



*The Economic Relationship with Competitive Sports from the  
Perspective of Algerian Legislation*

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**Abstract**

The study aimed to elucidate the relationship between the economy and sports from a legal perspective by enumerating the most significant laws, regulations, and facilitations endorsed by the Algerian legislator. These legal provisions are designed to preserve and contribute to the enhancement of the economic profile of sports and sports clubs. As a subset of the economy, sports plays a vital role in financing competitive activities, serving as a revenue source, and bolstering resources, investments, and currencies. This, in turn, contributes to the elevation of the economic stature of the country .

**Keyword :** Economic , Competitive Sports , Algerian legislation

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## 1. INTRODUCTION

Sports are one of the most important aspects of movement that humans are interested in and encouraged by society since the beginning of creation. Sports are one of the most important forms of constructive movement for humans and have a socio-cultural nature. Physical activity has a special form, the essence of which is regular competition in order to measure abilities. In developed countries, aspects of sports have begun to play a role. It is important in economic development, as it represents a percentage of the gross domestic product, while the least developed countries face major challenges to make sport a factor in economic development. One of the manifestations of sport in development is hosting international events, the most important of which are the World Cup and the Olympic Games.

On this basis, sport has become in need of legal, legislative regulations, and this is what the Algerian legislator approved to elevate and advance it so that it is in line with the requirements of the modern era and keeps pace with global developments and transformations in sport. Here, the element of professionalism has become one of the elements of advancement and prosperity on the international scene, and from here comes the importance of law or Sports legislation to clarify its role in the progress and development of sports performance. Countries that realized that it is not possible to talk about development in sports performance hastened to reform their legal and legislative system related to sports in accordance with the aspirations of the sports elite. Algeria, like all countries, has made great strides in the field of sports legislation through a comprehensive The legal texts regulating and controlling sports work, and from here comes the importance of sports law or legislation and its role in the progress and development of sports performance.

The Algerian legislator regulated this relationship by enacting laws, decisions and orders that control, facilitate and develop private investments in sports clubs.

Sports have not recently become the most important industries that constitute an economic aspect in countries, as they include huge investments. Sports have now not become entertainment matches, but rather have become an industry with which dozens of other industries are interconnected. There has become technology for stadiums, tools, clothing, statistics, numbering, and documentation, and sports here are not just football. But every sport has popularity, and to the extent of this popularity, the industries associated with it become vital, important, and influential industries in the economies of countries, not clubs.

What is the relationship between sport and the economy, and how did the Algerian legislator regulate this?

## **2.Sports:**

To reach the highest level of achievement within the limits of what our current capabilities qualify us for, and in a way that aims to contribute to improving educational outcomes and promoting healthy behaviors, which is to use sport as an essential tool for entertainment and recreation, to improve sports performance in local and international competitions, and to create a suitable sports environment to provide... The sports system is at international levels.

The importance of having strategic plans for clubs also gives another breath to sports if they are implemented on the ground, in order to ensure the continuity of clubs and provide their services to their members, and applying strategic planning serves as a sound basis for building a strong club.

### **2.1 The concept of competitive sports activities:**

Competition sports are a form of sports, and one of the most common forms in the world due to the large number of international, global, continental and local

competitions. The competitions receive increased support and interest from clubs, cities, countries and countries. Appropriate financial support was allocated to it to cover its high costs and for the sport of competitions to establish its well-known systems, laws and regulations. Internationally.

Allawi points out that we should not look at sports competition as a type of test only, but rather it should be viewed as an important type of educational work as it contributes to developing the personal aspects of the individual.

### **2.2.1 Objectives and purposes of competitive sports activities:**

The objectives and aims of competitive sport are linked to the different forms of sport and are also affected by the philosophy of society and the personal view of its practitioners. The goals and objectives of competitive sport differ from their counterparts in sports for all, and their goals and objectives are also affected by the political, economic and social organization of countries and in accordance with their policy, philosophy and educational outlook. Social and the extent of importance attached to it is also affected by the concept of sport among the individual, whether he practices or does not practice its activities.

