

Continental Dimensions of Sports Law and Governance



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Abstract:

As sports have developed into a globalized industry characterized by international competitions, substantial financial investments, and extensive media and commercial interests, effective governance mechanisms have become crucial. This paper examines how different continental jurisdictions regulate and govern sport in order to promote transparency, ethical practices, fair competition, institutional accountability, and protection of stakeholders' rights. The research adopts a comparative legal and governance-based approach, examining regulatory models across selected jurisdictions. The analysis reveals that harmonization of governance standards remains a key challenge in global sport, particularly where national legal systems intersect with international sports regulations. The study emphasizes the need for more coherent and collaborative governance approaches that can mitigate regulatory fragmentation whilst safeguarding the institutional autonomy fundamental to international sporting bodies. The primary objective is to conduct a comparative analysis of sports law across continents, identifying variations in scope. The continental dimensions of sports law and governance reveal a distinct yet interconnected legal system in which sporting governance structures, media and broadcasting rights, match-fixing controls, safeguarding obligations, employment relations, human rights standards, dispute resolution mechanisms, stadium safety, intellectual property regimes, integrity frameworks, sports agency representation, private investment, sponsorship and commercialization, anti-doping regulation, and liability for sports injuries must be coherently integrated to ensure that sport remains ethically governed, commercially viable, and legally sustainable across diverse jurisdictions.

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Introduction

Due to the immense commercial, social, and cultural impact of modern sport, sports law has emerged as an indispensable and specialized legal discipline governing the relationships, rights, and responsibilities of stakeholders within the global sports industry. Rather than constituting a single, unified body of law, sports law functions as an interdisciplinary legal framework that draws upon diverse areas of law, including contract law, employment law, intellectual property law, antitrust regulation, taxation, corporate governance, data privacy, and dispute resolution.

The commercialization of sport has significantly expanded the range of actors participating in the industry. Contemporarily, sports teams, leagues, governing bodies, sports agencies, universities, investors, broadcasters, and private equity firms are deeply involved in sport, all of whom require specialized legal guidance to manage

regulatory and business challenges. The sports law plays an essential role not only in resolving disputes but also in facilitating the governance, organization, and sustainable development of the global sports sector.

One of the prominent reasons for the growing importance of sports law is the expansive commercialization and media integration of modern sport. Contemporary sporting events are closely connected to broadcasting networks, digital streaming platforms, global sponsorship agreements, and large-scale merchandising operations. These commercial partnerships generate substantial revenue but also create intricate legal questions concerning broadcasting rights, sponsorship and endorsement agreements, licensing and merchandising arrangements, and the protection of intellectual property such as league trademarks and logos. The additional key legal issues include addressing athlete rights related to the commercial use of their name, image, and likeness (NIL), which has become a major issue in contemporary sports governance.

Sports law plays a pivotal role in ensuring effective governance and regulatory compliance within sports organizations. Modern sports institutions, encompassing professional leagues, international federations, and university athletic conferences, operate in many ways like corporate entities and therefore require structured governance systems and legal oversight. Legal regulation is particularly important in areas such as league governance structures, athlete eligibility rules, anti-discrimination and anti-harassment policies, and compliance with gender equality requirements. Furthermore, sports law addresses issues related to athlete privacy rights, data protection, and the regulation of sports agents and agencies to ensure transparency and accountability within the industry.

The competitive and high-stakes nature of sport inevitably leads to disputes among athletes, teams, agents, leagues, and investors. Sports law provides formal mechanisms for resolving such conflicts efficiently and fairly, often through arbitration or specialized dispute resolution bodies designed specifically for sports-related disputes. Common disputes include breaches of athlete contracts, disagreements over agent fees, conflicts relating to team relocation, ownership disputes among investors, trade disclosure disagreements, and regulatory violations committed by teams or athletes. Effective dispute resolution mechanisms are essential to maintaining stability, fairness, and credibility within the sports industry.

Another significant *raison d'être* of sports law is the protection of athletes' rights and welfare. Although athletes are central to the success and economic value of the sports industry, many have conventionally faced exploitation, discrimination, or unfair contractual conditions. Sports law, therefore, provides essential safeguards related to fair employment contracts, health and safety standards during training and competition, and privacy protections regarding personal information. It also safeguards athletes' rights to control their personal brand, endorsements, and sponsorship opportunities while ensuring compliance with regulations governing athlete agents. In addition, sport law seeks to avert discrimination, harassment, and abuse within sports institutions, thereby promoting a more equitable and respectful sporting system.

