



SPORTS LAW MANAGEMENT AND SPORTS TOURISM

THE NFL CONCUSSION SETTLEMENT: A LOOK WHAT IT MAY MEAN FOR OTHER SPORTS LEAGUES

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Abstract: On July 7, 2014, Judge Anita B. Brody of the United States District Court for the Eastern District of Pennsylvania approved a preliminary settlement between the National Football League (NFL) and the more than 4,500 retired players who sued the league for hiding the dangers of concussions and repeated hits to the head. The highlights of the agreement, which covers the more than 20,000 retired players and their beneficiaries, includes a promise from the NFL to pay an unlimited amount of money in damages to players with certain severe neurological conditions; \$765 million for cash awards, medical testing and concussion education. The settlement also allows the NFL, if it believes that the player's claim is fraudulent, to contest an unlimited number of requests for awards by retired players.

The issue, however, is not just an American football issue. For example, during this year's World Cup Final, Christoph Kramer, a German midfielder, suffered an obvious head injury during the FIFA tournament and was allowed to return to play. Kramer, who was at least the third player during the tournament to return to the field shortly after sustaining an obvious head injury, was still clearly dazed when he was replaced about 10 minutes after the collision. The purpose of this presentation, therefore, is to look at the potential impact of the NFL's settlement on other sports leagues.

COACHES AND MANAGERS CONTRACTS in FOOTBALL: PECULIARITIES AND TERMINATION

Int'l and comparative study

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Abstract: Sports managers and coaches are the core element of an environment focused on the win or lose ideology, characterised as it is by insecurity and volatility. They are one of the central figures in the world of sport, but there is not enough attention in relation to their status, their role and responsibility. Similarly, the relationship that binds them to their club has to be object of legal studies, in light of the peculiarities of the industry and of their function.

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This paper aims at providing an analysis of the theme of Coach and Manager Contracts, to highlights which are the main features of the relationship that exists between the coach and his club, and understand what might differentiate this from other type of relationship in the world of sport.

The most important element to be addressed in this context is related to the termination of the contract of employment between the manager and the team. In considering the duties and responsibilities of the parties, as expressed in the contract or regulated in other forms, the paper will give account of the trends developed in this context and the main reasons for concern.

The study will look at the regulations and the practices that are in place in several European and International Legal System, as well as the relevant case law which has been drawn from national Courts and Arbitration Tribunals, and International Tribunals such as the CAS.

The objective is to offer an analysis of the topic in the context of a broad international framework, that will possibly highlight common tendencies, reasons for concern and future developments in this area.

Keywords: Sports Managers – Disputes – Termination - FIFA – CAS

SPORTS LAW IN TURKEY (AS A SPORTS LAW AND GOVERNANCE MODEL)

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Abstract: Sports law in Turkey made certain progress after the foundation of the Republic. We can consider the Sports Congress, which met in 1935, as the first step taken towards sport-related legislation. The last and foremost step regarding the sports law existing in Turkey was taken with the special regulation made in the Turkish Constitution on 17 March 2011 (Article 59 : Development of Sport and Arbitration).

In my presentation, I will list these developments and then briefly mention the sports organizations in Turkey and their responsibilities.

This will be followed with the review of the legal structure of the sports clubs and the organization of the sports federations in Turkey.

Following the explanation of the organization of the sports, the legal status of the athletes in Turkey and the working conditions thereof shall be explained.

The issue of the protection and awarding of successful athletes shall be examined as well.

Next, I will address the legal and criminal liability in sports.

The Sports and Environmental Law will be reviewed under a separate topic.

I will conclude by examining the present system in Turkey for the resolution of disputes arising in the field of sports (ordinary courts, sports arbitration and conciliation, etc.).

This will allow us to see what is the proper model of governance has been specially designed by Turkey and in which extent the turkish model could be inspired by other countries.

Key words: Constitution, regulation, criminal liability, Arbitration

A GLOBAL CODE OF ETHICS FOR SPORT MANAGEMENT EXECUTIVES

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Abstract: Ethics is about: relationships; developing a well-informed conscience; being true to the idea of who we are and what we stand for; having the courage to explore difficult questions; accepting the cost of abiding by the answer to the fundamental question “What ought one to do?”

