

UEFA CLUB FINANCIAL CONTROL BODY
Adjudicatory Chamber

ORDER

in case

AC-07/2015

LLC FOOTBALL CLUB DNIPRO

Composition of the chamber:

- **J. N. Cunha Rodrigues, Chairman**
- **L. Peila, Vice-chairman**
- **C. W. A. Timmermans, Vice-chairman**
- **C. Flint QC, Member**
- **A. Giersz, Member**

Nyon, 30 March 2016

1. On 10 December 2015, the Adjudicatory Chamber of the UEFA Club Financial Control Body made its decision in case AC-07/2015, *LLC Football Club Dnipro* (the “**Decision**”) in accordance with the *Procedural rules governing the UEFA Club Financial Control Body – Edition 2015* (the “**Procedural Rules**”).
2. The CFCB Adjudicatory Chamber found that LLC Football Club Dnipro (“**Dnipro**” or the “**Club**”) had breached Articles 65(1) and 66(1) of the *UEFA Club Licensing and Financial Fair Play Regulations – Edition 2015* because it had overdue payables totalling one million, seven hundred and forty-two thousand Euros (€1,742,000) towards other football clubs and in respect of employees as at 30 September 2015.
3. Against this background, the CFCB Adjudicatory Chamber decided to exclude Dnipro from participating in the next UEFA club competition for which it would otherwise qualify in the next three (3) seasons (i.e. the 2016/17, 2017/18 and 2018/19 seasons) unless the Club was able to prove by 31 January 2016 that it had paid the amounts that were identified as overdue payables as at 30 September 2015 (the “**Condition**”).
4. An examination was conducted by the CFCB Investigatory Chamber on 12 February 2016 in order to verify whether the Club had satisfied the Condition. Such examination took into account the information and supporting documentation submitted by the Club.
5. The CFCB Investigatory Chamber’s examination concluded that the Club had not satisfied the Condition because only six hundred and ninety-eight thousand Euros (€698,000) of the relevant overdue payables had been paid by 31 January 2016, which means that the balance of one million, forty-four thousand Euros (€1,044,000) remained unpaid.
6. The Club was notified of the outcome of the CFCB Investigatory Chamber’s examination on 2 March 2016 and was given the opportunity to respond.
7. The CFCB Adjudicatory Chamber acknowledges receipt of the letter dated 11th March 2016 from Mr. Stetsenko (the General Director of Dnipro) in which the Club seeks to explain why it has not complied with the Condition, however, the CFCB Adjudicatory Chamber is not persuaded by this statement which refers only to general economic problems and provides no evidence that would contradict the findings of the CFCB Investigatory Chamber.
8. The CFCB Adjudicatory Chamber accepts the findings of the CFCB Investigatory Chamber with regard to Dnipro’s failure to satisfy the Condition.
9. Based on the foregoing, Dnipro failed to satisfy the Condition set by the CFCB Adjudicatory Chamber in the Decision.

10. Accordingly, the CFCB Adjudicatory Chamber hereby orders as follows:
1. **The exclusion provided for in the Decision shall take effect immediately and, consequently, Dnipro is excluded from participating in the next UEFA club competition for which it would otherwise qualify in the next three (3) seasons (i.e. the 2016/17, 2017/18 and 2018/19 seasons).**
 2. **This Order is final.**
 3. **This Order is notified to:**
 - a) **Dnipro;**
 - b) **the Football Federation of Ukraine;**
 - c) **the CFCB Investigatory Chamber; and**
 - d) **the UEFA Administration.**
11. In accordance with Article 34(2) of the Procedural Rules and Articles 62 and 63 of the *UEFA Statutes*, this Order may be appealed in writing before the Court of Arbitration for Sport. In accordance with Article 62(3) of the *UEFA Statutes*, any such appeal must be made within ten (10) days of receiving this Order.



J.N. Cunha Rodrigues
CFCB Chairman