Sports law is also important in the development and financing of sports infrastructure, encompassing stadiums, arenas, and training facilities. These large-scale projects frequently involve intricate legal and financial arrangements, such as public-private partnerships, municipal financing mechanisms, environmental regulations, and detailed construction agreements. Legal professionals play an important role in negotiating stadium development agreements, structuring municipal bond financing, ensuring compliance with land-use and environmental laws, resolving construction-related disputes, and drafting licensing agreements for stadium operations (Holland and Knight, n.d.).

Beyond commercialization, governance, and infrastructure development, sports law is vital in addressing major global challenges that affect the integrity and fairness of sport. Issues such as doping, match-fixing, corruption, gender inequality, human rights concerns, and the regulation of emerging technologies have intensified the need for robust legal oversight. In contemporary global sport, law and governance are essential for safeguarding the integrity of sporting competitions, protecting athlete welfare, and ensuring that sport continues to operate in a transparent, fair, and accountable manner.

Continental Analysis of Sports Law and Governance

Sports law and sports governance are regarded as **key domains** essential for regulating and overseeing global sport (Kamenecka-Usova *et al.*, 2025). The continental perspective on sports law and governance provides critical insights into how legal norms and governance practices converge, diverge, and adapt across jurisdictions. Sports law has advanced far beyond a niche discipline and has become a multidimensional domain with global relevance, reflecting the intricate interplay of regulatory, commercial, human rights, and technological considerations that define contemporary sport.

At its core, sports law encompasses the legal norms, principles, and jurisprudence governing sports activities and legal relationships among athletes, federations, clubs, sponsors, and regulators. It includes areas

such as Contract Law, Labor Law, Commercial Law, Competition Law, Human Rights Law, IP and IT law, and dispute resolution through arbitration or national courts. Conventionally fragmented along national lines, the field is now shaped by international regulations, private governance mechanisms, and public law principles.

Recent developments reflect the dynamic and advancing nature of global sports law. Athlete rights movements, governance reforms, legal challenges to eligibility rules, the integration of ESG and sustainability metrics, and the rise of artificial intelligence in athlete monitoring and fan engagement have all introduced novel legal issues. Concurrently, concerns over sports washing have intensified scrutiny under human rights due diligence frameworks. Global sports law is progressing into a hybrid legal order, blending private regulation with public oversight, commercial interests with human rights protections, and local enforcement with transnational norms (Keller, and Wiki, 2025).

Global sports law encompasses an integrated system that governs the **organization, commercialization, and ethical conduct** of sport across jurisdictions. It regulates governance structures and compliance mechanisms, guides sports finance and the development of facilities and stadia, and oversees brand management, licensing, sponsorships, and event operations. Legal oversight ensures integrity and ethical standards, including anti-doping, fair play, and responsible gambling, while strategic rights management safeguards broadcasting, media, and intellectual property interests. Dispute resolution mechanisms, including arbitration and specialized tribunals, provide efficient resolution for conflicts, while athlete representation, covering contracts, image rights, and endorsements, remains a central focus (Foster, 2003).

Sports Law and Governance in Asia

Asia constitutes one of the most dynamic and heterogeneous regions in global sports. The region encompasses a wide spectrum of laws, economic capacities, and governance structures, ranging from **well-established and highly institutionalized regulatory regimes to jurisdictions where sports governance mechanisms are still emerging and undergoing institutional consolidation.**

The growing commercialization and professionalization of sport across Asia, along with increasing participation in global competitions, has encouraged governments and sporting bodies to strengthen legal and regulatory mechanisms. These efforts have focused particularly on safeguarding athlete rights, enforcing anti-doping regimes, establishing structured dispute-resolution mechanisms, and promoting ethical governance within sports organizations. Parallel developments have also occurred in areas such as sports broadcasting rights, sponsorship regulation, and the legal management of large-scale sporting events.

However, despite significant institutional progress in several jurisdictions, the region continues to face challenges related to uneven regulatory capacity, varying levels of transparency, and inconsistent enforcement of sports governance standards. Differences in legal infrastructure, political priorities, and institutional capacity contribute to a fragmented regulatory structure. Against this backdrop, this section analyses the sports governance mechanisms and regulatory approaches in selected Asian jurisdictions.

