

IN THE MATTER OF A PREMIER LEAGUE COMMISSION

UNDER RULE W.24 OF THE PREMIER LEAGUE RULES

B E T W E E N : -

**THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED
(trading as THE PREMIER LEAGUE)**

Complainant

-and-

EVERTON FOOTBALL CLUB COMPANY LIMITED

Respondent

CONSENT AWARD

DELIVERED BY THE COMMISSION

sitting in the following composition:

Chair:	Mr James Drake K.C.
Members:	Mr Kwadjo Adjepong Mr Michael Kaltz, FCA
Clerk:	Ms Sophie Hepburn

16 January 2025

I. Introduction

1. This is a Consent Award of the Disciplinary Commission dated 16 January 2025.
2. The Premier League (the “**PL**”) filed and served a complaint on Everton Football Club (the “**Club**”) under Rule W.24 of the PL’s Season 2023/24 Rules (the “**Rules**”) on 15 January 2024 (the “**FY23 Complaint**”).
3. The Club filed and served its written answer to the Complaint under Rule W.29 of the Rules on 29 January 2024 (the “**Club’s Answer**”).
4. The PL applied to amend its Complaint on 26 February 2024 (the “**First Amendment Application**”). On 8 March 2024, the Commission refused the First Amendment Application but permitted the PL to make a further application for permission to amend its Complaint.
5. The PL applied to amend its Complaint on 18 March 2024 (the “**Further Amendment Application**”) to raise certain additional allegations (the “**Additional Allegations**”).
6. The Commission ordered on 28 March 2024 that the Further Amendment Application was granted, without prejudice to the Club’s position in respect of certain jurisdictional issues that were to be determined at a later date with respect to the Additional Allegations. The Commission bifurcated the proceedings, such that they would be resolved in two stages, with the first stage addressing the appropriate sanction for the breach admitted by the Club to be conducted in accordance with the process and timetable set out in the Standard Directions at Appendix 1 of the Rules (“**Part 1**”) and the second stage taking place at a later date, addressing the Additional Allegations and any alleged jurisdiction and arbitrability issues (the “**Alleged Jurisdictional and Arbitrability Issues**”) in respect of them (“**Part 2**”). At the request of the parties, the Commission imposed a stay in respect of Part 2 until 28 June 2024 (the “**Stay**”).
7. Following a hearing on 25 – 27 March 2024 to address Part 1, the Commission delivered its decision on 8 April 2024, imposing an immediate deduction of two points on the Club (the “**Decision**”).
8. At the request of the parties, the Commission ordered on 17 May 2024 that the Stay of Part 2 be extended until 28 October 2024 (the “**Extended Stay**”) and that a Case Management Conference (“**CMC**”) be listed following the expiry of the Extended Stay to determine, if not agreed, the appropriate procedural timetable for the determination of Part 2 and to address the Additional Allegations and the Alleged Jurisdictional and Arbitrability Issues.

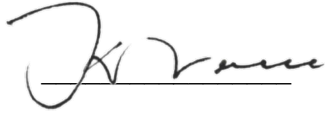
9. The Club provided the PL on 21 October 2024 with legal submissions, witness statements from its Chief Financial Officer, James Maryniak, and a non-executive director of its Board, John Spellman, and an expert report from Jonathan Pryor of Evelyn Partners, addressing the Additional Allegations (the “**21 October Documents**”).
10. The Club confirmed to the PL by a letter dated 26 November 2024 that the Club was content to proceed on the basis that the Alleged Jurisdictional and Arbitrability Issues should be addressed in submissions at the final hearing in respect of Part 2.
11. Following the expiry of the Extended Stay, the Commission held a CMC on 28 November 2024. Thereafter, on 10 December 2024 the Commission issued procedural directions which included, *inter alia*, hearing dates for Part 2 of the proceedings.
12. The Club filed and served its Re-Amended Answer on 13 December 2024.
13. After consideration of the 21 October Documents and the Re-Amended Answer, the PL wrote to the Commission on 14 January 2025, stating that it had concluded that it would not be appropriate or proportionate to continue to pursue the Additional Allegations that have not already been addressed by the Commission and requesting that the proceedings be discontinued on the terms set out in this Consent Award, as agreed between the parties.
14. On 15 January 2025, the Club confirmed its agreement to the PL’s request to discontinue the proceedings on the terms set out in this Consent Award.

II. Consent Award

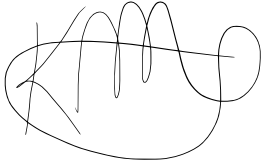
15. Part 2 of the proceedings is hereby discontinued.
16. Each party shall bear their own costs for Part 2 and shall each pay 50% of the Commission’s costs of Part 2.
17. The parties shall be at liberty to apply to the Commission for costs in respect of Part 1 of the proceedings, and the Commission reserves to itself the ability to deal with any such application.
18. Nothing in this Consent Award nor the fact of the discontinuance by the PL of Part 2 of the proceedings prejudices the Decision or the decisions of the Commission and the Appeal Board in respect of the Club’s FY22 breach of the PSR.
19. This Consent Award shall be published by the PL on its website.

Dated: 16 January 2025

THE COMMISSION

A handwritten signature in black ink, appearing to read 'J Drake', written over a horizontal line.

James Drake K.C. (Chair)

A handwritten signature in black ink, appearing to read 'K Adjepong', written over a horizontal line.

Kwadjo Adjepong

A handwritten signature in black ink, appearing to read 'mKaltz', written over a horizontal line.

Michael Kaltz, FCA