The most important goals and objectives associated with competitive sports are the following:

- Improving the athlete's skill level.
- Develop physical abilities.
- Satisfying competitive motives.
- Satisfying the motivation to score and break records.
- Achieving victory in the competition.

- Developing the psychological characteristics and characteristics of the athlete.
- Raising the level of actual capabilities.
- Acquiring sportsmanship.
- Satisfying amateur tendencies.
- Self-test.
- Satisfying the need for excellence.
- Influencing and proving oneself.
- Develop willpower.
- Expressing one's own strength.

## **2.2 Algerian sports clubs:**

Clubs have an important and effective role, as they work alongside various state agencies to educate and care for young people. Clubs are the means for implementing modern sports philosophy, which is based on sound social principles, according to educational and psychological principles and theories, by drawing data and planning programs for the goals of sports clubs. To raise and train young people.

Classification of sports clubs in Algeria:

Sports clubs in Algeria are classified into two categories, according to Articles 43, 44, and 45 of Law 04/10, which we mention as follows:

### **2.2.1 Amateur Sports Club:**

It is a sports association with non-profitable activity, governed by the provisions of the law relating to associations and the provisions of this law, as well as its basic law.

The establishment of an amateur sports club is subject, before its approval, to the corresponding opinion of the administration in charge of sports. The tasks, organization and operation of the amateur sports club are determined in accordance with a model basic law determined by regulation. The amateur sports club can establish pre-preparatory training centers or a center for the training of sports talents. The club must The amateur athlete creates several specialized sports branches within his structures, especially for the benefit of young athletes.

### **2.2.2 Professional Club:**

A professional sports club is a commercial company with a sporting goal that can take one of the following commercial company forms:

- One-person sports organization with limited liability.
- Sports Limited Liability Company.
- Sports company with shares.
- The companies mentioned above shall comply with the provisions of the Commercial Code and the provisions of this law, as well as its basic laws.
- The specifics that must be determined, especially how they are organized and the nature of the contributions.

The typical bylaws for the companies mentioned above are determined by regulation. The professional sports club aims to improve its economic and sporting

competitive level, as well as for sports, through its participation in paid sports demonstrations and competitions, the employment of supervisors and athletes for a fee, as well as the practice of all commercial activities related to its goal.

#### 1-The club's legal framework:

The Algerian Football Club is an association stipulated in accordance with Law No.: 90-31 of December 4, 1990 AD relating to associations, and pursuant to Order No.: 95-09 of February 23 1995 AD relating to the direction of the national system. For physical education and sports, its organization and development, especially Articles 17 -18 pursuant to Presidential Decree No. 96-01 of January 5, 1996, including the appointment of members of the government, and Executive Decree No. 90/118 of April 30, 1990, supplemented by Executive Decree No. 90- 284 of December 22, 1990 AD, which defines the powers of Minister of Youth and Sports, in accordance with Executive Decree No. 94/247 dated August 10, 1994 AD, which determines the powers of the Minister of the Interior, Local Community, Environment and Administrative Reform.

### **2.3 Sports bodies:**

It is divided into three sections:

**2.3.1 Governmental bodies:** These are the bodies authorized by the state to run, manage, and monitor physical education activities, such as: the Ministry of Youth and Sports, the Supreme Council for Youth and Sports, the General Authority for Youth and Sports, the Youth and Sports Foundation, in addition to the Ministry of Education. Which provides opportunities for students to practice sports activities alongside other activities to achieve comprehensive development for students physically, mentally and spiritually.

**2.3.2 International Bodies:** International bodies are represented by every continuously organized group consisting of several natural or legal persons and do not aim for financial gain. Their purpose is to provide care for young people and provide conditions for the development of their abilities by providing sports, social, and cultural services. All of this is within the framework of the general policy of the state, and these bodies are: Olympic and national committees, sports federations, clubs and youth centers.

