

Module Study Guide

Academic Year 2021–2022

SP– Sports Law

Level: 4

Credits: 10 ECTS; 20 UK credits

Academic Partner:

Marbella International University Centre
(MIUC)

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1 Module overview

1.1 Introduction, aims and summary of content

The Sports Law module provides you with a succinct exposition of the laws that apply within the sports context.

This module is designed to give you an introduction to legal issues concerning sports and it is suitable for those wanting a single module on the legal issues encountered by professionals in sports industry. An understanding of sports law and its operation will aid both those who make high risk decisions and those who advise others on decisions. The goal of this module is not to impart technical legal knowledge, but to enhance the informed judgment when making decisions of management practice. Moreover, it aims to inform students on how the business and operating environment of sports organisations is influenced by sports law and its practice.

This module will give you a sound understanding of the core legal principles surrounding professional and amateur sport including contract law, dispute resolution, anti-doping, employment law, criminal law and negligence in a sporting context. These topics are chosen to illustrate the practical problems arising in sports industry and are useful for anyone hoping to do business in the sports world.

This module will run throughout the semester (14 weeks).

1.2 Learning outcomes to be assessed

Upon completion of this module students will be able to:

LO1 Develop knowledge and skills in the understanding of the key legal principles underpinning sports law and its practice.

LO2 Apply sports law principles to a wide range of commercial transactions and be able to negotiate the contracts.

LO3 Understand the policies and regulations as well as strengths, weaknesses, and functions of governing bodies in sport.

LO4 Develop a familiarity with basic dispute resolution processes.

1.3 Scheduled contact hours

Teaching Contact Hours	56 hours
Independent Study Hours	144 hours
Total Learning Hours	200 hours

2 Assessment and feedback

2.1 Summative assessment grid

Type of Assessment	Word Count or equivalent	Threshold (if Professional Body-PSRB applies)	Weighting	Pass Mark	Submission due-date & time	Method of Submission & Date of Feedback
Written Examination Mid Term Exam	Multiple Choice Questions	n/a	50 %	40%	Week 8 (date and time TBC)	Via NEO LMS & 5 working days after in-class exercises
Written Assignment Position Paper	2500 words (+/-10%)	n/a	50%	40%	Week 15 (date and time TBC)	Via NEO LMS & 10 working days after the assessment

2.2 Assessment brief including criteria mapped to learning outcomes

2.2.1 Assessment 1. Written Examination. Mid-term Exam: Multiple Choice Test.

This in-class exercise intends to assure your understanding of the main principles of law covered throughout the module.

Assessment criteria for Assessment 1 (LO1- LO3 will be assessed)

Assessment criteria

Assessment 1 will be marked according to the following criteria:

- ❖ **Knowledge and Understanding:** Students should be familiar with the main aspects of the sports law, the statutory materials, case law, regulatory practice which underpins sports law and the relevant literature on sports law.
- ❖ **Cognitive Skills:** Students should be able to relate discussions concerning sports law to developments in sports industry and evaluate the sports law's understanding of changing sporting context.

- ❖ **Practical and Professional Skills:** Students should be able to discuss issues relating to sports law authoritatively and articulately in a written and oral manner, showing a thorough comprehension of the relationship between sports law and sports industry.
- ❖ **Transferrable and Key Skills:** In a sports industry where law is much debated, students will acquire a capacity for informed debate, i.e., analysis of complex legal problems, devising legal strategies, working with the law in real-life contexts.

2.2.2 Assessment 2: Position Piece

At the end of the module, you will have to submit a Position Paper. The aim of this assessment is to assess your awareness of the legal systems and contemporary complex issues in modern societies and application of the law to situations arising in international arena. Through a Position Paper, you will demonstrate the knowledge and understanding of different types of law as well as the skills of the construction of legal argument. For more detailed instruction, please read the Assessment Guidelines which are available on NEO LMS.