China's Sports Law, enacted in 1995 by the National People's Congress, established the foundational legal framework for sports governance in the country. The law was comprehensively revised in 2022, with the updated version taking effect on January 1, 2023. The revised Sports Law comprises twelve chapters and 122 articles, covering national fitness, competitive sports, anti-doping, sports organizations, and the sports industry, along with sports arbitration and supervision mechanisms (The National People's Congress of the People's Republic of China, 2022).

China's approach to sports law seeks to balance state oversight with market-oriented participation. It confirms state oversight of sports through regulatory structures, administrative practice, and centralized funding, while addressing critical issues such as improving international prestige through athletic success, organizing effective sports associations, and preventing misconduct such as doping and bribery. Concurrently, the legislation also supports **non-governmental initiatives**, allowing market-oriented sports associations to organize and fund sports activity and impose sanctions within their scope (Nafziger, 2004).

Japan's sports law reflects the country's strategic commitment to professionalizing and internationalizing its sports sector. Conventionally, the regulation of sport relied on a combination of association rules and general civil or commercial law, but the hosting of major international events, along with Japan's escalating engagement in global sports governance, has prompted the development of more formalized laws and regulations. Central to this framework is the **Basic Act on Sport (Act No. 78 of 2011)**, which emphasizes principles of governance, integrity, and compliance. The Japan Sports Agency and major federations have been reinforcing governance codes and clearer standards for transparency, athlete welfare, and anti-doping measures. Commercialization has also become a critical component of Japan's sports law. Legal attention is directed toward intellectual property, sponsorship, image rights, and media rights. On the dispute-resolution front, domestic sports actors are showing a preference

for arbitration and mediation mechanisms provided by the **Japan Sports Arbitration Agency (JSAA)** (Scott and Jarret, n.d.).

In Japan, anti-doping activities are overseen by the Japan Anti-Doping Agency (JADA) and formalized through the Japan Anti-Doping Code, aligned with the World Anti-Doping Agency's standards, with the Act on the Promotion of Anti-Doping Activities in Sport enacted in 2018. Integrity and match-fixing are addressed through both criminal sanctions and internal organizational compliance systems, while sports betting remains largely prohibited under the Penal Code except for state-sanctioned lotteries or cases where public agencies are specifically authorized by special laws to operate gambling establishments. Issues of data protection and personal information are governed by Japan's Personal Information Protection Law, which requires clear consent for the use of athlete data (Igarashi et al., 2025).

India's National Anti-Doping Act, 2022, codifies India's obligations under the World Anti-Doping Agency (WADA) framework and establishes mechanisms for the prevention, detection, and sanctioning of doping in sport. The Act empowers the **National Anti-Doping Agency (NADA)** and the **National Dope Testing Laboratory (NDTL)** to conduct strategic testing, and develop educational resources and sensitization programmed for athletes, including specialized content for athletes with disabilities, thereby promoting both fairness and inclusivity in sport (The National Anti-Doping Act, 2022). Beyond anti-doping, India's sports governance mechanism is characterized by a multi-tiered structure in which national federations, state associations, and local sports bodies implement programs ranging from grassroots development to elite competition. Legal instruments and policy initiatives also address athlete welfare, dispute resolution, and institutional accountability, including mechanisms to monitor ethical conduct, prevent corruption, and regulate commercial activities.

Significantly, the Union Government has notified the **National Sports Governance (National Sports Bodies) Rules, 2026**, under the **National Sports Governance Act, 2025**, establishing a statutory framework for the governance of National Sports Bodies and Regional Sports Federations. The Rules define the composition of the General Body and Executive Committee, election procedures, disqualification criteria, and the inclusion of **Sportspersons of Outstanding Merit (SOMs)**, with mandatory representation of women SOMs in both bodies. The Rules stipulate that National Sports Bodies amend their bye-laws in conformity with the Act within six months, while allowing the Central Government discretionary power to relax provisions for up to twelve months in exceptional cases. Notification of these Rules represents a significant step in operationalizing the statutory governance introduced by the 2025 Act, promoting transparency, inclusivity, and structured participation of athletes in the administration of Indian sport (Ministry of Youth Affairs and Sports, 2026).

Sports Law and Governance in Europe

The European sport model is built on a values-based system that emphasizes openness of competitions, promotion and relegation systems, solidarity mechanisms, and close connections between grassroots and elite level sport. Rather than treating sport purely as a commercial industry, the European approach recognizes sport as a social and cultural activity that promotes inclusion, diversity, equality, and community engagement. The governance structures in Europe aim to maintain equilibrium where participation, development, and high-level competition coexist within fairness and sustainability.

