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Underage Football Players in Brazil: Legal Certainty in the Representation of Minors under FIFA and National Regulations

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Introduction

Although football is a fundamental part of Brazilian culture and identity, the traditional Brazilian national team has lost in recent years the long-standing prominence it once enjoyed in major international competitions and in the FIFA rankings. Nevertheless, Brazil continues to produce talent throughout its entire territory, with millions of boys and girls dreaming of transforming their sporting ability into a professional career, often attracted by the promise of financial stability, wealth, social mobility, and a life abroad.

In the pursuit of such dreams, it has become common practice that young football players and their families associate themselves with football agents, who, according to FIFA's definition, are individuals licensed by the organisation to provide their clients with "*football-related services*"¹, including negotiations and communications aimed at concluding transfers and entering into professional employment contracts.

While players are responsible for developing themselves as athletes and achieving physical, mental, technical, and tactical improvement in order to reach a sporting performance level that satisfies both themselves and their employers, agents are responsible for identifying opportunities, negotiating contracts, and assisting athletes in making the best professional decisions. Due to the networks they establish and because they often provide negotiating experience and *know-how* that the families of young players cannot offer, agents quickly become crucial figures in the sporting careers of their represented players, playing an essential role in the football market.

The service relationship between a football agent (the service provider) and a football player (the client) is a private law relationship, simultaneously subject to FIFA's international regulations, national legislation, and national rules issued, in the case of Brazil, by the Brazilian Football Association (CBF – Confederação Brasileira de Futebol). As with everything related to the legal framework of football, there is a significant combination of public law and private

¹ *Football Agent*: a natural person licensed by FIFA to perform Football Agent Services.

Football Agent Services: football-related services performed for or on behalf of a Client, including any negotiation, communication relating or preparatory to the same, or other related activity, with the purpose, objective and/or intention of concluding a Transaction. (FIFA FFAR, p. 6).

regulations issued at national and international levels, which may create confusion and uncertainty for those less familiar with sports law.

At present, this uncertainty has developed into genuine legal insecurity, since, due to a legal battle between football agents and FIFA involving lawsuits filed around the world, a significant portion of FIFA's rules regarding services provided by football agents — the FIFA Football Agent Regulations (FIFA FFAR) — has been suspended².

In Brazil, this scenario is even more complex due to the suspension of the 2023 CBF National Football Agent Regulations ("RNAF 2023"), following an interim decision issued in proceedings brought against FIFA and CBF.³ As a result, an earlier version of the regulations issued by CBF, the 2022 National Intermediaries Regulations ("RNI 2022"), is currently applicable. The RNI 2022 predates the FFAR and, therefore, was not designed to be compatible with it. The same judicial decision, as will be discussed later, also suspended provisions of the FIFA FFAR that FIFA itself had not suspended voluntarily, such as Article 13.1, which concerns the representation of minor players.

Beyond the circumstances affecting private regulations, Brazilian public law does little to provide greater clarity. At present, Brazil simultaneously has two national sports organization laws in force: the Pelé Law and the General Sports Law ("LGE"). Both have the same hierarchical status and deal with highly similar matters. As expected, the coexistence of two legal frameworks regulating essentially the same subjects and activities does not make the legal situation surrounding football agency any less complex.

The evident legal uncertainty does not simplify the decisions faced by families of underage football players, many of whom come from less privileged social backgrounds and have limited access to education. Likewise, the current instability places football agents in a situation of

² On 30 December 2023, in light of the multiple legal proceedings challenging the FFAR, FIFA issued Circular No. 1873 and suspended the applicability of the following articles: 3.2.c) and 4), 4.2, 12.8, 12.9, 12.10, 14.2, 14.6, 14.7, 14.8, 14.10, 14.11, 14.12, 14.13, 15.1, 15.2, 15.3, 15.4, 16.2.b), h), j) and k), 16.4, 19, 20, 21, de seu regulamento de agentes. Video: https://www.fsf.fo/wp-content/uploads/2024/02/Circular_1873_FIFA_Football_Agent_Regulations_suspended_EN_06-02-2024.pdf?utm_source=chatgpt.com.

³ Interim decision issued on 18 December 2023, in Case No. 0838927-49.2023.8.19.0209, pending before the 7th Civil Court of the Barra da Tijuca District, in Rio de Janeiro, Brazil.

uncertainty regarding what is legally permitted in representation agreements entered into with their clients, especially when dealing with minor athletes, who receive justified and special attention from sports governing bodies.

This article aims to address the challenge of understanding, within the legal framework available as of July 2026, what can legally be constructed under Brazilian law regarding the relationship between underage football players and the agents chosen to support them in their pursuit of sporting and professional success. As will be demonstrated throughout this paper, this task is far from simple.

What does the FIFA FFAR say about minors representation?

