Rules* (2023–2024) A.1.124 <https://resources.premierleague.com/premierleague/document/2024/03/04/0910e1b3-f94a-41a5-9818-6e1b5c961a9a/PL_Handbook_2023-24_DIGITAL_26.02.24-v3.pdf> accessed 2 September 2025.

²⁹ Premier League, 'Squad List' (2023–2024) <<https://resources.premierleague.com/premierleague/document/2023/09/13/089c9257-538d-45d2-a00e-3952ffd648d7/PLSquadLists2023-24.pdf>> accessed 2 September 2025.

³⁰ Premier League (n 28), A.1.228.

³¹ Premier League, *Elite Player Performance Plan* (2022) <<https://resources.premierleague.com/premierleague/document/2022/11/17/5c3d5e72-567e-4886-80ab-9a2e68857b8b/Premier-League-Elite-Player-Performance-Plan-Report-2022.pdf>> accessed 2 September 2025.

³² Ibid 11.

Finally, it is important to analyse how the rule is applied in Belgium, where the Royal Belgian Football Association (RBFA) rules have been challenged before the CJEU in the *Royal Antwerp FC* case.³³

In the present case RBFA rules have been challenged as incompatible with EU Law. The relevant rules of the RBFA federal regulations provide for football clubs participating in the professional football divisions 1A and 1B to submit *lists* containing a maximum list of 25 players, which must include at least eight trained by Belgian clubs (meaning players who have been affiliated to a Belgian club for at least three full seasons before their 23rd birthday). Furthermore, at least three of those eight players must have been affiliated to a Belgian club for at least three seasons before their 21st birthday. Moreover, as regards *match sheets*, clubs must resort to players on the abovementioned lists and must include at least six players who have been affiliated for at least three full seasons before their 23rd birthday, two of which before their 21st birthday. In both instances, if the minimum thresholds are not met, such players cannot be replaced by players who do not satisfy the relevant conditions.³⁴

The CJEU deliberated in December 2023, deciding on the compatibility of the HGP rule in respect of EU competition law and EU free-movement rights. The CJEU decided that:³⁵

Article 101(1) TFEU must be interpreted as precluding rules that have been adopted by an association responsible for organising football competitions at European level and implemented both by that association and by its member national football associations, and which require each club participating in those competitions to enter in the list of its players and to include on the match sheet a minimum number of players trained either by that club itself or within the territory of the national association to which that club is affiliated, and rules that have been adopted by an association responsible for organising football competitions at national level, and which require each club participating in those competitions to enter in the list of its players and to include on the match sheet a minimum number of players trained in the territory of that association, if it is established, first, that those decisions by associations of undertakings are liable to affect trade between Member States and, second, that they have either as their object or their effect the restriction of competition between professional football clubs, unless, in the second of those scenarios, it is demonstrated, through convincing arguments and evidence, that they are both justified by the pursuit of one or more objectives that are legitimate and strictly necessary for that purpose.

Furthermore, Article 101(3) TFEU

must be interpreted as meaning that it allows such decisions by associations of undertakings, if they prove to be contrary to paragraph 1 of that article, to benefit from an exemption to the application of that paragraph only if it is demonstrated, through convincing arguments and evidence, that all of the conditions required for that purpose are satisfied.

And finally, Article 45 TFEU

must be interpreted as precluding rules which have been adopted by an association responsible for organising football competitions at national level, and which require each club participating in those competitions to enter in the list of its players and to include on the match sheet a minimum number of players trained in the territorial jurisdiction of that association, unless it is established that those rules are suitable for ensuring, in a consistent and systematic manner, the attainment of the objective of

³³ *Royal Antwerp* (n 2).

³⁴ Case C-680/21 *Royal Antwerp FC* ECLI:EU:C:2023:188, Opinion of AG Szpunar, paras 8–10.