The European sports model operates through a combination of autonomous sports federations and oversight by European legal institutions. Sport governing bodies are generally granted autonomy to regulate their respective sports, organize competitions, and establish disciplinary and regulatory rules. However, this autonomy is not absolute; it operates within the boundaries of European Union law. The Court of Justice of the European Union has been instrumental in shaping the model by ensuring that sporting regulations respect EU principles. Through its rulings, the court has attempted to strike a balance between recognizing the 'specificity of sport' and averting governing bodies from abusing their regulatory powers (European Commission, 2025).

A key practical pillar of the European sport model is good governance, which promotes transparency, accountability, democratic decision-making, and athlete participation in sport bodies. Good governance is not only a legal expectation but also a practical necessity to maintain public trust, commercial investment, and fan engagement in contemporary sport. The professional sport generates significant economic activity and media attention; therefore, strong governance mechanisms help preserve the credibility and legitimacy of sporting competitions. This section examines the governance models and legal mechanisms of the European nations.

The **European Sports Charter (ESC)** serves as a significant reference model for the development of sports policy across Europe. It establishes fundamental principles to guide national sports policies and encourages governments to ensure that citizens have accessible opportunities to participate in sport under clear and well-regulated conditions. The Charter assists policymakers in improving existing legislation and developing coherent sports policies that recognize sport's social, educational, and health benefits.

The primary objective of the Charter is to guide governments in designing and implementing legal and policy measures for sport that promote the core values of human rights, democracy, and the rule of law.

The revised European Sports Charter (2021) expands the earlier 2001 version to 20 articles, introducing additional provisions that strengthen its policy relevance. The updated Charter places greater emphasis on ensuring access to sport for all social groups, particularly through investment in inclusive infrastructure and community-based opportunities for physical activity both within and outside educational institutions (Council of Europe, n.d.).

The **ESC** provides a framework for sports policy across Europe, complemented by the **Code of Sports Ethics**. It guides governments in providing citizens with opportunities to participate in sport under structured guidelines. Sport, according to the Charter, should be **accessible to all**, particularly children and young people; **healthy, safe, fair, and ethically sound**; capable of fostering **personal development**; **environmentally responsible**; protective of **human dignity**; and free from **exploitation**.

Its main achievements include establishing **stable parameters for sports policy**, providing a **common structure and guiding principles** for national sports policies, and ensuring a **balanced division of responsibilities** between governments and non-governmental actors, promoting complementarity and effective governance (COE, n.d.).

Doping poses a serious threat to sports ethics and athletes' health. Historically, it has been the first major concern of the Council of Europe in the field of sport. As early as 1967, the Committee of Ministers adopted the first international legal instrument on this issue. This commitment was subsequently strengthened through the Anti-Doping Convention (1989), and its Additional Protocol (2002) (CoE, n.d.). The Anti-Doping Convention establishes binding legal standards designed to harmonise anti-doping regulations across participating states. It strengthens measures to prevent access to and use of prohibited substances, including anabolic steroids, while promoting the development and funding of effective anti-doping testing programmes. The Convention also links strict compliance with anti-doping rules to the granting of subsidies and support to sports organisations and athletes, thereby reinforcing accountability within the sports system. In addition, it mandates regular doping control procedures during and outside competitions, including in other nations (COUNCIL OF EUROPE, n.d.).

The governance of sports in the **United Kingdom** operates through multiple bodies involving Sport England, UK Sport, and various National Governing Bodies (NGBs) responsible for individual sports. These bodies collectively oversee the development, regulation, and promotion of sport from grassroots participation to elite performance. At the governmental level, the Department for Digital, Culture, Media and Sport (DCMS) oversees sports policy and funding, with objectives that include increasing public participation, enhancing elite athletic performance, and safeguarding the integrity of sport.

The UK sports sector is supported by a structured legal and regulatory mechanism addressing governance, equality, safety, integrity, and commercial regulation. The Sports Governance Code, developed by UK Sport and Sport England, establishes principles of transparency, accountability, and financial probity for funded organisations. Equality in sport is reinforced through the Equality Act 2010, which prohibits discrimination on protected grounds and promotes inclusive access. Safety obligations derive from the Health and Safety at Work Act 1974, which imposes duties on organizers and venue operators to ensure the well-being of participants, staff, and spectators. Anti-doping compliance is regulated by UK Anti-Doping (UKAD), operating in alignment with international standards to uphold fair competition. Additionally, commercial aspects of sport, including sponsorship agreements, broadcasting rights, and athlete contracts, are governed by general principles of contract law alongside regulatory mechanisms established by sport-specific authorities such as domestic leagues and international federations (Singer and Chambers, 2025).