Assessment criteria 2: Position Paper (LO1-LO4 will be assessed)

These assessments will be marked according to the following criteria:

- ❖ **Knowledge and understanding (50%):** The Position Paper takes a strong, well defined position, uses at least three appropriate reasons with at least two supporting details for each reason. Counter arguments are effectively addressed, without undercutting the student's position.
- ❖ **Cognitive skills (30%):** The structure of the Position Paper is clear and easy to follow. Moreover, the Position Paper follows the guidance provided by the module leader for these assignments. Paragraph transitions are logical and maintain the flow of thought throughout the paper. The conclusion is logical and flows from the body of the paper.
- ❖ **Practical and professional skills (10%):** The Position Paper accurately recounts a wide range of sources of factual and relevant information, with many indications of greater breadth and depth of knowledge.
- ❖ **Transferrable and key skills (10%):** The Position Paper follows all the designated guidelines. The rules of grammar, usage and punctuation are followed. Spelling is correct. Language is clear and precise. Sentences display consistently strong, varied structure.

For guidance on online submission of assignments, including how to submit and how to access online feedback, please refer to the MIUC Learning Management System student guideline.

2.2.3 Core textbook(s):

Beloff, Michael J. 2012. *Sports Law*. 2nd ed. Oxford: Hart.

Gardiner, S. et al., 2012. *Sports Law*. 4th Edition. Routledge, London.

James, M., 2013. *Sports Law*. Palgrave Macmillan.

2.2.4 Other recommended reading:

Anderson, J., 2010. *Modern Sports Law*, Hart Publishing.

Lewis, A. & Taylor, J., 2014, third edition. *Sport: Law & Practice*. London: Bloomsbury Professional Publishing.

Hewitt, I., 2008. *101 Sporting Encounters with the Law*. Cheltenham: Sports Books.

Remember to log into MIUC Learning Management System daily to receive all the latest news and support available at your module sites!

3 Things you need to know

3.1 Engagement

During the academic year 2020-21, the health, welfare and safety of all our students and staff is our top priority as Spain continues to deal with the ongoing implications of the COVID-19 outbreak.

Face to-face-teaching, access to MIUC facilities and being part of our unique University community are key parts of the excellent student experience at MIUC. We have been working to create a safe and efficient plan that will allow us to deliver these elements when you start with us in the fall semester, subject to government regulation.

MIUC will be ready to teach in September and we are committed to engaging with you as closely as we can, and to ensuring that you have a rich educational experience that is safe and protected to ensure that you continue to get the most from the University life and the city of Marbella.

Whether you are engaging with teaching and learning activities on site or via the MIUC Virtual Learning Environment, we expect the same level of commitment and engagement from you. If you are unable to attend scheduled on site or online activities or complete activities in the timeframes set out, you should let your module leaders know. You should aim to stick to assessment deadlines; if you are concerned that you will not be able to complete your assessments on time, you should talk to your module leaders. Your engagement, whether online or on site, will be tracked and if we see that you are not engaging, we will get in contact with you. However, we encourage you to let us know if you are struggling so we can work with you to find solutions and get you back on track as soon as possible. Give yourself the best possible chance to succeed by engaging with the full range of learning and teaching activities available to you.

3.2 Need help, just ask

The University recognises that there are times when you may encounter difficulties during your course of study and provisions are made to help you. If you are struggling with meeting deadlines please talk to us, whether it's your course/module leader, personal tutor or any member of staff, speak to them so they can get you the support you need to succeed. You can extend your deadline if you have a good reason why you are not able to submit a piece of coursework on time, [apply online for an extension](#) before your deadline. An extension will allow you an extra 10 days. When ongoing serious circumstances adversely impact a student's ability to complete assessments on time, a [postponement application](#) may be submitted for the assessment to be taken at the next scheduled opportunity. If an extension is not sufficient and circumstances beyond your control are preventing you from completing your assessment, then you can, [apply online for mitigation](#).

Please remember late submission without extension or mitigation will result in penalties depending on how late it is, see [Academic Regulations](#).

You are reminded that MIUC applies penalties to students who commit an academic offence, in which case the Academic Offences Regulations will be used to deal with any cases of academic misconduct including examination offences, plagiarism and other means of cheating to obtain an advantage.

You are encouraged to seek advice from the Students' Union and counselling service which support

you with all aspects of your academic experience by providing advice and guidance to ensure you are fully informed of the academic regulations as well as advocate for student views.

You are expected to behave in line with University expectations, irrespective of whether your interactions with staff and other students are in person or online. As you will be engaging with others online and a range of online materials, it is important to consider how to stay safe online and ensure your communications are secure and appropriate. If you have any questions about how to manage your online activities, please contact your module leader.