³⁵ *Royal Antwerp* (n 2), paras 135, 150.

encouraging, at local level, the recruitment and training of young professional football players, and that they do not go beyond what is necessary to achieve that objective.

To conclude, the CJEU has not made the final decision regarding the incompatibility of the HGP rules of UEFA and RBFA. It will therefore be for the referring court (the Tribunal de Première Instance Francophone de Bruxelles – Brussels Court of First Instance (French-speaking)) to rule on whether the UEFA and RBFA rules at issue in the main proceedings satisfy those conditions, in light of the arguments and evidence produced by the parties.

3. Major League Soccer HGP Rule

North American football or soccer also faces the use of the HGP rule. To have a good comparison to the European HGP rule in this section we will give a short review of the Major League Soccer (MLS) rule. It must be stressed that the MLS rules and regulations are quite complex and importantly different in comparison to the European rules.

According to the MLS roster rules and regulations,³⁶ an MLS club players list, named the ‘active roster’ comprises up to 30 players. All 30 players are eligible for selection to the game-day squad during the regular season and playoffs. Up to 20 players, occupying roster slots 1–20, count against the club’s 2024 salary budget of 5,470,000 USD and are referred to collectively as the club’s senior roster. Clubs are not required to fill roster slots 19 and 20, and clubs may spread their entire salary budget across 18 senior roster players. A minimum salary budget charge will be imputed against a club’s salary budget for each unfilled senior roster slot below 18. Slots 21–24 may be filled with, (i) Senior Minimum Salary Players (89,716) USD, which may include home-grown players; (ii) generation adidas players; (iii) any specifically designated players eligible for the MLS SuperDraft; or (iv) home-grown players earning more than the senior minimum salary subject to the home-grown player subsidy. Slots 25–30 may be filled with, (i) players earning the reserve minimum salary (71,401) USD, which may include home-grown players; (ii) home-grown players earning more than the reserve minimum salary subject to the home-grown player subsidy; or (iii) generation adidas players (earning the reserve minimum salary).

Home-grown player(s) in supplemental roster slots 21–30 may earn in aggregate each year up to 125,000 USD above the reserve minimum salary (if occupying slots 25–30) or senior minimum salary (if occupying slots 21–24). Clubs may use up to 200,000 USD of their currently available targeted allocation money or general allocation money to sign new home-grown players to their first MLS contract, subject to league review and approval. Targeted allocation money cannot be used on a home-grown player previously signed to MLS.

There is a specific HGP rule called ‘home-grown international rule’ defining that any player who, at the time of their initial signing with MLS, meets the requirements to qualify as a home-grown player as a member of an MLS club academy, either in the US or Canada, or has met similar requirements as a member of a Canadian Approved Youth Club, will count as a domestic player (ie they will not occupy an international roster slot) on either US or Canadian club rosters provided that, (i) the player became a member of an MLS club academy, either in the US or Canada, or a Canadian Approved Youth Club no later than the year in which he turned 15 years old; and (ii) The player signs his first professional contract with MLS or an MLS club’s affiliate (MLS NEXT Pro).

Players signed through the home-grown player mechanism meaning that a club may sign a player to a contract without subjecting him to the MLS SuperDraft if the player has been a member of that club’s youth academy for at least one year and has met the necessary requirements. Players joining MLS through this mechanism are known

³⁶ MLS Roster Rules and Regulations (2025) <www.mlssoccer.com/about/roster-rules-and-regulations> accessed 2 September 2025.

as home-grown players and will receive the designation of ‘home-grown player’ on a club’s roster. There is no limit on the number of home-grown players a club may sign in any given year. Home-grown players may occupy a slot on the senior or supplemental roster.