Sports Law and Governance in North America

Sport is a defining and deeply embedded feature of the North American continent, shaping both its cultural identity and regulatory structure. North America has played a foundational role in the development of several organized sports and is characterized by a well-established, commercially driven, and professionally regulated sporting system. This section examines the governance structures and sports law of selected North American nations.

In the **United States**, doping-related conduct may constitute a criminal offence under federal law. The Rodchenkov Anti-Doping Act authorizes U.S. authorities to prosecute individuals involved in doping conspiracies connected to international sporting events involving American athletes, sponsors, or broadcasters. In the United States, doping issues within professional sports leagues are primarily managed through internal regulatory systems established under collective bargaining with players' associations. Each league sets its own drug-testing protocols, typically involving random blood or urine testing conducted by independent laboratories, and determines its list of prohibited substances. Sanctions include fines, suspensions, and, in serious cases, lifetime bans.

In 2018, the U.S. Supreme Court invalidated the Professional and Amateur Sports Protection Act (PASPA), thereby permitting individual states to legalize sports gambling. While the expansion of legal betting increases concerns regarding match-fixing and in-game manipulation, most state laws do not explicitly criminalize match-fixing, relying instead on existing criminal provisions to protect sporting integrity.

At the federal level, the Sports Bribery Act prohibits the bribery-based manipulation of athletic contests, making it a felony to influence a sporting event through corrupt inducements. However, the statute does not address related forms of misconduct such as extortion, insider tipping, or betting by individuals capable of affecting outcomes. Some states have enacted complementary legislation to cover such gaps (Kishner *et al.*, 2025).

The United States does not have unified statutory governance for esports. Instead, the industry is governed by a patchwork of existing laws, primarily gambling and wagering regulations, intellectual property rights, contract and labor law, and consumer protection and privacy rules. While this resembles the legal structure for traditional sports, esports raise distinct challenges due to its digital nature and the significant control game publishers exert over their titles.

At the federal level, gambling laws are particularly relevant. Statutes such as the Interstate Wire Act, the Illegal Gambling Business Act, and the Unlawful Internet Gambling Enforcement Act regulate betting activity, including restrictions on interstate wagers and unlawful online gambling transactions. Although certain skill-based contests may fall outside these prohibitions, whether esports qualifies remains unsettled. These laws, not designed with esports in mind, but are increasingly tested.

Intellectual property is another key consideration. Unlike conventional sports, publishers own the underlying games, giving them substantial control over tournaments, broadcasting, sponsorships, and merchandising. This requires careful management of player likenesses, branding, and content usage.

At the state level, regulation varies. For example, New York penal law prohibits unlicensed gambling and permits regulated mobile sports betting, but it remains unclear whether esports falls within the definition of a 'sporting event,' leaving operators in a legal grey area. Additional state laws, such as publicity rights and privacy protections, also apply, particularly in educational esports programs.

The absence of esports-specific regulation has supported industry growth but continues to create legal uncertainty, especially in the context of wagering.

In the United States, several sport-specific tribunals address domestic sports-related disputes. For instance, the American Arbitration Association ('AAA') maintains a dedicated sports division that handles a wide range of matters, including contract disputes, disciplinary actions, and eligibility challenges across multiple sports. It also provides arbitration and mediation services for issues such as doping allegations, sponsorship and endorsement conflicts, and intellectual property disputes.

Similarly, JAMS, an alternative dispute resolution provider, operates a sports resolution division that focuses on disputes involving sports contracts, broadcast rights, safety concerns, and certain intellectual property issues. In addition to these independent bodies, major professional leagues, such as the NFL, MLB, NBA, NHL, and MLS, maintain their own internal ADR mechanisms to resolve disputes involving players, teams, and ownership.

Moreover, the National Collegiate Athletic Association ('NCAA') governs intercollegiate sports, administers its own dispute resolution mechanism. This system addresses violations and penalties involving member institutions and coaches, as well as contractual matters related to student-athlete name, image, and likeness ('NIL') rights.

Separately, the U.S. Olympic and Paralympic Committee operates the Athlete Ombuds office. Although not an ADR forum, this office provides team USA Olympic athletes with confidential, independent advice and assistance on a range of sport-related matters, including applicable rules, policies, and dispute processes.