One of the fundamental foundations of exemplary sport management is a strong moral code – a code of ethics - as it will, if properly developed - ensure that sport managers act for the benefit of the sport rather than for themselves or other vested selfish interests. Whilst a Code of Ethics is not a set of laws, employees and professionals are expected to adhere to the codes or suffer penalties such as reprimands or dismissal. They codify unacceptable behaviour under certain conditions and situations. They also reduce ambiguity by specifying appropriate behaviour.

Having a Code of Ethics

- a) Defines acceptable behaviour; it informs people how they should act according to the principles that are important within your sport organisation.
- b) Promotes exemplary standards of practice; everyone is encouraged to follow a higher standard of behaviour as it is spelt out what one should and should not do
- c) Establishes the framework that people should follow; it forms the basis of what decisions people will make
- d) Becomes a mark of corporate identity; people will want to be involved with your organisation as it is known for its exemplary behaviour
- e) Makes an organisation sustainable; as a trusted and admirable organisation people will want to deal with you at all levels.

In developing a Code of Ethics, Socrates (see Frankena, 1975 p2) lays down some points about the approach to be taken:

1. We must not let our decision be determined by our emotions but must examine the question and follow the best reasoning. We must try to get our facts straight and to keep our minds clear
2. We cannot answer such questions by appealing to what people generally think. We must try to find an answer we ourselves can regard as correct.
3. We ought never to do what is morally wrong. The only question we need to answer is whether what is proposed is right or wrong, not what will happen to us, what people will think of us, or how we feel about what has happened.
4. We ought also determine which rules take precedence over which others.

The sources of an organisation’s Code of Ethics can be

- i) Societal – the values and standards embodied in a society’s laws, customs, practices and values
- ii) Professional – the values and standards that groups of managers and workers use to decide how to behave appropriately
- iii) Individual – personal values and standards that result from the influence of family, peers, upbringing and involvement in significant social institutions.

Codes typically contain provisions about the following:

- A general statement of the values of an organisation and its guiding principles
- Definitions of what constitutes both ethical and corrupt conduct
- Competence requirements and professional standards
- Directives on personal and professional behaviour
- Affirmations of fairness, equity, equal opportunity and affirmative action
- Stipulations on gifts and conflicts of interest

- Restrictions on use of the organisation's facilities for private purposes
- Guidelines on confidentiality, public comment, whistleblowing and post-separation use of confidential information
- Identification of different stakeholders and other interested parties and their rights
- Commitment to occupational health and safety
- Commitment to the environment and social responsibility
- Mechanism for enforcing the Code and sanctions for violations
- Advice on interpreting and implementing the code

This WORKSHOP will aim to draft a Code of Ethics for sport managers - from a sport management perspective - anywhere in the world on the premise that a properly developed code should have global applicability. The workshop will be replicated at the International Association for Sports Law (IASL) Conference in Athens in December – from a sports law perspective.

It is intended to develop in due course a Code that will be acceptable from both perspectives and which is endorsed by both WASM and the IASL.

APPLICATION OF COMMUNICATION PRINCIPLES ON SPORTS TOURISM.A RESEARCH ON THE SEMI-MARATHON OF THE CITY OF LEIVADIA

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(Present: Stephanos Karagiannis)

Abstract: Authors attempt to map sectors of tourism and athletics in Greece, as well as to trace the impact of tourism on hospitality services. At first they assess the tourism process through accessed sources (studies, monographs, sectoral bibliography). Both Greek and international bibliography underline the positive impact of tourism on employment, balance of payments, currency inflow, and local development. Studies conducted by the World Tourism Organization (UNWTO) forecast a steady increase of arrivals in the forthcoming years.

