



Without any doubt, these types of errors fall within the manifest error of assessment or vision by referee that leads us to asking ourselves: when will FIFA and UEFA decide to use technology in order to prevent situations like this one? It seems that the International Board has finally passed that border and those events would not be anymore a question of luck but of technology which will bring the truth to football, at last...

Once again this kind of facts shows that football needs the help of technology, since even the same referees can make mistakes being cheated in their visual assessment of the facts and this is why the International Board has come to accept it.

So, assuming that FIFA and its continental bodies will accept the change of the IFAB, there will not be absurd situations, such as the present one where, despite a team having scored, they were eliminated of the Youth League, sending a wrong message to the young players that had made an effort to win since a mistake deprived them to progress to the following round.

Spanish FA President faces possible disqualification or removal from his position

By Agustín AMORÓS MARTÍNEZ
Lawyer, RUIZ-HUERTA & CRESPO SPORTS LAWYERS
Valencia - Spain

→ Spanish Football Federation (RFEF) – Sport entities – Insolvency



RFEF President Ángel María VILLAR.

According to the media, the Spanish Football Association (RFEF) has allegedly funded *Recreativo de Huelva*, the oldest football Club in Spain, for the 2015/2016 season in order to pay its debt to their former coach *Jose Luis OLTRA*. The loan, made through the National Coaching Committee, was even accredited in the

general ledger account that *Recreativo* has with the Federation.

Moreover, it seems that another club, *Marino Tenerife-Sur*, would have benefited from an irregular payment made through the Spanish Footballers Association (AFE) to cover for their players who were in the team during the 1992/1993 season. Without this payment *Marino* would not have been able to begin the competition in Second "B" Division in the 2012/2013 season.

In fact, eight players received nearly EUR 166,000 once the competition had begun, fact which is also totally irregular. It seems that this sum was previously deposited by RFEF but *Marino* did not pay the money.

Miguel CARDENAL, Spain's Secretary of Sport, has stated that "very serious" evidence suggest that RFEF President *Angel María VILLAR* infringed his own organisation's rules to help out *Recreativo*.

Spain's Superior Sport Council is investigating whether fraud took place in granting *Recreativo* a license to compete despite technically being in bankruptcy.

Reports also say that *Recreativo* received a direct EUR 200,000 loan, which was used to make the payment to its former coach, even though it has an unpaid tax bill of EUR 11 million and had been embargoed by the authorities.

In recent years, other Spanish clubs in similar difficulties, including *Elche* and *Huesca*, did not receive such favourable treatment and were relegated due to the lack of fulfilment of diverse financial requirements.

For his part, Mr *VILLAR* maintains that the responsibility should lie with *Jorge PEREZ*, Secretary General of the RFEF and candidate for President, and *José María CASTILLÓN*, General Manager. Mr *VILLAR* has detailed in his writings the functions assigned to him as president and those assigned to the secretary general and the general manager.

Angel María VILLAR further questions the Sports Council's power to investigate or audit transactions considering that the money for *Recreativo* did not come from public funds.

However, Article 76.2, d) of the Spanish Sport Act makes no difference between public and private money in the case of misuse of funds, stating: "very serious infringements are considered to be the

following ones by the presidents and the other managerial members of the organs of the Spanish sports federations and professional leagues: d) The improper utilization of private funds or the subsidies, loans, warranties and other assistance from the State, its autonomous bodies or those in any other way granted from the General State Budget."

As per Article 79.2 of the same Act, infringements listed in Article 76.2 can be sanctioned with temporary disqualification from two months to one year or removal from a post.

Moreover, in the revelation of cases *Recreativo* and *Marino*, Mr *VILLAR* sees a media campaign to be unable to stand for election to lengthen his term to 32 years.

Nevertheless, Mr *VILLAR* even hinted in his writings that *Recreativo* was aided because is it the oldest club in Spanish football.

Recreativo executive *Pablo COMAS* has already resigned after the payments came to light at the club.

Angel María VILLAR has been Spanish FA President since 1988, but has clashed repeatedly through recent years with both *Miguel CARDENAL* and *La Liga* President *Javier TEBAS*. *VILLAR* is also a FIFA Vice President, and has been very close through recent years to *Sepp BLATTER* and *Michel PLATINI*. Late last year he was appointed as acting chairman of the Organising Committee for World Cup 2018.

Should the Administrative Court for Sport find that the support provided to *Huelva* was illegal, Mr *VILLAR* would not be allowed to run for re-election.

It is even possible that these facts could be prosecuted as an improper management or misappropriation of public funds crimes.