Not all disputes, however, may be resolved through sports-related tribunals. Matters involving criminal conduct are not subject to arbitration, and claims arising under antitrust or civil rights laws generally fall outside the scope of these forums (Etna *et al.*, 2025).

Sports law and governance in **Canada** operate within a decentralized mechanism, shaped by both federal and provincial authority. At the federal level, the Physical Activity and Sport Act (2003) acknowledge the essential role that physical activity and sport play in Canadian culture and society, and it establishes the foundation for national sport policy. However, governance is largely carried out by National Sport Organizations (NSOs), which regulate their respective sports in alignment with international federation rules. The Canadian Olympic and Paralympic Committees similarly oversee Olympic sport governance, including matters of sponsorship, privacy, intellectual property rights, and athlete eligibility. Dispute resolution is primarily handled by the Sport Dispute Resolution Centre of Canada (SDRCC), created under the federal statute, which provides specialized arbitration through tribunals addressing selection disputes, doping, safeguarding under the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS), and appeals. While courts remain available, the SDRCC

serves as the central alternative dispute resolution body in Canadian sport. The system is characterized by a hybrid model that combines statutory mechanisms, policy-based governance and self-regulation, with increasing emphasis on safe sport, integrity, and accountability (Soubliere, 2025).

Sports Law and Governance in South America

Sports law and governance in South America reflect both the region's deep cultural attachment to sport, especially association football, and the growing need for structured regulation, transparency, and international alignment. A defining feature of South American sports governance is its integration with international frameworks. The sports law and governance in South America operate at the intersection of tradition and modernization. This section examines the governance models and sports law of selected South American nations.

Brazilian professional sport is governed under a decentralized framework, primarily established by the Pelé Law (Law No. 9,615/1998), which regulates Article 217 of the Federal Constitution. The national sports system comprises autonomous and private sports governing bodies, leagues, and clubs that operate under their by-laws while coordinating collaboratively within their respective sports modalities. Public entities, including the Secretariat of Sports and the National Sports Council, provide oversight, approving the Brazilian Sports Code and the Anti-Doping Code. The Fiscal Responsibility Sports Law (Law No. 13,155/2015) further enforces principles of transparency, accountability, and sound financial management for professional football organizations.

Athletes are generally protected from civil and criminal liability for ordinary on-field conduct under the Civil Code (Law No. 10,406/2002) and Criminal Code (Decree-Law No. 2,848/1940), with clubs bearing indirect liability. Clubs must maintain life and accident insurance to cover professional risks under the Pele Law.

Doping matters are governed by the Brazilian Anti-Doping Code (aligned with the WADA Code) and enforced by the Brazilian Authority on Doping Control, with adjudication by the Anti-Doping Sports Justice. Athletes are strictly liable for substances in their bodies, while secondary liability extends to those facilitating doping.

Financial controls require clubs to comply with tax, labour, salary, and image-right obligations; failure can result in relegation or loss of subsidies.

Dispute resolution is managed by the Sports Justice system, which includes the Superior Court of Sports Justice, local courts, and disciplinary commissions. Proceedings held before the sports courts are governed by the Brazilian Sports Code. Arbitration is permitted for non-disciplinary matters, and football-specific disputes may go through the CBF National Chamber of Dispute Resolution or the Brazilian Centre of Mediation and Arbitration. FIFA regulations apply to international football disputes, with appeals ultimately heard by the Court of Arbitration for Sport (CAS). While Sports Justice decisions are generally binding, courts may intervene in exceptional cases, and Labor Courts handle athlete employment and transfer disputes grounded in constitutional labor rights (Nascimento Turano and Mariotto, 2019).

Argentina's sports system is governed primarily by Law No. 20,655 (the Sports Law), which promotes sporting activities nationwide and establishes a Registry of Sporting Institutions, mandatory for both amateur and professional participation. The National Sports Agency (created by Decree No. 92/2019) oversees enforcement and operational efficiency. Sports governing bodies operate as non-profit civil associations, with clubs typically following the same structure. Each sport, football, rugby, field hockey, basketball, and volleyball, is regulated by its respective national body: AFA (football), UAR (rugby), CAH (hockey), CAB (basketball), and FeVA (volleyball), all affiliated with their corresponding international federations.

Doping is regulated under Law No. 24,819 (the Anti-doping Law), with sanctions for athletes, managers, and trainers ranging from suspensions to criminal penalties. Sports betting is state-controlled under Law No. 25,295 (the Sports Forecast Law), prohibiting unlicensed betting. Match-fixing is criminalized, with prison terms for individuals offering or accepting illicit payments, alongside additional disciplinary sanctions by governing bodies.

