



## LEGAL REPRESENTATION OF SPORTS LAW UNDER THE AMBIT OF ALTERNATIVE DISPUTES RESOLUTIONS

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**Abstract:** Sports contract law may require changes or adjustments in relation to certain contracts, mainly those that incorporate international agreements, such as the World Anti-Doping Code. Gender or certain contracts involving multiple parties. It is important that it assures the player of his place in the team and gives a feeling of security; it encourages a player to give everything for the team. This also ensures the safety of the team knowing that the players have committed to following the terms set forth. This ensures the satisfaction of both parties and ensures that they will not be violated as they are legally binding (Sullivan 2010). Contract laws in sports prevent player misconduct; These actions can lead to a bad reputation for the player, which leads to a bad reputation for the team. This helps the team avoid negative publicity about the players' actions or words. Therefore, legal contracts vary depending on the level and type of sport and no single contract applies to all sports (Sullivan 2010). Nowadays people often talk about a law called "sports law", but in reality, there is no separate law called "sports law". In recent times, the sport has seen tremendous growth and legal issues have also arisen. This growth has been accompanied by increased legal involvement in many of the activities and governance of the sport. It is for this reason that the rules applied in this sport are called "sports rules". They are not exclusive to sports, although they have demonstrated their importance in the functioning of sports. Professional and novice competitors are protected by gaming laws. Just a few decades ago, this jurisdiction was made of different stuff. This is basically due to increased media scrutiny of gaming rules and an increasing number of players and operators. Contract law is an important part of game performance. Each potential candidate must decide how much they will be paid for their administration and how long they will run in their chosen group. Regardless of the game, sports law contracts often bring in a lot of money and are therefore strongly pursued by gaming operators.

*Key words:* Sports law, law of contracts, administration, arbitration under Alternative Dispute Resolution.

### Introduction

Sports occupy a special place in people. Most of us as children played a sport in school or college and some even chose it as a career. Playing sports has its own health benefits because it helps the body be physically and mentally good. Additionally, some people are passionate about certain sports, which motivates them to achieve high rankings. Some people view sports as a simple source of entertainment. In a country like India, children start showing interest in various sports activities from a very young age, such as cricket or badminton, for which they do not need a field or proper equipment to play.

### History

It is well known that sports were an integral part of ancient India, when different types of sports were

played as a source of entertainment for kings and queens, and also as a form of entertainment for the citizen. For the players, sport at that time was a source of income and not a profession or hobby. We cannot imagine that the laws binding these sports or federations were introduced for the purpose of promoting players and their talents.

However, we know that they entered into a contract to entertain the kings and their subjects, at their own risk simply for the sake of making money. Games such as chess, archery, hockey, polo and wrestling were famous among royalty and nobility. Some of them have been adopted as family traditions.

With the change in people's beliefs and thoughts, the perspective on sports also changed and from a historical point of view, it has transformed into an

activity filled with enthusiasm, encouragement and the desire to prove oneself. before the whole world. Gradually, India started participating in sporting events around the world and the government supported the establishment of training centres for players.

Even after these changes, India has not been able to showcase its talent properly due to lack of motivation from the government and people, as well as lack of uniform regulation of the sport. It is clear that even in the modern era, parents as well as teachers in schools are focusing more on studies rather than letting their children focus on sports to explore their interests.

Apart from cricket, India has not achieved great success in other sporting events and this can be changed by bringing in appropriate legislation to bring all the authorities together for oversight sports industry.

#### National sports policy

- Mere participation of Indian athletes in various events and competitions is not enough to create a strong sporting image in India.<sup>1</sup>
- Lawmakers felt the need to introduce a certain policy aimed at raising the level of sports in the country.
- With this in mind, a resolution on a National Sports Policy was passed by both Houses of Congress in August 1984.
- It was decided that the progress made after the implementation of this policy would be documented and review every five years to plan the rest of the process. take action if deemed necessary.
- The 1984 National Sports Policy had some encouraging points but its implementation was not effective.
- To reform this policy and correct any errors in the previous bill, the National Sports Policy, 2001 was drafted with a three-fold objective.

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#### The policy guidelines are as follows:

- The first objective is to clearly define the areas of responsibility of all bodies responsible for the promotion and development of sport. In the sports industry, promotion is considered important to all players and sponsors.
- The second objective is to establish qualified sports federations to comply with these guidelines and then determine the procedures that these federations must follow to receive government help and support. and even benefit from sponsorship.
- The third step is to decide on the eligibility criteria that the government will follow in providing subsidies to sports federations. These conditions must be chosen carefully so that federations can take them seriously. Indian Sports Law and Social Welfare Association
- The Indian Sports Law and Welfare Association is a non-profit professional organization working at the national level to promote the ethical practice of sports law in India.<sup>2</sup>
- Its purpose is to understand and improve existing laws relating to sports and ensure the proper functioning of these laws to sustain the sports industry.
- It does this by bringing together legal practitioners and sportspeople and providing advice on legal issues a person may encounter.
- In addition, the association also plays a consulting role on issues such as regulations of sports governing bodies, general litigation related to sports, intellectual property issues, online advocacy and promotion., etc.
- It also aims to discuss any legal issues affecting the sport or any sportsperson and exchange different views on legal issues.
- It will also create a forum for all attorneys representing athletes, teams, leagues, conferences, educational and

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entertainment organizations as well as working in organizations related to Olympic sports, gymnastics and amateur sports. This forum will help establish rules that ensure ethical respect in sport.

