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CAS and Football: Landmark Cases



Alexander Wild

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Andrea Cattaneo, Richard Parrish



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CAS and Football: Landmark Cases Alexander Wild, 2011-11-16 FIFA has accepted the jurisdiction of the CAS as from 11 November 2002. This date does not mark the beginning of the arbitration of the CAS in football matters; however, it has to be stated that from this date on football disputes in front of the CAS increased enormously. This book is dedicated to the most important decisions of the CAS in football disputes. These awards are analyzed by experts practicing all over the world. Most of the authors have been directly involved in the proceedings before the CAS. The commentaries cover a broad spectrum of disputes: inter alia disputes concerning the contractual stability, protection of young football players, doping, football hooliganism, match fixing, players' release, multiple club ownership, player agents and the stays of execution. This book provides a wide range of valuable information and is a useful tool for those whose main concern is professional football, such as sports lawyers, sports managers and sports agents, but also academics and researchers. The book appears in the ASSER International Sports Law Series under the editorship of Dr Robert Siekmann, Dr Janwillem Soek and Marco van der Harst LL.M.

Leading Cases in Sports Law Jack Anderson, 2013-04-08 This book accounts for over 25 of the most influential cases in international sports law as written by some of the leading authorities in the area. Authors from Europe, the United States, Australia, South Africa, Canada and New Zealand trace the evolution of this emerging discipline of law through an analysis of individual cases as discussed under a number of key debates and themes in contemporary sports law, including the public nature of legal disputes in sport, player employment, mobility, litigation, doping and the spirit of sport, TV rights, holding proceedings and enduring themes in sports law such as on-field violence, spectator safety, animal welfare and gender equality. Valuable for sports law academics, arbitrators and practitioners, sports administrators and governing bodies, but also for students, postgraduate and undergraduate and all those with an interest in international sports law. **International Sports Law: An Introductory Guide** Ian S. Blackshaw, 2017-08-09 With a foreword by Prof Dr Steve Cornelius, International Sports Law Centre, University of Pretoria, Pretoria, South Africa. This book, written by an expert in the field, covers some of the following issues: namely high-profile WADA cases such as that of Maria Sharapova, the Bosman ruling, decisions by the Court of Arbitration for Sport (CAS) and footballers' employment contracts and transfers for enormous amounts. These issues have led to sport no longer being confined to the back pages of traditional media such as newspapers but increasingly finding its way onto the front pages and into new media. Since ancient times sport has been practised, but today it is a multi-billion dollar industry and Sports Law as a discipline in its own right is developing apace and is increasingly being studied and practiced at all levels of interest and competency. Thereby creating a need amongst students, lawyers, accountants, sports marketers, promoters, agents, sports broadcasters, sports administrators and managers for some basic and general knowledge of the legal aspects of sport. This introductory guide to international sports law will serve to satisfy the needs currently not being met in present-day sports law literature and should also be of interest to researchers and the general reader. Although the topics

covered are necessarily selective sports law being such a vast subject they are representative of the main legal issues facing the world of sport today Throughout the book the reader is referred to articles publications and other materials that provide further information on the various subjects treated in the text thus enhancing its value and usefulness The Law is stated as at 1 January 2017 according to the sources available at that date Prof Ian S Blackshaw is an International Sports Lawyer a Solicitor of the Supreme Court of England and Wales and a Visiting Professor at several Universities including Anglia Ruskin University Cambridge United Kingdom and The University of Pretoria South Africa He is also a member of the Court of Arbitration for Sport Lausanne Switzerland Specific to this book Written by an acknowledged expert in the field Clear and concise presentation Includes references throughout to further information and materials Excerpt from a book review Prof Ian Blackshaw has provided an excellent and comprehensive overview of the core areas and intricacies of sports law enabling the reader to understand why it is quite rightly a distinct doctrine of law worthy of study and research on its own merits It is an excellent guide to all aspects of sports law for lawyers and those interested in this subject matter in general Hilary Forde Sports solicitor and director of racing governance and compliance at the Irish Greyhound Board Law Society Gazette Dec 2017