**2.3.3 The specialized higher governmental body:** This body may be the Ministry of Youth and Sports, or it may be a higher body or council, or something else. The most important responsibilities of the governmental body, administratively and organizationally, are to identify the agencies concerned with youth and sports, determine their powers, the method of financing them, and establish Codified limits on the relationship of these agencies with each other and their relationship with the competent government body.

### **3- Sports economics:**

From an economic point of view, sports are a newly emerging economic activity, as money has only entered the world of sports in a large amount in the past few decades, as the organization of sporting events and even professional tournaments fell under the heading of entertainment and social activity, which falls under the responsibility of the state, with great help from Volunteer component.

In short, sports have formed for themselves, especially in developed countries, a productive economic sector whose importance is increasing and whose features are appearing day after day, so the term sports economy appeared.



### **3.1 Sports Marketing:**

What is sports marketing? To answer this question requires first answering the term marketing itself. Marketing Thought: Marketing has been known by many definitions to the point that Croisière counted more than 50 definitions in 1975. These definitions have carried many trends. Some of them see marketing as a philosophy, a state of mind, an activity or function within the organization, a set of techniques, Science...etc. In any case, it can be said that marketing “in a free economy is that economic and social mechanism based on scientific knowledge, experience, and personal creativity that allows the organization to discover and follow the development of people’s needs and desires within the framework of a specific market or market sector, to propose Solutions (products) that you believe are able to benefit these people so that the exchange process takes place in a way that ultimately leads to achieving the interests of the two mutual parties, whether material or moral.

#### **3.1.1 General framework for sports marketing:**

Sports marketing in general and marketing within professional football teams in particular carry the same philosophy or thought on which marketing in traditional business organizations is based, taking into account the difference in the environment in which professional football teams operate and the specificities of demand and consumption in the sports field. It must begin by pointing out that There is a difference between sports marketing, and sports marketing.

Sports marketing, in principle, is the marketing practiced by professional teams that act as classic business organizations that are active in a specific environment, provide specific products, and seek to achieve specific goals.

Or marketing through sports, it represents a group of activities and efforts carried out by business organizations whose main activity is not sports, but which seek to

promote their brand and products through sports activities.

Sports marketing does not differ in its essence from the basics and essence of marketing thought in traditional business organizations, not even in its objectives, but the main and most prominent difference lies in the necessity of acquiring specific knowledge to work in the sports sector, specifically in its professional character.

The role and importance of legal legislation in regulating physical and sporting activities in Algerian legislation: The importance of sports law or legislation is in progress and development. Legislation in the sports field in Algeria issued Law No. 13-05 of July 23, 2013 relating to the organization of physical and sports activities and their development, in an attempt to achieve progress in this field.

We can initially give a definition of sports legislation. This is in the face of the absence of an academic legal definition of sports legislation. On this basis, sports legislation is ((a set of legal rules regulating and controlling sports life)), and sports legislation is of such importance that it makes it a pillar in sports construction, as its existence is linked to Basically, by the existence of sports in existence and non-existence, that is, it is not possible to imagine a sport without rules that regulate it and show how to practice it, and that these rules in the end are nothing but legislative legal rules that differ from each other in terms of the field of application and effects only, but from a technical legal point of view they are the same, We will address this axis through four points in which we study and explain in detail the critical importance of the legislative field in sports life.

### **3.1.2 Legal legislation constitutes the framework regulating the sports process and supports investment in this field:**

The legal rule essentially aims to organize relationships, clarify rights, and define boundaries in order to avoid violations that result from and through various disputes.

