



BSAS SLAW 3320 SPORTS LAW

AUTHORITIES

Director

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PROFESSORS

Gustavo Albano Abreu, Gabriel César Lozano, Ariel N. Reck y Javier Palermo.-

ADMINISTRATIVE DETAILS:

The subject is developed in 12 sessions of 3 hours each.

The classes will take place on....., since 2016.

Syllabus:

FIRST MODULE: STRUCTURE AND FEDERATIVE ORGANIZATION OF SPORTS

First Class: National and International Federative Organization of sport. National Sports Associations, AFA, International Olympic Committee, National Olympic Committees and FIFA. **Gustavo A. Abreu.-**

Second Class: The Court of Arbitration for Sports (TAS-CAS): history, principles, types and procedural rules. Organization of amateur sport in Argentina. Sports Law N° 20.655. The high sports performance. The National Board of High Sports Performance (El Ente Nacional de Alto Rendimiento Deportivo) and Law 26.573. **Gustavo A. Abreu.-**

SECOND MODULE: SPORTS AND LABOUR LAW

Third Class: Relationship between the sportsman and his club. The amateur sportsman. The recruitment”. The athlete under age. Jurisprudence on the relationship between the amateur sportsman and his club. **Gustavo A. Abreu.**

Fourth Class: Sports and Labour Law. History and evolution of the relationship between the professional football player and his club in Argentina. Law 20.160 and Collective Labour Agreement 557/09. Contract Form. Registration. Types. Promotional Professional Contract and Fixed Term Contract. The problem of the “unilateral prorogations ”. New AFA requirements for the registration of contracts. Offer of First Contract to an amateur football player (Art. 11 C.C.T. 557/09). Remuneration of the football player (Art. 13 C.C.T. 557/09). Awards. Travel Expenses. **Gabriel C. Lozano.**

Fifth Class: Guarantee of the remuneration (inciso b) Art. 13). Comparison with the institute of “inhibition” (Art. 3, section 4).- Obligations of the club, AFA and the football player (Art. 17 C.C.T 557/09). Performance of the football player in a first or a reserve team (the “Caranta” case) and the “occupation duty”. Sanctions to the player for breach of his obligations. Termination of the contract of the professional football player and its consequences. **Gabriel C. Lozano.**

THIRD MODULE: “TRANSFERS” OF SPORTSMEN

Sixth Class: Transfers of sportsmen. “Federative rights”. National and International Transfers . Art. 8 of C.C.T. 557/09. FIFA’s Rules and Regulations about the status and transfer of football players (RSTP). The Transfer Matching System (TMS). The so called “economic rights”: conceptualization and problems. Jurisprudence in Argentina. Its recent ban. **Gabriel C. Lozano**

Seventh Class: Protection of the minors in the international transfers of football players. History. Regulation. Jurisprudence. Contractual Stability in FIFA RSTP . Indemnifications and Sanctions. **Gustavo A. Abreu**

Eighth Class: Training Compensation in RSTP of FIFA. Objective. Payment. Responsibility for payment. Costs of training. Calculus. Jurisprudence. Special Provisions for EU/EEE. Regulation of Training Compensation nationwide **Gustavo A. Abreu.-**

Ninth Class: Solidarity Mechanism in the RSTP of FIFA. Objectives. Calculus Procedure and responsibility for payment. Special Cases. Jurisprudence. - **Gabriel C. Lozano.-**

FOURTH MODULE: LEGAL REGULATION OF THE SPORTSMEN’S REPRESENTATION.

Tenth Class: Sports representation . Agents and sportspeople representatives. History of the regulation. The former rules and regulations of FIFA and AFA on Agents of Players.. The “deregulation”. The regulations that rule the activity of the currently called “middlemen”. Jurisprudence. **Ariel Reck.-**

FIFTH MODULE: SPORT AND CIVIL LIABILITY

Eleventh Class: Civil liability derived from the practice of sport: criteria of attribution of responsibility. Jurisprudence. **Gustavo A. Abreu.-**

SIXTH MODULE: SPORTS AND CRIMINAL LAW:

Twelfth Class: Origins and functions of the World Anti Doping Agency (WADA). Procedure and prohibited substances worldwide. Doping: jurisprudence in Argentina and in TAS-CAS. Antidoping Law in Argentina.- **Javier Palermo and Gustavo Abreu.-**