Yearbook of International Sports Arbitration 2016 Antoine Duval, Antonio Rigozzi, 2018-03-15 The Yearbook of International Sports Arbitration is the first academic publication aiming to offer comprehensive coverage on a yearly basis of the most recent and salient developments regarding international sports arbitration through a combination of general articles and case notes The present volume covers decisions rendered by the Court of arbitration for Sport CAS and national courts in 2016 It is a must have for sports lawyers and arbitrators as well as researchers engaged in this field It provides in depth articles on burning issues raised by international sports arbitration and independent commentaries by esteemed academics and seasoned practitioners on the most important decisions of the year by the CAS and national courts Dr Antoine Duval is Senior Researcher for International and European Sports Law at the T M C Asser Instituut in The Hague He holds a Ph D on the interaction between Lex Sportiva and EU Law from the European University Institute in Florence Prof Antonio Rigozzi teaches international arbitration and sports law at the University of Neuchâtel Switzerland and is the partner in charge of the sports arbitration practice at L vy Kaufmann Kohler a Geneva based law firm specializing in international arbitration

The Court of Arbitration for Sport and Its Jurisprudence Johan Lindholm, 2019-03-25 This book takes a close look at the Court of Arbitration for Sport CAS challenging existing claims and answering previously unanswered questions by considering all of its publicly available decisions both in its entirety as a body of jurisprudence and on a case by case level It also investigates the actors involved in adjudication before the CAS both the parties that bring disputes before the CAS and the arbitrators that resolve them and in so doing establish precedents that govern sports generally While the book relies upon and includes more traditional legal theory and analysis it combines this with an empirical analysis of a large portion of the CAS's decisions Hereby it relies upon and relates to the theory of the development of a transnational legal order in sports

the *lex sportiva* The publication is targeted at and will benefit those professionally working in or interested in the fields of sports law arbitration law transnational law or empirical legal studies Johan Lindholm is a Professor of Law at Umeå University in Sweden Sports Law Michael Beloff KC, Tim Kerr QC, Marie Demetriou QC, Rupert Beloff, 2012-10-19 Sports law has been growing with increasing rapidity over the years since the first edition of this book was published in 1999 regularly making headlines as well as leading to a developing body of law practised by specialist lawyers This revised work by leading practitioners in the field with a foreword by Lord Coe provides a coherent framework for understanding the principles of sports law in this area as well as a deep analysis of its key features The subject is split into various areas of practice first regulatory rules which embrace the constitutional aspect of organised sport including the disciplinary procedures of the various governing organisations second broadcasting and marketing resulting from the commercial exploitation including sponsorship of sports clubs sporting events and players and third player's rights and obligations which embraces a wide range of legal issues including club transfers and player contracts and issues arising from employment including discrimination law personal injury and criminal law Special attention is paid to the impact of EU and Human Rights law as well as to the influential jurisprudence of the Court of Arbitration for Sport London 2012 provides an appropriate point at which to assess the current state of the law as well as a look to the future The target readership extends from solicitors barristers and legal advisers to sports organisations and clubs corporations involved in marketing and sponsorship media companies academics teaching sports law and sports administrators I commend it to everyone who has to administer sport as well as to those who have to advise the administrators or argue cases in the field on whatever side It is a gold medal book From the Foreword by Lord Coe KBE This title is included in Bloomsbury Professional's Sports Law online service

Principles and Practice in EU Sports Law Stephen Weatherill, 2017-08-11 Principles and Practice in EU Sports Law provides an overview of EU sports law In particular it assesses sporting bodies' claims for legal autonomy from the ordinary law of states and international organizations Sporting bodies insist on using their expertise to create a set of globally applicable rules which should not be deviated from irrespective of the territory on which they are applied The application of the *lex sportiva* which refers to the conventions that define a sport's operation is analysed as well as how this is used in claims for sporting autonomy The *lex sportiva* may generate conflicts with a state or international institution such as the European Union and the motives behind sporting bodies' claims in favour of the *lex sportiva*'s autonomy may be motivated by concern to uphold its integrity or to preserve commercial gain Stephen Weatherill's text underlines the tense relationship between *lex sportiva* and national and regional jurisdictions which is exemplified with specific focus on the EU The development of EU sports law and its controversies are detailed reinforced by the example of relevant legal principles in the context of the practice of sports law The intellectual heart of the text endeavours to make a normative assessment of the strength of claims in favour of sporting autonomy and the variation between different jurisdictions and sports is evident