If you have an issue about the module, you should speak to your Module Leader or Course Leader informally in the first instance. Your Course Representative can also raise your concerns at Course Committees, which take place each semester. If you are unable to resolve it informally, you should refer to the Complaints Procedure which is outlined in the student handbook and consult the Students' Union about it. The University aims to ensure that issues are resolved informally as quickly as possible to have minimum impact on your studies.

3.3 Getting support for your studies

Throughout your course of study, you will have access to a wide variety of sources of support depending on your individual circumstances and needs. Your first point of call for getting general academic support is your Personal Tutor. As well as approaching your Module Leader with any questions specifically related to your module and your Course Leader with questions on your Course, do contact your Personal Tutor for academic advice in relation your studies and your academic development.

Apart from the University-wide support framework, which encompasses the Module Leaders, Course Leader, the Subject Librarian and your Course Administrator, you will also have at your disposal the MIUC Academic Support Team. The Team offers Academic Skills Workshops throughout the year, helping you to develop skills relevant to your degree. Workshops include for instance Essay Planning and Writing; Critical Thinking; Reflective Writing; Group Work and Presentation Skills.

English Language support and One-to-one academic support opportunities are also available. For information about all these services, please consult the Academic Office.

3.4 Student support

In addition to the support listed in the previous section, there is also more help offered by MIUC Student services, consisting of Student Life Department, Internship Support, Life Coaching Service and Counselling service. They offer a wide range of support and services consisting of extracurricular activities; Careers and internship support; Student Welfare and Counselling.

Contact Student Services for more information at:

Student Life Department: student.life@miuc.org

Internship Support: ana.cantle@miuc.org

Life Coaching Service: Ms. Ana Cantle, ana.cantle@miuc.org

Counselling Service: Ms. Eva Berkovic, eva@miuc.org

3.5 Module evaluation – have your say!

Towards the end of the module you will be invited to provide some anonymous feedback to the Module

Leader through a (online) survey. This is your opportunity to give some direct feedback about the module through a series of questions and free text. Your constructive feedback will help the Module Leader and teaching team to understand the module experience from your perspective and helps inform the development of the module.

1. Weekly Content of the module

Week 1	Content	Introduction to the module. Introduction to Sports Law and Governance of Sport.
	Key concepts / issues	Introduction to Sports Law – review syllabus & module calendar. Introduction to sports law: its sources and origins. The governance of sports and its regulatory framework. Framework of the Law Relating to Sport.
	Learning and teaching	Lecture and seminar
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapters 1 & 2. Gardiner, S. et al., 2011. <i>Sports Law</i> . 4th Edition. London: Routledge. Chapter 2 & 5. James, M., 2013. <i>Sports Law</i> . Palgrave Macmillan. Chapter 1 & 2.
	Independent study	Students may begin work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.
Week 2	Content	Application of European Law to Sport
	Key concepts / issues	The application and impact of EU law to sport: Legal and policy origins. Free movement rules: Workers, services and establishments. EU Competition law and its application to sport.
	Learning and teaching	Discussion and tutorial.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapters 2 & 3. Gardiner, S. et al., 2012. <i>Sports Law</i> . 4th Edition. Routledge, London. Chapter 4

		James, M., 2013. <i>Sports Law</i> . Palgrave Macmillan. Chapter 12.
	Independent study	Students may begin work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.
Week 3	Content	Access to Sporting Competitions
	Key concepts / issues	Entry Criteria in Sport The Duty of Fairness Owed by Sporting Bodies to Outsiders Contractual and Non-Contractual Claims Asserting a Right to Participate
	Learning and teaching	Case study and small groups work.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 3.
	Independent study	Students should begin work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.
Week 4	Content	Players Rights
	Key concepts / issues	Relations between Players and Clubs: Formation and Content Thereof
	Learning and teaching	Role play and discussion.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 4.
	Independent study	Students should work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.
Week	Content	The Regulation of Play