### **Ministry of Youth and Sports**

It sets the eligibility conditions for the various National Sports Federations to receive recognition and grants to promote sporting events. It monitors sport's governing bodies in India, supports them and provides assistance when needed. It also carries out long-term development programs to achieve the goal of excellence.<sup>3</sup>

### **Appropriate laws are needed**

Even with continuous support from government agencies and motivation from the people, the sports industry in India has not achieved great success. Additionally, he has been subjected to comments about many mishaps that have occurred in the sports world. There is news of bidding scandals, corruption in sports, betting, match-fixing and worst of all, sexual harassment of female players.

It's nice to see that competition is really high in sports today and by adopting corrupt and illegal practices, many events can be won. However, it is a key factor that India has established sports associations on the basis of pure talent of the athletes. He does not believe in using illegal forms just to achieve and be famous.

There are labour issues, with players having to negotiate their own working hours, salaries and training conditions because their agents aren't doing a good job. Then there is a more serious problem, which is drug use. Although many measures are taken to prevent players from using performance-enhancing drugs, they still find ways to use them.

Not only is it illegal, but it is also dangerous to the player's health. There is also a need to verify the accountability and actions of all government agencies and bodies involved in sports management. For all these purposes, laws must be enacted and enforced, providing for strict sanctions and prison sentences for illegal acts and corruption.

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<sup>3</sup> It also carries out long-term development programs to achieve the goal of excellence.

This is the only possible way to control the situation and practice clean sports again.

The Constitution of India especially states that sports which comes under the jurisdiction of state government. In fact, the rules framed by the Sports Authority of India and the Sports Law and Welfare Association of India apply to the governance of sports. The role of sports law in protecting the rights of athletes is essential. Sports lawyers defend athletes, negotiating and prosecuting on their behalf on matters ranging from fair competition and anti-doping to anti-discrimination, contract disputes and publicity rights.

It aims to make sport a national priority and promote various benefits such as active lifestyles, child and youth development, social inclusion, employment opportunities, peace and development. development, as well as a sense of belonging and national pride. The relationship between tort law and sport. Generally, a person who suffers a sports-related injury may be entitled to compensation for medical expenses and other losses if the injury occurred due to another party's negligence. Injuries and damages caused by intentional acts, such as battery, may also be compensable.

While professional sports agents may be the first thing that comes to mind, sports law is a broad term for many different types of laws that impact how people play a sport, both professionally and professionally. entertainment. Trademark laws can protect the team they play for. If an athlete is injured on or off the field of play, personal injury laws may come into play. In addition to professional athletes, sports laws also affect young children who play sports. Regulations regarding coach training and safety equipment may affect young athletes.<sup>4</sup>

### **Sports and competition law**

It is said that two teams competing against each other are competing against each other. It is the competition between teams that makes a game. This competitive element not only motivates players to play but is also a means of generating revenue through gaming. For teams to be

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successful, they need to be efficient so they can compete even better.

Unequal distribution of player talent can lead to competitive imbalance. Competition is a way to pay players for their services and also ensure a revenue stream in the industry. Sports are often organized in a "pyramid" structure, at one end of which a single governing body controls most of the commercial aspects of each sport.

This governing body is the dominant body that looks after the games and their competition. Competition law monitors these organizations and ensures that anti-competitive organizations become competitors.

### **Sports law and arbitration are dispute resolution mechanisms**

Arbitration, a form of alternative dispute resolution, is a legal means of resolving disputes outside of court in which the disputing parties submit the dispute to one or more persons who may be called arbitrators.<sup>5</sup> Arbitration and then make a decision that the parties agree to abide by. This is a simple resolution technique that allows a third party or party to review the case filed by other parties and then make a decision that is legally binding on both parties.

This law has two parts: one-part deals with dispute resolution at the national level and sometimes also at the international level. The second part deals only with arbitration outside India. In sport, any dispute that arises will first be referred to the federations governing that sport, then, if necessary, the international federation will also be involved in resolving the dispute. As matches become more professional and competitive, the need for referees also increases.

This mechanism not only makes quick judgments about what needs to be done but also offers the most appropriate solutions that take into account the diversity and indisputable nature of sport. In addition, the arbitration mechanism also reduces the burden of sports-related disputes on the courts because they already have many pending cases and it can take a long time to make a final decision.

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<sup>5</sup> Resolving disputes outside of court in which the disputing parties submit the dispute to one or more persons who may be called arbitrators.

### **Suggestions**

- Sports law has been designed to address all the important issues that the industry can face.
- Policy and the National Sports Association were established to provide all legal support to athletes whenever they need it.
- These regulators also act as consultants and share their opinions on everything. However, as discussed, some issues remain unresolved and require immediate action.
- Some suggestions to improve legal factors in sports could be to first introduce laws to ensure the rights of sports players, whether they are star players or not.
- There should be laws governing the salaries and facilities available to each player and whether they are in line with what the player has agreed to.
- They should also introduce laws that help promote all sports, big or small, famous or not, in newspapers, television and media.
- Finally, competitions for athletes must be properly organized and structured.

### **Conclusion**

The sports industry is a powerful unit of India because it has the talent, dedication of the players, support from government agencies, money and subsidies to meet the needs of the people, programs identified curriculum, goals to be achieved, and strategies needed to achieve them with a good match. One of the most important factors to all of this is discipline which can only be achieved by following the laws and rules specifically designed for the world of sports. These are the laws that have built a solid foundation that has allowed us to see the sports industry remain self-sustaining.

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