Dispute resolution is handled internally by each sport's governing entities, typically through two-tiered disciplinary tribunals, while access to courts is restricted mainly to employment, civil liability, or exceptional matters. (Palazzi, 2023).

Sports Law and Governance in Africa

The sports industry in Africa is emerging into a dynamic and economically significant sector that accommodates professionals from diverse fields. The global growth of sport has had a profound impact on African nations, contributing not only to economic development but also to social cohesion and cultural exchange. As sport continues to expand in economic and social importance, the role of law will remain critical in ensuring integrity, fairness, and sustainable development across the continent. This section examines the governance models and sports law of selected African nations.

Significant developments in the state regulation of sport in **South Africa** reflect a shift towards greater governmental oversight and accountability in sports governance. The **National Sport and Recreation Act, 1998**, provides the legal mechanism for the promotion and development of sport and recreation in South Africa, establishing a coordinated relationship between the Sports Commission, national sports federations, and related agencies. The Act seeks to address inequalities by promoting equity, democracy, and inclusivity within sporting structures, while also providing formal mechanisms for dispute resolution. It grants the Minister the authority to issue regulations and empowers the Sports Commission, as well as the National Olympic Committee of South Africa (NOCSA) in relation to the Olympic Games, to coordinate, promote, and develop sport nationwide (Republic of South Africa, 1998).

The South African Institute for Drug-Free Sport Amendment Act 33 of 2024 aligns national anti-doping legislation with the World Anti-Doping Agency (WADA) 2021 Code, addressing previous gaps in compliance. The Act clarifies and strengthens the mandate of the South African Institute for Drug-Free Sport (SAIDS), enabling it to operate independently while cooperating with government departments and sporting bodies. Key provisions empower SAIDS to implement centralized doping control programmed, adopt and enforce anti-doping rules, maintain a registered testing pool, manage therapeutic use exemptions, conduct research on performance-enhancing substances, and educate athletes and the public about the risks of doping.

By harmonizing domestic legislation with international standards, the Act safeguards the health and rights of athletes, ensures fair play, and maintains South Africa's eligibility to participate in global competitions. It represents a significant step in reinforcing regulatory compliance, institutional accountability, and the integrity of sport (Doubell et al., 2024).

The **Kenya Sports Act 2013** was enacted by the National Assembly following years of deliberation, proposals, and consultation. The Act provides a systematic legal mechanism to harness sports for national development, promote drug-free participation, and regulate the administration and management of sports in Kenya. It establishes key institutions, including Sports Kenya, the National Sports Fund, and the Kenya Academy of Sports, and sets out financial provisions, registration and licensing procedures, arbitration mechanisms for sports disputes, and other regulatory measures. The Act is structured into four schedules, covering applicable sports facilities, the constitutions of sports organizations, governance of boards and councils, and transitional provisions.

Sports Law and Governance in Oceania

Oceania presents a vibrant sports law jurisdiction. Sports law and governance in the region constitute a hybrid system that integrates local legal traditions, regional cooperation, and global sports regulation. Whilst nations such as Australia and New Zealand possess well-developed legal systems, other nations continue to develop and advance their governance capacity. This section examines the governance models and sports law of selected Oceanian nations.

In **Australia**, strong governance in sport has become more important as the industry has expanded in scale and influence. A range of sporting codes operate across the country, including football, rugby, cricket, and basketball, each governed by its own body responsible for setting and enforcing rules and regulations.

Sports law in Australia is shaped by a network of both national and international institutions. At the national level, the Australian Sports Commission provides oversight and guidance on governance and policy. Internationally, organizations such as the International Olympic Committee govern standards and practices across sporting disciplines.

Each sporting code maintains its own internal rules and enforcement mechanisms. For example, the Australian Football League operates a tribunal system to address disciplinary issues, while the National Rugby League maintains a similar structure for resolving infractions within its competition.

Beyond these sport-specific systems, the conduct of organizations and individuals is also regulated by general areas of law, including workplace health and safety, intellectual property, and anti-discrimination legislation (Fit Lawyers, n.d.).

Australia has enacted the **Sport Integrity Australia Act 2020** along with the **Sport Integrity Australia Regulations 2020**, both of which are federal legislative instruments with nationwide application. The **National Anti-Doping Scheme** sets out anti-doping rules and defines violations in line with the **World Anti-Doping Code**, providing a consistent mechanism for addressing doping in Australian sport (Conseil de l'Europe, 2023).