The FIFA FFAR, which entered into force in January 2023, consists of the set of rules created by the organization to regulate the activities of football agents involved in the international transfer system and, as a general rule, applies to representation agreements that have an international dimension.

At the domestic level, the relationship between agents and football players is governed by the regulations issued by the national football governing body, which, in Brazil, is the CBF. Due to its hierarchical submission to FIFA and pursuant to Article 3.2 of the FFAR⁴, CBF's regulations applicable to Brazilian football must reflect, at the national level, the rules established in Articles 11 to 21 of the FFAR, which deal with the characteristics and formal requirements of football players' representation agreements.

In March 2026, FIFA published a document entitled "*Parents' Education on Football Agents*". As a relatively recent legal instrument, issued after the beginning of the legal disputes surrounding the FFAR and the suspension of a significant portion of its provisions, this guide, aimed at players' families, also becomes a valuable instrument for understanding what FIFA

⁴ The national football agent regulations govern the occupation of Football Agents within the territory under the jurisdiction of the relevant member associations and apply to all Representation Agreements that do not have an international dimension. The national football agent regulations must be consistent with these Regulations(…). FIFA FFAR.

continues to consider legally required for the development of football agent/intermediary activities involving minor players, even during the ongoing legal disputes.

Despite all the requirements for the validity of a representation agreement between a football agent and a football player (Article 12, FFAR), such as: (i) the requirement of a written agreement; (ii) the maximum duration of two years; (iii) the prohibition of automatic renewal; (iv) the duty to advise the player to seek independent legal advice before signing; and (v) the requirement of financial compensation in the event of termination of the representation agreement without just cause, FIFA also establishes specific requirements for the representation of minor players.

According to football's global governing body, a player under the age of 18 and his or her legal representatives may only be approached and effectively enter into representation agreements with football agents from six months before the player reaches the age at which his or her country allows the signing of a professional football employment contract⁵, pursuant to Article 13.1 of the FFAR. In Brazil, this situation would occur when the player reaches the age of 15 years and 6 months. According to FIFA, any approach made before this period must be sanctioned, and any representation agreement signed by a minor player outside these parameters must be considered null and void.

Furthermore, not every FIFA-licensed football agent is permitted to represent minors. FIFA requires agents to complete a specific course regarding the representation of minors (Article 13.2, FFAR), which must be renewed every three years. Another requirement coherently imposed by FIFA is that the legal representatives of the minor player must also sign the representation agreement (Article 13.3(c), FFAR).

Considering that FIFA's rules regarding limitations on football agents' remuneration are currently suspended by FIFA itself (Article 15, FFAR), the organization does not establish a specific cap on agents' remuneration for services provided to minor players. However, when providing services to minor players, an agent may only receive remuneration if the services

⁵ The age at which a professional football contract may be signed can vary according to the legislation of each country. In Brazil, although legal adulthood is reached at the age of 18, a player's first professional football contract may be signed from the age of 16, pursuant to Article 99 of the General Sports Law.

effectively resulted in the signing of the player's first professional employment contract or a subsequent employment contract.

Finally, it is worth mentioning FIFA's particular concern regarding the issue of *inducements*, which consist of rewards or benefits specifically offered as motivation for signing a representation agreement. Such *inducements* may take the form of monetary payments or luxury goods and services (such as trips, cars, clothing, watches, and similar items). Considering that they are often used as a final means of persuading someone to enter into a representation agreement, FIFA expressly prohibits this practice, especially when involving minor players.

However, such practice should not be confused with gifts and sporting equipment provided by agents to players who already have an existing representation agreement with them, which is very common in Brazil, given the socioeconomic background of the overwhelming majority of boys and girls who seek to pursue professional football careers in the country.

The fact remains that, while the legal disputes surrounding the FFAR remain unresolved, players continue to emerge, develop their skills, and establish relationships with agents in order to maximise their career development. Brazil has been a fertile ground for football talent for almost 100 years and, therefore, in order to safely develop the activity of representing young football players in Brazil, it is necessary to go beyond FIFA regulations and analyse the national legal framework.

Brazilian peculiarities regarding the representation of minors

Legal certainty, unfortunately, is not as traditional in Brazil as football itself. At present, as surprising as it may seem, Brazilian sport is simultaneously governed by two “general sports laws”: the Pelé Law (Law No. 9,615), in force since 1998, and the General Sports Law (“LGE”, Law No. 14,597), in force since 2023. Surprisingly, when enacting the General Sports Law, the Brazilian legislator chose not to expressly repeal the Pelé Law, despite the fact that a significant portion of the subject matter covered by both laws overlaps and that the function of regulating sports at a national level is inherent to both.

To make matters worse, unlike what occurs in some other countries, Brazil does not have specific legislation regulating the profession of football agents.