The legal rule comes to limit all of this, as it is the organizing and controlling framework for the process and sporting life as a whole, and it is the tool by which all matters related to the aspect are clarified. Sports, as well as the means by which every ambiguity or interpretation that may surround the regulatory field is also explained and interpreted. How important is sports legislation and is it limited to regulation and interpretation only:

Indeed, this goes beyond supporting investment in the field of sports, and it is no secret to anyone that this has benefits for the national economy. The concept of sports has changed in recent years after it turned into a major future economic sector that can contribute to the prosperity of countries from an economic standpoint. Sports are no longer just a sport. A social entertainment activity that aims to build people psychologically and socially. Rather, it has become an economic activity that tolerates profit and loss, and this is what the major industrialized countries have realized, so they have begun to deal with sports as a real industry in which huge investments and capital are involved. However, in Algeria, the vision is still unclear in dealing with sports as an industry. Investors are still looking at This domain is considered unsafe.1- The relationship of

### **3.2 Brand Marketing:**

The Algerian legislative framework has established a comprehensive set of laws, regulations, and legal provisions intended to define the boundaries of ownership and safeguard rights through a diverse range of legislations, as previously mentioned, which specifically protect different aspects of the operational process. This legal framework facilitates the realization of mutually beneficial interests. In this context, the sports club assumes the responsibility of authorizing the use of its brand by other entities. This procedural necessity requires a legal environment that streamlines the authorization process while concurrently ensuring the safeguarding of various

operational aspects. This is crucial for laying the foundation that contributes to the attainment of predefined objectives. Of particular note is the scenario of professional sports clubs, which continue to rely on state subsidies as a crucial source of financial support, playing an indispensable role in their sustainability and ongoing contribution to economic and social objectives.

### **3.2.1 Brand Definition:**

The Algerian Law No. 03/06 defines trademarks in Article 2 as "all symbols capable of linear representation, especially words, including names of individuals, characters, and numbers, as well as drawings, images, or distinctive shapes for goods or their illustrations, and colors used alone or in combination, all of which are employed to distinguish goods or services of a natural or legal person from those of others."

First Branch: Collective Mark:

A collective mark is any symbol used to indicate the source, components, production, or any common feature of goods or services of different entities, when these entities use the mark under the control of its owner.

Goods: Goods include any natural, agricultural, traditional, or raw industrial product, whether produced or manufactured.

Service: A service includes any performance with economic value.

Trade Name: A trade name is the designation or address that identifies the institution.

Competent Authority: The competent authority represents the National Institute of Industrial Property.

Second Requirement: Conditions for Trademark Protection:

Several conditions must be met:

Linear representability

Distinctive nature

Novelty, not previously used

Mandatory and legitimate, not in violation of the law, public order, or morality.

The principle of trademark law lies in protecting the public from fraud, deception, and misinformation, in addition to safeguarding that trademark.

Marketing the brand for a professional football sports club aims to :

Improve the competitive capability of the brand.

Enhance its position and reputation in the market.

Expand the brand's reach.

It is noteworthy that this contributes to the development of long-term or medium-term marketing plans and strategies for the professional football sports club, playing a significant role in targeting audiences or customers to increase sales and achieve financial self-sufficiency.

#### **4. sports to the economy:**

##### **4.1 The contribution of sports to supporting the economy:**

Guidery pointed to the value of physical fitness from an economic perspective, as he explained that the number one health problem in the United States of America is the low level of physical fitness, which costs the country a great material and humanitarian loss, as a lot of money is spent on wasted work hours, which leads to a

deterioration in production as well as the cost of services. Medical, health and insurance payments; Even more so are the wasted years of life that lack vitality that could have been channeled into production.

Educational researcher Eckaus believes that educational activities, including physical activities, have high economic value. He strongly criticizes the view that human talent grows and flourishes no matter how unfavorable the environment is, or how discouraging the circumstances are. Or that education is not sound, as it is a saying that is incorrect, because one of the useful and useful things in education is the presence of educational systems such as physical activities, recreational activities, and artistic activities, which would work to discover talents, abilities, and skills and refine them among students, and these are things that would have a positive impact on Improving production levels and quality when students graduate and enter the labor market.

