



**Agreed Decision for Publication**

**IN THE MATTER OF A BREACH OF THE EFL REGULATIONS**

**BETWEEN:**

**THE FOOTBALL LEAGUE**

**The EFL**

**- and -**

**MORECAMBE FOOTBALL CLUB**

**The Club**

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**AGREED DECISION**

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**Introduction and Factual Background**

1. This is an Agreed Decision pursuant to EFL Regulation 86 and shall reference the EFL Regulations 2023/24 Season (the **Regulations**). Capitalised terms shall have the same meaning as set out in the Regulations, unless otherwise defined herein.
2. The EFL received allegations that the Club failed to pay its Players' wages as follows:
  - a. 28 March 2023 – the Club failed to pay its players' wages on 28 March 2023. The Club didn't make payment until 31 March 2023 when all overdue Player wages were paid in full, plus payment of non-playing staff too.
3. As a result the Club was to be charged with Misconduct for failing to comply with Regulation 64.7.
4. Regulation 64.7 provides:

*"The terms of a Standard Contract between a Club and a Player shall be strictly adhered to."*
5. The Club admitted being in breach of Regulation 64.7.

**Agreed Decision and Sanction**



6. Regulation 86 allows the EFL and a Club to enter an Agreed Decision where it is appropriate in the circumstances to conclude a matter effectively and equitably without referring the matter to a Disciplinary Commission.
7. Having reviewed the Club's submissions, the EFL Board invited the Club to consider the following proposed sanction in respect of the Charge:
  - a. a suspended 3-point deduction for the 2023/2024 Season, to expire on 30 June 2024 if not activated, but to become active if:
    - i. Payment is not made by the owners of the Club to the Club Deposit Account in accordance with paragraph 7(b) below; or
    - ii. There is any failure to pay Players on time from the date of this Agreed Decision until 30 June 2024.
  - b. within two Normal Working Days of this Agreed Decision (as defined in the Regulations), the Club's ultimate beneficial and controlling shareholder (Jason Whittingham) deposits an amount equal to 125% of the forecast monthly wage bill (gross/before tax deductions) in a designated Club bank account for calling upon by the Club in the event of any future delays in processing of overseas payments, with obligations around reporting on the operation of the account, an obligation to maintain it at appropriate levels and a time limit for its operation (until 30 June 2024, provided there has been no call on the amounts during that period) (the **Deposit Account**), the full terms of which have been set out in an agreement between the EFL and the Club. The Club's ultimate beneficial shareholder, Jason Whittingham, signs this Agreed Decision, acknowledging and accepting personal liability for procuring the deposit account is funded with the requisite funds in compliance with the terms of this Agreed Decision, failure to do so will breach this Agreed Decision, trigger the suspended sanction above at paragraph 7(a) and may result in misconduct charges against Jason Whittingham.
  - c. the Club agrees to bear the EFL's costs in the sum of £750 plus VAT, plus the costs of ratification of the Agreed Decision in the sum of £700 plus VAT; and
  - d. the Agreed Decision is to be published in this format on EFL.com,

the "**Proposed Sanction**".

8. The Club accepted the Proposed Sanction.



9. The parties agree that by entering into this Agreed Decision shall not constitute a waiver by the EFL of its rights or remedies (however so arising) in respect of any future breaches of the EFL Regulations by the Club, including but not limited to any further breaches of Regulation 64.7.

A handwritten signature in black ink, appearing to read 'Christopher Stoner', is written over a faint, light-colored signature line.

**Christopher Stoner KC**

**Chair of the Disciplinary Commission  
ratifying this Agreed Decision**

**17 August 2023**