Furthermore the enduring dilemma facing sports lawyers running throughout the text is whether sport should be regarded as special and in turn how far its special character should be granted legal recognition Sports Law in the European Union Andrea Cattaneo, Richard Parrish, 2020-09-22 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of sports law in the European Union deals with the regulation of sports activity by both public authorities and private sports organizations The growing internationalization of sports inevitably increases the weight of global regulation yet each country maintains its own distinct regime of sports law and its own national and local sports organizations Sports law at a national or organizational level thus gains a growing relevance in comparative law The book describes and discusses both state created rules and autonomous self regulation regarding the variety of economic social commercial cultural and political aspects of sports activities Self regulation manifests itself in the form of by laws and encompasses organizational provisions disciplinary rules and rules of play However the trend towards more professionalism in sports and the growing economic social and cultural relevance of sports have prompted an increasing reliance on legal rules adopted by public authorities This form of regulation appears in a variety of legal areas including criminal law labour law commercial law tax law competition law and tort law and may vary following a particular type or sector of sport It is in this dual and overlapping context that such much publicized aspects as doping sponsoring and media and responsibility for injuries are legally measured This monograph fills a gap in the legal literature by giving academics practitioners sports organizations and policy makers access to sports law at this specific level Lawyers representing parties with interests in the European Union will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative sports law **The Jurisprudence of the FIFA Dispute Resolution Chamber** Frans de Weger, 2016-09-30 This book addresses the most important judicial aspects in relation to the FIFA Dispute Resolution Chamber DRC as well as the different categories of disputes inter alia the termination of player contracts the amount of compensation sporting sanctions training compensation and the solidarity mechanism The DRC was established in 2001 by FIFA for the purpose of resolving disputes regarding the international status and transfer of players Since then the DRC has developed into a major and influential alternative resolution body with an impressive and everincreasing caseload In this updated and revised Second Edition the most important decisions of the DRC as of the date of its establishment in 2001 until 2016 are analysed It is a reference work for those with a legal and financial interest in professional football such as lawyers agents managers and administrators but is also aimed at researchers and academics Michele Bernasconi Attorney at law in Zurich Switzerland Arbitrator at CAS and President of the Swiss Sports Law Association provided a foreword for the book Frans M de Weger is senior legal counsel working for the Dutch Federation of Professional Football Clubs FBO In 2015 he was at the proposal of the European Club Association ECA appointed as an arbitrator for the Court of Arbitration for Sport CAS As a legal counsel and a CAS arbitrator he is involved in several national and international football related legal disputes This book appears in

the ASSER International Sports Law Series under the editorship of Prof Dr Ben Van Rompuy and Dr Antoine Duval Frans de Weger's work on the jurisprudence of the DRC is a must have for anybody dealing with sports law and in particular dealing with football issues under the FIFA Regulations on the Status and Transfer of Players Massimo Coccia Professor of International Law and Attorney at Law in Rome and CAS Arbitrator Where to go when trying to understand the FIFA Regulations on the Status and Transfer of Players Now Frans de Weger has the answer with his new version of the much awaited and needed Jurisprudence of the FIFA Dispute Resolution Chamber Juan de Dios Crespo Pérez Sports Lawyer The second edition of this book which is systematic and practical at the same time will surely be of great interest to both specialists active in the world of football law and aspiring individuals Wouter Lambrecht Attorney at law Head of Legal at the European Club Association FIFA Dispute Resolution Chamber Member and Mediator at the CAS

La tierce propriété des droits économiques dans le football professionnel ("TPO") Shervine Nafissi, 2021-09-15 Le football professionnel est marqué par une période appelée le mercato durant laquelle on peut observer le phénomène d'achat et de vente de joueurs par les clubs contre le paiement de sommes d'argent Ces indemnités de transfert permettent de rémunérer différentes parties notamment les clubs et les agents Au début des années 2000 des tierces parties principalement sous la forme de sociétés d'investissement sont apparues sur le marché des transferts Elles ont joué le rôle de banques en prêtant de l'argent aux clubs en échange d'un pourcentage sur la valeur économique d'un ou de plusieurs joueurs Cette pratique appelée TPO est l'objet de la présente étude Elle comporte une analyse juridique de la pratique sous l'angle du droit suisse et de la réglementation sportive L'étude passe en revue la construction contractuelle de cette pratique notamment les clauses qui composent le contrat entre la tierce partie et le club la validité dudit contrat en droit suisse ou encore le statut du joueur vis-à-vis de ces contrats L'étude se concentre également sur l'approche réglementaire des fédérations sportives à l'égard des TPO Nous traitons de l'efficacité actuelle de l'interdiction des TPO et de sa légalité mais aussi de l'opportunité d'autoriser la pratique en la réglementant Nos développements tendent à montrer la complexité de chacune de ces solutions

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