

**Case C-325/08 Olympique Lyonnais v Olivier Bernard and Newcastle United FC,  
judgment of 16 March 2010**

**Facts:** The applicant was a football player who rejected his football club's one-year contract offer, opting instead to join a team in the UK. Under national policy, he should have signed his first professional contract, at the end of his training, with the club which had trained him. That club subsequently took legal proceedings seeking an award of damages against him and his football club in the UK. The question for the Court concerned the principle of freedom of movement for workers and the possible restrictions which national measures could impose.

**Held:** Firstly, the applicant was a worker and so protected under the Treaty's free movement provisions. In this regard, the obligation imposed by the national provision on the applicant to conclude his first professional contract with the club which has trained him constituted a restriction that freedom.

Secondly, the restriction was capable of being justified if it aimed at encouraging the recruitment and training of young players, provided that it was actually capable of attaining that objective and was proportionate. On the facts the national rule was considered to be proportionate. However, the method of calculating damages, i.e. in relation to the total loss suffered by the club, went beyond what was necessary to encourage the recruitment and training of young players and could not therefore be justified.