The **Sport Integrity Australia Act 2020** establishes Sport Integrity Australia as the primary body responsible for protecting the integrity of sport in Australia through a coordinated national framework. The Act provides for the implementation of the National Anti-Doping Scheme, aligning domestic regulation with international anti-doping obligations, and grants powers to investigate violations, enforce compliance, and maintain records of sanctioned individuals. Significantly, the Act sets out clear objectives, including ensuring fair and honest sporting

outcomes and performances, promoting ethical conduct among athletes and stakeholders, fostering a safe and inclusive sporting environment, and enhancing the reputation and public confidence in sport. Through this structure, the legislation adopts a preventive and unified approach to addressing integrity threats such as doping, corruption, and misconduct across all levels of sport (Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, 2021).

In **New Zealand**, the Sport and Recreation New Zealand Act 2002 forms the cornerstone of the legal and institutional mechanism governing sport and physical recreation. The Act establishes the mandate of Sport and Recreation New Zealand (SPARC) to promote, encourage, and support participation in sport as a matter of public policy and national well-being. Its functions extend beyond mere promotion to encompass the development and implementation of national strategies, allocation of funding in alignment with policy objectives, and the dissemination of research to inform evidence-based decision-making. Importantly, the Act embeds inclusivity and social responsibility within its ambit.

From a governance perspective, the Act integrates regulatory, developmental, and advisory roles by empowering SPARC to facilitate dispute resolution, coordinate stakeholders across national, regional, and local levels, and collaborate with sectors such as health and education. Furthermore, by enabling international representation of government policy interests and supporting infrastructure development, the Act positions New Zealand's sports governance model as one that balances autonomy with state oversight. The legislation exemplifies a structured and inclusive approach to sports law, aligning participation, integrity, and governance (Office of the Auditor-General, 2010).

In New Zealand, the betting market is legal but tightly regulated, with the New Zealand Racing Board (TAB NZ) operating as a statutory, state-controlled body responsible for overseeing wagering on racing and sports. Legislation requires TAB NZ to distribute a portion of gambling revenues to national sporting organizations, making betting a significant source of funding for sport.

To address integrity concerns, the Crimes Act (Match-Fixing) Amendment Act 2014 introduced section 240A, criminalizing match-fixing and spot-fixing where there is intent to influence a betting outcome. Such conduct is treated as obtaining by deception and is punishable by up to seven years' imprisonment. However, the provision is limited in scope, as it does not cover manipulation unrelated to gambling (Lloyd, 2023).

Conclusions and Further Research

As sport has developed into a commercialized and transnational industry, law and governance mechanisms play a central role in administering contractual relations, ensuring institutional accountability, resolving disputes, protecting athletes, and facilitating significant investments in infrastructure and development. Across continents, from established systems in Europe, North America, South America, and Oceania to progressive governance structures in Asia and Africa, sports law reflects a dynamic interplay between domestic regulation, regional cooperation, and global standards.

Beyond its commercial function, sports law plays a critical role in addressing pressing global challenges that threaten the integrity and sustainability of sport. Issues such as doping, match-fixing, corruption, gender discrimination, and human rights violations reflect the need for robust and harmonized legal responses. At the same time, disparities in regulatory capacity and enforcement across jurisdictions continue to pose significant challenges, particularly in developing regions where governance mechanisms remain in transition.

The ongoing digital transformation of the sports industry further amplifies the importance of adaptive legal systems. Data analytics, biometric tracking, and AI-driven insights raise legal issues around athlete privacy, ownership, and consent, particularly when personal information has commercial value. At the same time, digital media, streaming platforms, and virtual experiences are expanding global audiences, making robust intellectual property, media rights, and brand protection strategies essential.

Meanwhile, the rise of esports and virtual sporting systems further blurs the boundaries between conventional sport, gaming, and entertainment, necessitating innovative yet principled regulatory approaches.

In response, governance reforms across continents have emphasized transparency, ethical conduct, and institutional independence, often driven by external scrutiny and high-profile integrity. While meaningful progress has been achieved, the effectiveness of these reforms remains uneven, reflecting the need for international cooperation, regulatory harmonization, and capacity-building. Sports law will remain a pivotal instrument in balancing commercial growth, technological innovation, and ethical responsibility. Its continued advancement is essential to ensure that sport, as a global social and economic institution, remains fair, transparent, and sustainable.

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