

REAL POSITION OF LAW IN WELL REGULATED SPORT MARKET

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Review paper

Abstract

Sport is today undoubtedly become the industry with a huge turnover of capital accumulation and other well-known economic categories, but both brought with him, and inherited part of the socially existing relations, including the unacceptable decisions and unregulated activities. Since all this is happening in the market, it is obvious that it can easily happen to structure, like the Cuckoo egg, substructure with partial interest, ie. By pulling out part of improperly formatted using a smaller number of users. In this case obviously has systematically (in silence) steal a well established structure, and steal resources, but also a result. This work shows that the proper establishment of legal settings and procedures becomes possible to establish regulated sports market.

Key words: sport, market, law, position, regulation

Introduction

Sport

Sport is a kinesiologic activity in which at least two people and more often two teams are eyeing to achieve the best results, with the ultimate goal of achieving victory, within pre-agreed rules. Classification of sports disciplines has more, but it seems to be one of the most acceptable course on which she is seen a way to achieve sports results (Bonacin, Bilic & Bonacin, 2008). According to this classification, the difference between: a) Achieving an explicit results, no direct experiments with the opponent, usually expressed in some physical units or credits, etc. (typical - javelin or archery); b) Achieving weighing results, where for achieving results (winning) the necessary existence of direct opponents who communicated directly interfere with the implementation (typically judo and basketball), and c) The achievement of the estimated results based on expert assessment, which includes a subjective evaluation of the achievements on the basis of evaluation of performance (typical - figure skating or dancing). What sport today, except for the very fact of motion and victory, bringing specificity jet that the sport industry has become, according to some thinking, the industry among the 10 with the highest turnover of financial resources, which in principle, among other things, the great care water sports management (Moore et al, 2001; Bohlke & Robinson, 2009; Wicker et al., 2012; Winand et al., 2012; Baker & Esherick, 2013).

Market

The previously entered directly leads us to the concept of sharing resources, regardless of whether it is money, social and similar values, sports scores, or anything else, in the long-term and strategic terms (Robinson & Minikin, 2011; Winand, et al., 2012) . Obviously this is a market and as a dynamic confluence of events and exchange of resources (Grönroos, 1989; Forlani & Parthasarathy, 2003), which thus absorbed providing interactive and search different

participants with different objectives (Lind, 1998; Hardy et al., 2012; Gilliam & Voss, 2013). Most often it all in an organized form achieved through competition involving representative types or clubs, or similar associations which then exercise their role not only in sporting terms but also in the broader context of the social environment combining resources and effects (Benijts et al., 2011; Tsiotsou , 2013). Of course accordingly, and human desire to control the world around him, conducted monitoring and analysis including real thinking about the future in this sphere, both practical and research, and development (de Street, 2003 Ratten & Ratten, 2011; Robinson & Minikin, 2011; Abuzayed, 2013; Roche, 2013).

Model and functioning

Sports activities, so as just another new layer, elegantly placed within social communities and market laws, which obviously means that it is not a game but a very serious business (Herstein & Jaffe, 2008; Adcroft & Teckman, 2009; Roche et al., 2013). This structure can be realistically described figure 1. According to this model, management is primarily concerned with the sources of resources ('source') and global transfer of resources (such as money, but not just money). The resources transferred from the market ('Market') under its control, so that they could focus in line with the goals set. In the case of a specified group of people ('club') but it just might be an individual (eg. Tennis player) or multilayered associations (eg. Sports association). If such an organization is successful, there will be a global return transfer ('result') which is directed towards the general segments of society, a user (eg. Business entity) or a targeted group of users ('user'). Of course, users will be in the market model to pay for the service consumption results (exchange or any other resources), thus creating new sources of resources, and the cycle is closed. In the ideal case - all clear.