Regarding the representation of minor players, the two laws establish entirely different rules. The Pelé Law expressly prohibits the representation of players under the age of 18⁶. On the other hand, the LGE does not directly address the matter, but provides, in Article 95, paragraph 2, that the exercise of the profession of sports agent in Brazil must comply with the rules issued by CBF and FIFA⁷.

Considering that CBF is required to comply with FIFA regulations due to its affiliation with the organisation, and that FIFA, as analysed in the previous chapter, allows the remuneration of agents representing minor players provided that certain requirements are met, it is possible to argue that the LGE does not prohibit such practice.

Nevertheless, it is entirely possible to sustain that the entry into force of the LGE implicitly repealed the Pelé Law. However, such interpretation has not been supported by judicial decisions and is not precisely a position that provides legal certainty beyond a minimum threshold of reasonableness⁸. Under this reasoning, one could argue that, due to an implicit repeal, Brazil effectively granted “legal force” to Article 13 of the FIFA FFAR, given the obligation to comply with international sports regulations established by the LGE.

However, further complicating an already unclear scenario, the application of FIFA’s FFAR regulations in Brazil is currently the subject of judicial proceedings No. 0838927-49.2023.8.19.0001, in which, since December 2023, certain FFAR provisions have been suspended beyond the scope of what FIFA itself had voluntarily suspended. One of these provisions originally suspended by the Judiciary of the State of Rio de Janeiro is Article 13.1 of

⁶ Art. 27-C. São nulos de pleno direito os contratos firmados pelo atleta ou por seu representante legal com agente desportivo, pessoa física ou jurídica, bem como as cláusulas contratuais ou de instrumentos procuratórios que: (...) VI – versem sobre o gerenciamento de carreira de atleta em formação com idade inferior a 18 (dezoito) anos (Lei Pelé).

⁷ “Art. 95, § 2º A atuação de intermediação, de representação e de agenciamento esportivo submete-se às regras e aos regulamentos próprios de cada organização de administração esportiva e à legislação internacional das federações internacionais esportivas.”

⁸ A definição de revogação tácita para o ordenamento jurídico brasileiro está no Decreto-Lei nº 4.657/42 (“LINDB”): Art. 2º, § 1º: A lei posterior revoga a anterior quando expressamente o declare, quando seja com ela incompatível ou quando regule inteiramente a matéria de que tratava a lei anterior.

the FFAR, which concerns the representation of minors and established that a football player could sign with an agent from six months before becoming eligible to sign his first professional employment contract.

In other words, if one adopts the argument that the Pelé Law was implicitly repealed, in order to conclude that Brazilian law — through Article 95, paragraph 2, of the LGE — requires compliance with FIFA and CBF sports regulations, it would be possible to conclude that, due to the aforementioned judicial decision, there is currently no legal restriction in Brazil preventing a player of any age from signing with an agent.

Once again, it should be emphasised that this is not a unanimous legal interpretation nor one confirmed by Brazilian courts and, therefore, it does not provide a high degree of legal certainty.

Beyond federal legislation, it is necessary to examine the rules issued by the entity responsible for administering football in Brazil. CBF, in order to comply with the requirements of the FFAR and regulate football agents' activities at a national level, issued the 2023 National Football Agent Regulations (RNAF 2023). However, the judicial decision mentioned above also fully suspended the applicability of the RNAF 2023.

Therefore, with its regulation specifically designed to comply with FIFA's FFAR suspended, CBF had no alternative but to “restore the validity” of the previous regulation, the 2022 National Intermediaries Regulations (RNI 2022), which had been drafted before the FFAR entered into force in January 2023. Since it was drafted before the FFAR and the LGE became effective, it is evident that the return of the RNI 2022 may generate legal problems.

And so it did: the RNI 2022 granted (and once again grants, after being reinstated) compliance with the Pelé Law and, therefore, prohibits agents from receiving remuneration in such cases:

Art. 24 – No commission shall be due or paid to the Intermediary in relation to a player under the age of 18 (eighteen), regardless of the payer, due to the express prohibition

contained in the FIFA Regulations on Working with Intermediaries; inclusion of a reference to this provision in the Representation Agreement is mandatory.

Sole Paragraph – Non-professional players under the age of 18 (eighteen) are prohibited from engaging the services of an Intermediary, on any grounds or under any pretext, to negotiate any of the contractual instruments set forth in Article 2 of these Regulations, given the nullity established by Article 27–C, VI of Law No. 9.615/98; likewise, making any payment to said Intermediary is prohibited.

As clearly demonstrated by the highlighted provision above, considering that the current FFAR allows the remuneration of agents representing minor players, the basis for the prohibition contained in the RNI currently applicable in Brazil is solely a FIFA rule that no longer exists in the international regulatory framework.

