



The compensation fee is an issue on which the Office regularly receives complaints from and offers advice to children and their parents.

In principle, the Office of the Commissioner has always been against the compensation fee. This is because the compensation fee has the effect of restricting the passage of children from one nursery to another. When there is a real need for a child to move to another nursery, the fee, which can be prohibitively high for many families, impedes the exercise of the child's fundamental right 'to engage in play and recreational activities' (UN Convention on the Rights of the Child, Article 30), in that it leads to a situation where the child cannot train and play football with any football club that is a member of the Malta Football Association.

Since it is rare for a football Club to be ready to pay a compensation fee to another Club, it is clear that the aim of the fee is to deter the movement of children between clubs. Hence the fee is symptomatic of a wrong mindset which sees children as a means to the end of football clubs to achieve competitive success over one another.

Football clubs need to understand that their role is to offer children who love to play football an educational service in the development of their physical and technical abilities and an opportunity to play football competitively as part of a team. Football clubs must look at each other as partners not rivals in the fulfilment of this common primary role. Hence, a child who needs to move to another nursery should not be seen as a failed investment for which compensation should be requested and obtained but as a person whose right to play can be met by another sports organisation.

This also means that funds should be devolved to football nurseries in a way that is commensurate with their social role in nurturing children in the values of sportsmanship.

The Office has long called for the compensation fee to be abolished. This is not easy to achieve as it can only be brought about through a majority agreement among the football clubs, which highlights the need to give children a voice and a vote in the running and representation of football clubs. Therefore, in parallel to its advocacy against the compensation fee, the Office has also pushed for incremental measures that could diminish the fee's negative effects. In 2013, the Office pushed for and succeeded in helping to raise the minimum age for the registration of players with football club nurseries, hence for the applicability of the compensation fee, from 10 to 12 years of age.

The Office will continue lobbying the relevant authorities and raising awareness to put an end to the compensation fee. At the same time and until such time as this is achieved, the Office will continue working to minimise the adverse effects of the compensation fee on children's basic right to play.