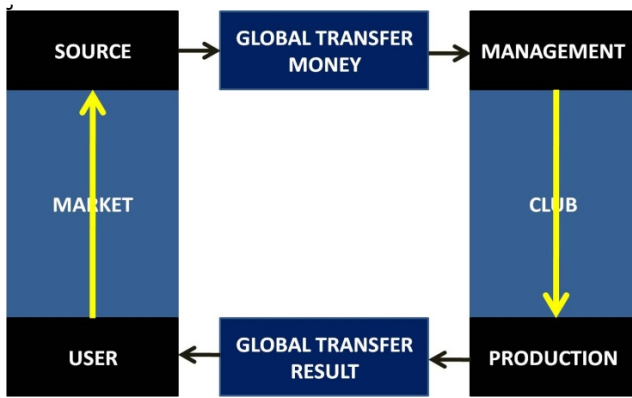


Figure 1. "Ideal" starting position and relations [Source: Authors]

However, all this has also meant that this layer not only bring their own features and the system and some can be less acceptable, but will certainly "inherit" part of all those problems that otherwise can be registered in the company and be part of the unregulated activities contaminate the desired structure (Figure 2). This is reality and as such it should be accepted, but as can be seen, after the initial "ideal" tailored structure (figure 1), in the "free space" that there is always, threw the other, not necessarily the quality of structural value, with the tendency taking modes of decision-making, and therefore safe-adjusted initial structure.

The basic characteristic of this contamination is the partial transfer. These reasons, which, no matter how organized such partial substructure, can not entirely take the pre-defined model (figure 1), and that her and can not be the goal, because then she took over the essence of the contamination would disappear. Or, what is even more obvious attempt to take decisions unstructured way, so that themselves provide most of the "cake" and leave the impression that it "ideal" structure actually works.

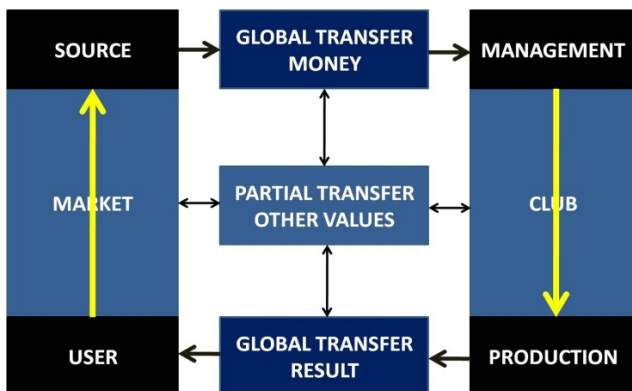


Figure 2. Real position and relations [Source: Authors]

The latter is of course on the edge of crime and therefore must be less obvious that it would not easily noticed and how he eventually stealing resources, result, fame, decision-making or anything else that can.

Of course it's impossible to completely stop because the sports and sports management deeply immersed in the social system and in no way can not be forcibly taken out of it. Partial transfer still serves only a small number of individuals (the company) as if it were more involved "cake" would suddenly become too small, with the already described consequences. In this segment, whether we like to admit it or not, there are almost all the causes of irregularities in sport and sports management could find (Athanasios, 2005; Sherry et al., 2007; Soebbing & Mason, 2009; Dobovšek & Slack, 2015) . Trespassing part of the transfer in silence or with justification (such as "force majeure", etc.) Sure is a sign of irregularities, and whether the manifest as an open robbery, bribery of judges, tax evasion, extortion of young talent, the pressure on the management of associations, lobbying unacceptable and agreements, setting games and championships, bribes to obtain big events etc., it is quite unimportant and depends exclusively on: a) the "appetite" engaged b) on their socio-economic power.

When both large, resulting scandal popilično large scale. Due to the reality that we in society generally surrounded, we know very well that many of these phenomena will not just disappear, but it is very difficult to define the line and decide how much of that can be tolerated, especially when we know that the human appetite is often difficult (sometimes impossible) meet, and we know that it is definitely illegal, sometimes even about the pathology. However, it seems that before everything ("one fine day") is regulated by a fair and public, need to understand where the problem lies and that was the aim of this study (Chadwick, 2009; Breitbarth et al., 2015). So, within this system is that even declaratively so well established, with the idea of being so regulated, monitored and managed, then when the partial transfer becomes more important, more influential or more powerful than the regular (but this is not any public or obvious !) created a real mess of control (figure 3). Then the exchange of resources (eg, money) to partial transfers out sufficient controls authorized management and the management are largely bypassed in decision making, a decision on the global transfer of resources to bring the level of the partial transfer, of course, the partial purposes (Keene, 2011; Dobovšek & Slack, 2015; Levermore & Moore, 2015). Of course, the same goes for the partial transfer of results, because it was out of the acceptable control of users, and the manipulation, the media and otherwise, that can do that for example, a football stadium of 50,000 people is ispunujen to capacity, although they systematically lose matches, and club for example. nothing serious sport has achieved in the world the last 90 years. It is obvious to users (eg, fans) someone "stole" an awareness of what is the ultimate result, replaced by a kind of partial achievements and desperate that same desperate achievements proclaimed him top score (Frosdick, 1995, Hyatt et al., 2013). All this is illustrated by the figure 3.

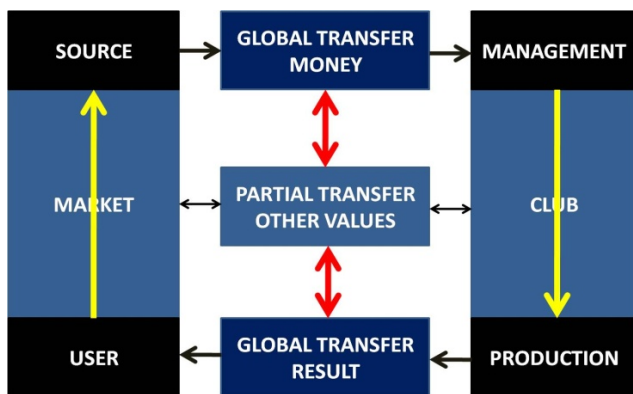


Figure 3. "The override is" structural value
[Source: Authors]

Conclusion - Position of Law

As usual, the solution is really quite simple, but getting it also really extremely difficult to implement. In fact, to make this work properly, it should find legal solutions that will (at least step by step) once completely "wipe out" the partial transfer (not to mention plundering of everything). Then, on the foundations of law, could become a realistic one originally envisaged structural model.

Without such legal support, referenced system (as well as any other) may not work well enough (Spengler et al., 2009; Gardiner et al., 2012) which here means unacceptable contamination of partial systems, unquestionably misplaced and primitive values. Yes, but also biological viruses are primitive, that does not mean they are not dangerous! The cure for the social determinants of governance in sport is the only law. And, what is the most beautiful, if indeed the law, no one in his action can not adapt.

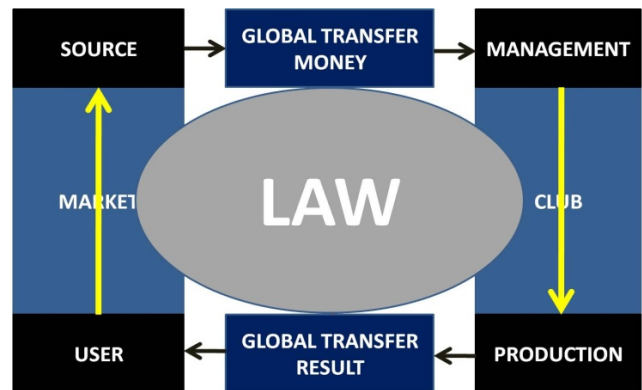


Figure 4. The position of law as a regulator
[Source: Authors]

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STVARNI POLOŽAJ ZAKONA NA DOBRO REGULIRANOM SPORTSKOM TRŽIŠTU

Sažetak

Sport je danas nedvojbeno postao industrija s ogromnim obrtom kapitala, akumulacijom i drugim poznatim ekonomskim kategorijama, ali je, kako donio sa sobom, tako i naslijedio dio društveno postojećih odnosa, a među njima i neprihvatljive neregulirane odluke i aktivnosti. Budući se sve to dešava na tržištu, očito je da se lako može desiti da se strukturira, poput kukavičjeg jajeta, substruktura s parcijalnim interesom, tj. izvlačenjem dijela nekorektno formatirane koristi za manji broj korisnika. Pri tome se očito mora sustavno (u tišini) potkradati dobro utemeljenu strukturu, a potkradaju se resursi, ali i rezultat. Ovaj rada pokazuje da pravilnom uspostavom zakonskih postavki i procedura postaje moguće uspostaviti regulirano sportsko tržište.

Ključne riječi: sport, tržište, zakon, položaj, regulacija

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