

# **APPENDIX V: Confidentiality Agreement**

[FAI HEADED PAPER]

[INSERT NAME]  
Club Licensing Officer  
[INSERT CLUB]

## **Confidentiality Agreement**

Dear [INSERT NAME HERE],

We write to you in connection with the application of [INSERT CLUB] for a club licence ("Licence") for the League of Ireland season [INSERT YEAR] under the provisions of the FAI Club Licensing Club Manual (the "Application").

1. In order for us to be able to evaluate and to reach a decision on the Application, you have already made and/or will make available to us information (the "Information") relating to [INSERT CLUB] and related undertakings.
2. In consideration of your making the Information available to us, we hereby undertake that such Information shall be kept strictly confidential by us and by our employees and/or agents (and particularly by those employees working in the FAI Licensing Administration and other appointed advisors) and shall not be disclosed directly or indirectly to any third party (by whatever means) save:
  - i. as is necessary for the evaluation of the Application, and then only on the condition that said third party undertakes to us to keep such Information as is disclosed confidential on the same terms as set out in this letter;
  - ii. for the purpose of taking legal advice and other relevant professional advice;
  - iii. as may be required by any court of competent jurisdiction;
  - iv. for the purpose of benchmarking and as agreed in advance by you;
  - v. as agreed to in advance in writing by you;
  - vi. if the information is already in the public domain, e.g. documentation filed to Companies Office;
  - vii. a copy of the contacts sheet which is attached to the Club Licence Application Pack will be sent to the National League for their records. Data regarding Infrastructure will also be shared with the FAI and National League to facilitate match delegates in completing their reports and for Health and Safety reasons. No enclosures (e.g. Legal or Financial Information) will be forwarded and these will remain under the confidentiality clause; and; any decision of the Club Licensing Committee or Club Licensing Appeals Body may be communicated to the media.
3. In the interests of maintaining said confidentiality, we shall ensure that all employees involved in the licensing process and other appointed advisors involved in the evaluation of the Application shall, as soon as is reasonably practicable hereafter, execute a confidentiality form. We agree to provide you with copies of all such executed undertakings upon your request.

4. For the avoidance of doubt, this agreement shall not apply to any Information which is or becomes publicly available, except as a direct or indirect result of a breach by us of the obligations contained in this agreement.
5. In this letter, the word "Information" includes information which is made available by you or on your behalf, orally or in writing or in any other way (including information stored on computer or any other medium of any kind), information which is apparent on any visit to a property owned or occupied by **[INSERT CLUB]**, analyses or memoranda prepared by us or on our behalf containing any information referred to in this paragraph.
6. Each signatory to this letter hereby represents and warrants to the other that:
  - i. it has full power and authority to enter into and perform all such obligations as are required by this letter; and
  - ii. it has taken all necessary actions to authorise the execution and performance of this letter in accordance with its term
7. This letter shall be governed by and construed in accordance with Irish law and the parties submit to the exclusive jurisdiction of the courts of the Republic of Ireland over any claim, dispute or matter arising out of in connection with this Agreement. Please confirm your agreement to and acceptance of the terms set out in this letter by signing and returning this letter.

Yours sincerely

**FAI Club Licensing Department**

Signed by an Authorised Signatory of the Club \_\_\_\_\_

Full Name:

Date:

Signed by an Authorised Signatory of the Club \_\_\_\_\_

Full Name:

Date: