

# LAWS70059 Sport, Commerce and the Law

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2016.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	<p>For more information:</p> <p>Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> (<a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a>)</p> <p>Phone: +61 3 8344 6190</p> <p>Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> (<a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a>)</p>
<b>Subject Overview:</b>	<p>Sport is both an industry of the modern age and a traditional activity that reaches to the core of the social fabric. Law and sport intersect in many and varied ways, some of which challenge established notions of thinking about law. Sport, Commerce and the Law is the flagship subject of the sports law program, surveying many areas of legal controversy in sport, with particular emphasis on the link between the commercialisation of sport and the emergence of sports law. This subject is the best place to start for students embarking on a program of sports law studies and, for the student with wider interests, the ideal subject through which to sample sports law. The lecturer is an established figure in the field and one of a small number of people in the world with the breadth of knowledge necessary to teach this subject.</p> <p>This subject considers selected aspects of the relationship between the law and commercial and professional sporting activities. Particular attention is given to legal responses to the commercialisation of sport and how they influence sport.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> <li># Athletes' rights in relation to discipline, sex and racial discrimination, eligibility and selection, and drug use</li> </ul>

	<ul style="list-style-type: none"> <li># Amateurism and professionalism</li> <li># Protection and marketing of the athlete's reputation</li> <li># Professional player contracts, including discipline, entitlement in the event of injury, assignment, inducing breach of contracts and remedies for breach</li> <li># Club and league structures and franchise ownership</li> <li># Advertising and sponsorship arrangements</li> <li># The impact of the common law doctrine of restraint of trade and the restrictive trade practices provisions of the <i>Competition and Consumer Act 2010</i> (Cth)</li> <li># Taxation of athletes and clubs</li> <li># International sports organisations.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an advanced and integrated understanding of the specific principles of law and regulation as they apply within the context of sport, including recent developments in these fields of law and practice</li> <li># Be able to critically examine, analyse, interpret and assess the effectiveness of these legal principles</li> <li># Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as the emergence of sports law as a system of global law and regulation</li> <li># Have a sophisticated appreciation of the factors and processes driving parliamentary and sporting body revision of the legal and regulatory framework both domestically and internationally</li> <li># Have an advanced understanding of situations in which legal issues may arise in both elite and community based sporting relationships and management practices</li> <li># Have an understanding of sports law issues in an international context</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating to sports law, and to critically evaluate existing legal and regulatory theories, principles and concepts with creativity and autonomy</li> <li># Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to sport</li> <li># Have the communication skills to clearly articulate and convey complex information regarding sports law issues relevant to specialist and non-specialist audiences</li> <li># Be able to demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of sport law.</li> </ul>
<b>Assessment:</b>	10,000 word research paper (100%) (17 June) on a topic approved by the subject coordinator
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70059/2015">www.law.unimelb.edu.au/subject/LAWS70059/2015</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.
<b>Related Course(s):</b>	Graduate Diploma in Legal Studies Graduate Diploma in Sports Law Master of Commercial Law Master of Laws