5	Key concepts / issues	<p>Organisation and Competition</p> <p>Tort and Sport</p> <p>Practical Issues Arising in Sporting Injury Claims</p>
	Learning and teaching	Case study and discussion.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 5.
	Independent study	Students should work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.
Week 6	Content	Commercialisation of Sport and Legal Aspects
	Key concepts / issues	<p>Competition Law</p> <p>Broadcasting</p> <p>Ticketing Arrangements</p> <p>Merchandise Sales</p> <p>Sponsorship Agreement</p>
	Learning and teaching	Case study and discussion.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	<p>Beloff, Michael J. 2012. <i>Sports Law</i>. 2nd ed. Oxford: Hart. Chapter 6.</p> <p>Gardiner, S. et al., 2012. <i>Sports Law</i>. 4th Edition. Routledge, London. Chapter 10.</p> <p>James, M., 2013. <i>Sports Law</i>. Palgrave Macmillan. Chapter 11 and Page 292 - 300.</p> <p>Lewis, A. & Taylor, J., 2013, third edition. <i>Sport: Law & Practice</i>. London: Bloomsbury</p> <p>Professional Publishing.</p>
Independent study	Students should work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper.	

Week 7	Content	Employment Law in Sport
	Key concepts / issues	Identifying and interpreting employment contracts in sport. Conduct interfering with the performance of a contract. Representation of sport person and law of agency.
	Learning and teaching	Discussion
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Gardiner, S. et al., 2012. <i>Sports Law</i> . 4th Edition. Routledge, London. Chapter 8. James, M., 2013. <i>Sports Law</i> . Palgrave Macmillan. Chapter 11. Anderson, J., 2010. <i>Modern Sports Law</i> , Hart Publishing. Pages 257-319.
	Independent study	Students should revise Week 1-7
Week 8	Content	Revision Lecture & Mid-Term Exam
	Key concepts / issues	Week 1-7
	Learning and teaching	Lecture and Seminar
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Week 1-7
	Independent study	Students should revise Week 1-7.
Week 9	Content	Integrity of Sport. Doping and Corruption in Sport
	Key concepts / issues	The regulatory framework for drug-use in sport. The anti-doping The concept of strict liability. Contemporary issues related integrity: Match-fixing and financial corruption.

	Learning and teaching	Discussion and tutorial.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Gardiner, S. et al., 2012. <i>Sports Law</i> . 4th Edition. Routledge, London. Chapter 7. James, M., 2013. <i>Sports Law</i> . Palgrave Macmillan. Pages 128 - 133.
	Independent study	Students should work on the Position Paper.
Week 10	Content	Disciplinary Proceedings in Sport
	Key concepts / issues	Specific Features Principles Applied in Disciplinary Proceedings before the CAS Disciplinary Cases Involving Alleged Doping
	Learning and teaching	Small group work and discussion.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 7.
	Independent study	Students should work on the Position Paper.
Week 11	Content	Remedies: The Resolution of Disputes in Sport
	Key concepts / issues	Court Proceedings Private Law Claims Jurisdiction, Choice of Law and Forum Stay of Proceedings for Mediation Stay of Proceedings for Arbitration The Future of Dispute Resolution in Sport
	Learning and teaching	Role play and case study.
	Pre session reading	Readings on NEO LMS.

	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 8.
	Independent study	Students should work on the Position Paper.
Week 12	Content	The Resolution of Disputes in Sport
	Key concepts / issues	Court of Arbitration for Sport: CAS: its origins, jurisdiction, procedures and case law. The Future of Dispute Resolution in Sport
	Learning and teaching	Discussion, case study and analysis of research paper. In class debate.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	Beloff, Michael J. 2012. <i>Sports Law</i> . 2nd ed. Oxford: Hart. Chapter 8. Gardiner, S. et al., 2012. <i>Sports Law</i> . 4th Edition. Routledge, London. Chapter 6. James, M., 2013. <i>Sports Law</i> . Palgrave Macmillan. Chapter 3.
	Independent study	Students should finalise work on the on the in Class Individual Formative Presentations that will be based on the topics of the Position Paper. Students should work on the Position Paper. Students should work on the Position Paper.
Week 13	Content	Presentation of Final Assessment
	Key concepts / issues	N/A
	Learning and teaching	Students' formatives presentations.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	N/A
	Independent study	Students should finalise work on the Position Paper.
Week 14	Content	Consolidation Week. Module Wrap-up.
	Key concepts / issues	Topics introduced in this module

	Learning and teaching	Students' formative presentations.
	Pre session reading	Readings on NEO LMS.
	Literature for this session	All readings due.
	Independent study	Students should finalise work on the Position Paper.

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