Authors deal also with the issue of athletic tourism improvement. Through the introduction of a competent communications strategy, areas that lack adequate tourism development, like the city of Leivadia, could be upgraded significantly by hosting variform athletic activities. In this respect, a field study through a questionnaire has been conducted in the city of on the occasion of the conduct of the semi-marathon race in 2014. The sample of the survey consisted of 114 persons, of which 56 were men and 58 women of various ages, who had visited the city of Leivadia in order to participate in the 2nd semi-marathon. Statistical analysis has been conducted by using SPSS. Trends, needs, and desires of Greek sport tourists have been explored. During the ongoing harsh economic situation, critical sectors such as athletic tourism are expected to promote sustainable local development due to its contribution to the GDP, to the increase of employment, as well as to the expansion of the taxable base.

Key words: Tourism, athletic tourism, city of Leivadia, semi-marathon, communication, field study

GLOBAL SPORTS TOURISM AND THE NECESSITY OF AN INSTITUTIONAL FRAMEWORK IN GREECE

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Abstract: In our days, sports tourism has been an activity that numerous people are involved with. The main question arising from this activity is, if there is a specific institutional framework concerning sport tourism. In several European countries as well as in the American continent there is a specific institutional framework that governs the activity of sports tourism, concerning both the nature of the activity and the framework that it evolves and develops within the country. Such thing does not happen in the case of Greece for several reasons, from which we may highlight the absence of a domestic institutional framework concerning sports tourism as well as the extreme difficulty in organizing sports tourism activities due to bureaucracy reasons that may had been resolved with a complete institutional framework for sports tourism that does not conflict with any of national or international laws. In this paper, there is an effort to compare the procedures in order to promote sports tourism in Greece to those happen in other countries such as Germany and Great Britain. In addition to this there is a presentation of the state of sport tourism in these countries and its percentage of the total tourism in these countries.

Key words: Sports tourism, international law, conflicts, development

CRIMINAL RESPONSIBILITY DUE PRESCRIPTION OF USING BANNED DRUGS(DOPING) IN SPORTS ACCORDING TO CODES OF ISLAMIC REPUBLIC OF IRAN AND IMAMIA JURISPRUDENCE

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Abstract: Nowadays, the use of banned performance- enhancing drugs(doping) in sport has been increased by athletes. As for drastic physical and spiritual damages, coaches and are obliged to aware the athletes from side effects and the other bad consequences. According to anti-doping rules, if they evade from their duty by an illegal prescription and cause physical damage to athletes, as for mental elements(Knowledge and Ignorance) and the common rules of criminal law(perpetration and causation),they'll be considered criminally responsible; in that case, there's no defect in the criminal law(in Iran),but if these illegal prescriptions by coaches or sports physician results prestige threat or destruction of reputation, there will be no rule for that. However from the perspective of Imamia jurisprudence this act is forbidden because of destructive effects on one's reputation and it's awarded by the judge. As for the Islamic laws and basic of criminology in these case such illegal prescription of using banned drugs(doping),it seems that it's up to lawmakers of criminology.

Key words: criminal responsibility, Doping, Imamia jurisprudence, Coach, sports physician

THE RIGHT TO USE ONE'S NAME FOR BETTING SERVICES

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Abstract: Greek law treats the right to one's name as a special manifestation of the personality right and a breach thereof as an infringement of the personality right as a whole. The right of every natural or legal person to its name includes the right-

holder's power to decide if and when to allow the use of its name by a third party. This right has personal as well as financial aspects. The financial aspects of the right contain also the right-holder's power for commercial exploitation. Therefore the use of the name of a sports club or an athlete by a sports betting services provider should always follow the permission of the right-holder. An explicit legislative recognition of the commercial aspects of this right in our country would help solve many contemporary problems faced by the sport sector.

Key words: Greek law, sports club, athlete, commercial exploitation, sport sector.

CONTRADICTION BETWEEN NATIONAL AND SPORTS REGULATIONS AND THEIR IMPACT ON SPORT INVESTMENT

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Abstract : A brief about football federations. The role of football federations in promoting youth programs and the development of their structure.

The management of football federations, their regulations and partnerships.

Generating football federations' income. Government intervention, monitoring and observation. Objection to any government intervention in management and highlighting its negative effect on the independence of football federations.

Key words : sport federation, football , Players, financial, management