

## THE LEGAL FRAMEWORK OF SPORTS MANAGEMENT IN THE REPUBLIC OF SERBIA

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**Abstract:** *Research in the field of legal sports management in the Republic of Serbia has shown that it takes a series of measures that would ensure the development of sports in our country. It takes a series of measures that would ensure development of our sport. It is necessary for the adoption of appropriate laws and regulations related to: business and sports activities, education and the possibility of privatization, in line with the rules of international sports organizations in order to prevent possible abuse.*

**Keywords:** *right, management in sport, sport, sports organizations, education, law*

Sport in contemporary society got a much broader and more complex role and function than it had in earlier times. Sport is not just a competition of physical and mental capabilities of people, but it is an integral part of our daily lives, our culture, content and ways of life, the process of education, a strong source of moral norms and positive energy that gives strength and meaning to life of every individual.

Latin proverb says, "Mens sana in corpore sano" is the result of long-term experience of previous generations, as the term of knowledge and awareness about sources and foundations of human life and health, but also the permanent determinant of life and development of all generations. No generation in human history, that is not in the forefront, as their basic social and individual values, put life and health. In the development, enrichment and protection of these values in all social systems, in all social circumstances had a key role sport.

Republic of Serbia, as other countries in Europe, is in the process of transition and makes great efforts to develop as soon as possible and equitably involved in international trends. Notwithstanding the recognized achievements in the world, where our team members are at the top, the sport is still on the sidelines of the general social, economic, and political development. A weak organization of clubs, associations, and sports centers is evident along with the lack of skilled staff - management. The problem with the abuse of doping is widespread in modern sport. Athletes are poorly informed about the sports and criminal legal sanctions related to doping, and on economic and moral consequences are not interested. This points to a crisis in which the modern sport and the need for continuous education about doping athletes, and management structure of sports clubs and associations. Decline of physical abilities is present in children, adolescents, and adults. Creating sports habits, culture, and needs must to be an imperative of our society.

It is necessary to take a series of measures that would ensure development of our sport. It is necessary to pass appropriate laws and regulations related to business and sports activities, education and the possibility of privatization, to make them in line with the

rules of international sport organizations in order to prevent possible abuse. The economic crisis resulted in the reduced state investment and business entities in the sports of the Republic of Serbia, to education and sports officials in the construction and maintenance of sports facilities. Standard of employed in sport organizations over time is more decreased. Infrastructure, technical, and human resources decrease which serve the maintenance and development of the system.

Conditions for recreational sports have become more expensive, and the existing concept has become less available to the public. For this reason, and because of the influence of other limiting factors, many people leave the practice of exercise and sports in their free time. The consequence is noticeably increased the number of patients with cardiovascular and respiratory diseases. In response to these and many other problems, the Government of Serbia adopted the Strategy for Sport Development (2009), which defined the strategic approach to reform of the sports system in accordance with the experiences of countries in the field of sports. The opinion of most participants who participated in drafting this important document - Strategy for Sport Development, representatives of sports organizations, public opinion is, that the process of developing strategies is accompanied by positive changes in the usual way of working on the development of strategic documents, as well as overcoming the problems that such changes cause.

In addition to passing a series of important documents, laws, regulations related to the field of legal regulation and operation of sports and recreational activities (Law on prevention of doping in sport; Regulation of doping controls, the

Regulation on Supervision of professional work in the field of sports, etc.) a question of passing a new and more precise law on sport is open. Due to a series of political, economic, legal, and organizational changes that have occurred in recent years, solutions that provide that law have become outdated, inefficient, and imprecise. Based on analysis of existing documentation, the priorities that need to be addressed in the overall development efforts of management and sport in general are defined.

One of the initial is to match certain legal terms and categories used in the law in sports terminology and norms of the Constitution of the Republic of Serbia (e.g. social capital). It is necessary to clearly detail the rights and obligations of persons engaged in sport activities with legal norms, as well as to define measures to encourage the development of sport for children, youth and students. It is necessary to define the provisions that would establish a more efficient mechanism for protection of existing facilities and to define terms that will allow faster development and construction of new sports facilities. Clearly defined sporting activities will make the difference between the correspond-economic activities and sports activities, governed by the licensing system of legal and natural persons who perform certain activities in the field of sports, or in connection with the sport shall discharge current dilemmas that exist in the environment.

The necessity is reflected in the clear definition of rules in statutory legal issues related to establishment and operation of sports organizations (the possibility of bringing to the occurrence of numerous abuse of economic and tax law, which damages the reputation of sport and threatens those sport subjects primarily engaged in sporting activities). Existing tax incentives should be used transparently for the purpose for which they are prescribed. Almost all of the tax laws include the laws by which persons and

organizations engaged in sports activities have a more favorable tax treatment than other taxpayers. The aim was to create better material conditions for the development of sport and not making room for possible abuse, tax evasion for those whose activities are primarily sports, and whose work has focused on the development of sport. Impossibility of presenting quantitative effects of tax exemptions and incentives leads to significant non-transparency of the overall system of financing sport. It is therefore necessary to define the precise criteria for the award sponsorships and donations to athletes and sports organizations from the public enterprises established by the state or local governments.

These are just some of the issues that stand in the way of recovery of sport and its successful development. Mutual close cooperation of scholars, practitioners and those involved in education in schools and universities is essential for further progress in the relationship between theory and practice in sport. Theorists (professionals, researchers) need to offer appropriate models and theories, which predict and explain how and why events occur, to enable practitioners to achieve effective performance in the scope of its duties and responsibilities.

UNESCO has on many occasions stressed in its documents the need for a merger of sports and educational plans and activities that contribute to overall development of personality: in relation he-she, physical development, and cultivated social habits. The Helsinki report on sport has given an accurate reference potential of education in the sport, noting that "science is defined as an acquired equity of basic and vocational skills and social skills", this is concerned with "relationship of skills as the ability of cooperative and team work, creativity and requires for quality, which are the value applied in the sport." Helsinki report actually opened many issues that are undefined in the sport. On this occasion, different program content were encompassed in order to draw parallels in education and therefore recognize the value of the sport with teaching point of view, as a formula for promoting activities of citizenship, tolerance, and solidarity.

## **RESUME**

In addition to passing a series of important documents, laws, regulations related to the field of legal regulation and operation of sports and recreational activities in the Republic of Serbia, it is necessary to pass a new and more accurate law on sport, which is in parliamentary procedure. It is necessary to establish details of the rights and obligations of persons engaged in sport activities using legal norms, as well as to define measures to encourage the development of sport for children, youth, and students. It is necessary to define the provisions that would establish a more efficient mechanism for protection of existing facilities and to define terms that will allow faster development and construction of new sports facilities.

Clearly defined rules of statutory legal matters concerning the establishment and operation of sports organizations in order will prevent possible abuse of economic and tax law. Adequate training of workers in the field of sport management and law on sport will provide quality staff ready to face the problems and challenges in this extremely important field.

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