III. Conclusion

This chapter has shown that, despite the HGP rule as it is currently in force, the number of locally trained players in the group stage squads of UEFA competitions is insufficient. Being on List A-list with 25 players does not mean that the HGP actually play in a game, and we have seen that there have been clubs that have not used a single HGP in all their matches. On the other hand, it is obvious that clubs are constantly (re)evaluating whether it has been worthwhile to develop young talent when the best young players are leaving for the richest clubs without necessarily seeing a return on the investment from the training club. Working hard to develop football academies will certainly make a difference. The English model has shown that it is possible to have one of the richest competitions in the world – the Premier League, perhaps even the richest national competition – and over the last ten plus years achieve quite good results in developing youth football academies and getting more HGP playing in that competition.

Although the *Royal Antwerp FC* case has not generated much media or public interest, like the *European Super League (ESL)* case for instance, it is an important case legally, as the CJEU’s decision will certainly have regulatory implications. Those regulatory implications will certainly also demand a further development of good governance with participation of representative stakeholders in drafting the rule at European level. Since the clubs’ representatives³⁷ already have their important voice in drafting the UEFA regulations, especially those for competitions, probably in the near future FIFPro and Football Supporters Europe will also attain a stronger, much deserved position ‘at the table’. This kind of a social dialogue and good governance is always welcome at the European level. In addition, the CJEU decision and consequently the Belgium Court decision is likely to affect how clubs organise their squad lists and, more importantly, how clubs will promote the education and training of young players, which is highly recognised also by Article 165 TFEU and the CJEU case law.

It should be recalled, first, that, bearing in mind both the social and educational function of sport recognised in Article 165 TFEU, and more broadly, the considerable importance of sport in the EU, repeatedly highlighted by the CJEU, the aim of encouraging the recruitment and training of young professional football players constitutes a legitimate objective in the public interest. Second, as regards the suitability of rules such as those at issue in the main proceedings for attaining the objective in question, it should be noted, that that objective may, in certain cases and under certain conditions, justify measures which, without being designed in such a way as to ensure in a certain and quantifiable manner in advance, an increase or intensification of the recruitment and training of young players, may nonetheless create real and significant incentives in that direction.^{38, 39}

The author is of the opinion that a so-called ‘club-trained player’ rule is highly important in existing in line with the promotion and the training of young players and has much more relevance than the ‘association-trained player’ rule, which is in force in England and Belgium, for instance. The richest clubs can easily attract ‘nationally trained

³⁷ Currently, with the European Clubs Association (ECA) as the only representative stakeholder representing the clubs with European Leagues (EL), representing a higher-level association of clubs (ie leagues) there is a tendency of having a new important stakeholder as an association of clubs: Union of European Clubs, which would represent other medium or small size clubs that are not members of ECA.

³⁸ Case C-415/93 *Union Royale Belge Societe de Football Association, RCL and UEFA v JM Bosman* ECLI:EU:C:1995:463, paras 106, 108–109 ; Case C-325/08 *Olympique Lyonnais SASP v Olivier Bernard and Newcastle UFC* ECLI:EU:C:2010:143, paras 39, 41–45.

³⁹ *Royal Antwerp* (n 2), para 144–145.

players' but on the other hand such a rule is in line with the FIFA Regulation on Status and Transfer of Players (RSTP)⁴⁰ rules on protection of minors and prevention of transfer of minors from one country to the other. One possible solution which would be in line with EU law would be to determine a squad of, for example, 20 players for all clubs with additional right of clubs to fill up to five or even ten more club trained players, meaning that the squad for UEFA competitions could be composed of 20 players but if a club have a minimum of eight or even ten club-trained players the squad could have 28 players, or like in the MLS a 30-player squad list. In such a way additionally, we would promote the training and growth of young athletes not taking the place of EU citizens enjoying free movement rights as workers, which is what professional players deserve.

⁴⁰ FIFA Regulations on the Status and Transfers of Players RSTP (2024) arts 6, 19, 19bis <<https://digitalhub.fifa.com/m/6a0797ec77cbc02c/original/Regulations-on-the-Status-and-Transfer-of-Players-February-2024-edition.pdf>> accessed 2 September 2025.