

## LAWS70437 Sports and Competition 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>	For more information: 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> ) Phone: +61 3 8344 6190 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> )
<b>Subject Overview:</b>	<p>Commercialised sports in the developed world constitute a multi-billion dollar industry raising unique issues under competition law. Courts around the world have recognised that clubs that are commercial rivals necessarily need to collaborate in some ways for their sporting competitions to serve the public. Outside of North America, commercialised sports competitions form part of an integrated system of sports, typically under the supervision of a single national governing board; this too raises important questions of the use or abuse of a commercially dominant position.</p> <p>The overall structure of sporting competitions is thus potentially subject to judicial challenge under competition law statutes around the world. Specific agreements attributed to multiple parties, or to a single entity with a dominant position, are also subject to competition law challenges by governments, affected stakeholders or consumers.</p> <p>The lecturer is an international leader in the field of the application of competition law to sports and has authored works dealing with this issue in developed economies, including Australia and New Zealand.</p> <p>This subject considers the basic principles of competition law statutes applicable in North America, Europe and Australia/New Zealand, as well as relevant principles of the common law</p>

	<p>of restraint of trade. It then applies these principles in exploring a number of cutting-edge issues in the sports industry, including:</p> <ul style="list-style-type: none"> <li># The formation and structure of sports leagues</li> <li># Restrictive labour market practices (salary caps, drafts, limits on free mobility)</li> <li># Collective agreements regarding broadcasting, internet commerce, sponsorship, merchandise, intellectual property licensing etc.</li> <li># Competitive effects of league or federation rules regarding finances and ownership</li> <li># Permissible and impermissible responses to creation of rival competitions.</li> </ul> <p>Application of competition law precedents covers several recurring questions, including the availability of private remedies, market definition and the relevance of non-commercial purposes in justifying conduct that might be clearly unlawful in non-sports industries.</p> <p>Although the subject assumes no prior knowledge of competition law, other than a review of foundational principles underlying various competition statutes, it offers students with competition law background an opportunity to apply their knowledge to a unique and intellectually challenging setting.</p>
<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 principles of competition law as they apply within the context of sport from international and comparative perspectives, 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 sports competition structures and labour market controls, including player drafts, compensation fees and salary caps</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 competition law issues may arise in sport industry and management practices</li> <li># Have the cognitive and technical skills to generate critical and creative ideas relating to competition law issues in sport, 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 competition law in sport</li> <li># Have the communication skills to clearly articulate and convey complex information regarding competition 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 competition law in sport.</li> </ul>
<b>Assessment:</b>	10,000 word research paper (100%) (19 October) 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/LAWS70437/2015">www.law.unimelb.edu.au/subject/LAWS70437/2015</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 Competition and Consumer Law Graduate Diploma in Legal Studies

Graduate Diploma in Sports Law  
Master of Commercial Law  
Master of Competition and Consumer Law  
Master of Laws