The absolutely chaotic legal scenario becomes even more dramatic as it has become increasingly common on social media for football agents and minor players to publicly share the signing of professional employment contracts together⁹. In practice, one recurring (anti)legal solution has been the “simulation” of contractual arrangements, whereby agents enter into image rights exploitation agreements with minor players as a way of circumventing the lack of clarity regarding whether they may actually represent minors. This is not a recommended approach.

Another solution observed in daily practice is based on a bold interpretation of the law. Considering that Article 27–C, item VI, of the Pelé Law considers null and void any agreement involving the “*career management of a developing athlete under the age of 18*”, some argue that minor players who sign professional employment contracts are no longer “developing athletes”, which would allow their representation by agents.

⁹ Some examples: <https://www.instagram.com/reels/DTWVxoikWjn/>,
https://www.instagram.com/p/DU16oTZEY_w/?img_index=1&igsh=MWdoeW51aGwzMTU5Zg==,
https://www.instagram.com/p/C74rsXnRu-_/?img_index=2&igsh=MTkyb214aHVxMWJ4Ng==,
<https://www.uol.com.br/esporte/futebol/ultimas-noticias/2026/01/05/joia-do-santos-rompe-contrato-com-neymar-pai-e-pode-deixar-o-clube.htm>.

Under this interpretation, when a player signs his first professional employment contract at the age of 16, the agent could receive remuneration. Although this is an intelligent and insightful interpretation, it also cannot be considered to provide a high level of legal certainty.

In summary, the general framework of the current situation could be illustrated as follows:

REPRESENTATION OF MINOR PLAYERS IN BRAZIL

PELÉ LAW (1998)

Still in force and enacted long before the FFAR, it considers representation agreements entered into with players under the age of 18 null and void.

LGE (1993)

Does not directly address the matter but establishes compliance with FIFA regulations. It is debatable whether it implicitly repealed the Pelé Law.

FIFA FFAR (2023)

Subject to several requirements, allows the remunerated representation of minors from six months before the age at which they may become professional players. However, in Brazil, this minimum age requirement is currently suspended by judicial decision (Article 13.1, FFAR).

RNAF (2023)

Although created to implement the FFAR in Brazil, its effectiveness has been suspended by judicial decision.

RNI (2022)

RNI 2022: Currently in force, it categorically prohibits remuneration, relying on a FIFA provision that no longer exists and on an article of the Pelé Law whose implicit repeal may be argued.

Final comments

The complex scenario described throughout this article may provide significant entertainment from a legal debate perspective but offers very little legal certainty. In reality, even the strategies developed by the most experienced lawyers in the field cannot guarantee the validity of a representation agreement entered into in Brazil with a minor player in the event of potential judicial review.

The safest position would be to state that remuneration for football agency services provided to minor players in Brazil is unlawful. However, such statement appears completely disconnected from reality, considering that virtually all Brazilian minor players publicly identified as having agents do, in fact, have professional representatives. Furthermore, a stricter interpretation places agents operating in Brazil at a clear disadvantage compared to their foreign counterparts.

In any event, the current legal perception — considering that the judicial decision issued in Brazil is merely an interim decision and that FIFA's regulations may be amended in the near future — creates significant risks for the activity of representing Brazilian talents under the age of 18. Although arguing that an implicit repeal occurred may be legally reasonable, it represents an unusual legal approach. Moreover, the practical alternatives developed to allow remuneration of agents working with minors do not provide full reliability or legal security.

In addition, specifically in the Brazilian context, the coexistence of two laws governing national football, together with the absence of specific legislation regulating the activities of

football agents and intermediaries, are factors that make the provision of services to players under the age of 18 highly uncertain.

For those who remain optimistic, it is worth noting that, in July 2026, FIFA indicated that it intends to involve football agents in the process of making consensual amendments to the FFAR¹⁰, as it recently did regarding its RSTP (*Regulations on the Status and Transfer of Players*)¹¹. Such developments may bring an end to, or at least reduce, the current judicial uncertainty surrounding the validity of the regulations applicable to this category.

Therefore, if there is any positive perspective in the current scenario of uncertainty, it is that Brazilian legislation has historically adapted itself to FIFA regulations. Should a revised or new FFAR emerge, developed in cooperation with football agents, it is likely that the Brazilian legal framework will incorporate such changes and bring an end to the current situation of complete uncertainty.

However, until this occurs, and as long as the Pelé Law and the RNI 2022 remain applicable, remuneration for the representation of minors will continue to be subject to significant legal exposure and remain vulnerable in the event of litigation.

¹⁰ Video <https://inside.fifa.com/transfer-system/agents/news/welcomes-court-of-justice-european-union-decision-football-agent-regulations>.

¹¹ Video <https://www.fifpro.org/en/articles/2026/06/what-the-fifpro-and-fifa-agreement-means-for-players>.

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