Economist Weisbord follows this doctrine when he states that the studies that dealt with the economic value of education focused mostly on the relationship of education to the individual's ability to earn. This, in his opinion, is a common mistake, as earning is only part of the picture and does not fully express the contributions of education, pointing out To the great benefits that benefit the student through the opportunities provided to him by educational activities such as health, physical vitality, cultural services, manual skills, productive trends towards society, and erasing alienation. Perhaps this is what prompted the famous economist Marshall to say that the most valuable types of investment are those that invest in people. Economic researcher Horvart also considered that knowledge and skill are among the most important decisive factors in determining the rate of economic growth. Rather, they are among the most important factors of scarcity in developing countries. Adam A. Smith also pointed out the importance of raising the level of manual skills through education or training.

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It is often mentioned that the basic moral principle in the world of economics is that material goods and services, whether public or personal, are merely tools for a good life for the people of society. This applies to sports and recreational services as they are a basic need for a good healthy life, which is no less important than civil, medical, or public services. Health guaranteed by the state for individuals. But because of the invasion of investments into the field of sports. It has become difficult for the vast majority of individuals, especially in third world countries, to exercise their natural right to physical activity and sports, and this is represented by the restriction of sports clubs to some (upper classes) in society as a form of class discrimination, even in indirect ways such as exaggerating the value of Subscription, or what is now called “construction”, is a large sum of money paid when you first join the club. It is assumed that it will be directed to improving the club’s construction, but it is considered one of the means of reducing the participation of the lower classes in the clubs. In addition, most sporting activities have begun to require high costs, such as the price of sports clothing, shoes, tools, and equipment for the activity. Therefore, it was logical to notice a decrease in the volume of participation or practice of expensive sports (such as tennis, equestrianism, golf, and polo), as well as sports that require specific artificial equipment such as swimming. Water polo, which requires setting up a swimming pool with special specifications, or a bicycle velodrome, or a squash court, are facilities without which these types of sports cannot

be practiced. There are also some sports that are almost non-existent in the Arab world due to the high costs of their equipment, such as sailing and yachts, or canoes and kayaks. These are expensive sports, even though they are Olympic sports, and the base of their practitioners is supposed to be broad.

In this regard, the American educational sociologist Larson points out that commercial and economic considerations fundamentally influence the investment of leisure time and the subsequent programs for physical activities and recreation, because the general economic level largely determines the size and quality of individuals and communities that participate in physical activities.

Therefore, the regimes and authorities that believe in the message of sport and that care for and care for their young children; It works hard to bridge this economic gap by providing sports facilities and equipment to the public in general and to youth in particular through ideas such as:

- Allocating areas of land for sports and recreational activities in new cities and residential areas with a clear text in architectural legislation.
- Establishing a local industry for the most common sports equipment in society.
- Supporting imported sports tools and equipment, by putting them on the market at a price suitable for the vast majority of individuals, with the government bearing the price difference.
- Exempting sports equipment and equipment from prescribed customs duties, or at least reducing these duties by an appropriate percentage.
- Encouraging investment and commercial bodies to contribute or participate in building or equipping sports facilities in exchange for providing them with advertising opportunities or in exchange for reducing an appropriate percentage of the



taxes imposed on them.

#### **4.2 The economy's contribution to supporting sports:**

Economist Malenfant stated that the subject of studies on the economics of sports was not raised for research and study until recently. This is because sports have remained, for a long period of time, not one of the interests of economics, despite recent evidence indicating its connection to leisure time, consumer values, health, production, and confronting unemployment. Stockvis explained that the modern era is witnessing a great connection with sports and commercial interests due to their mutual benefits, to the point that commercial interests are one of the three most important social organizations concerned with and sponsor sports.

Melvin has drawn up the framework of the following main questions as economic touchstones related to sports that determine the state's policy towards the sports economy:

What is the volume of production and consumption in the sports field?

- What are the most important and common sporting activities in society?
- What are the sources of funding for sports: the state - the local community - families?
- What are the elements that benefit from this funding: competitive sports - sports for all - school sports - facilities?
- What classes benefit from these sources and what are the aspects of exploitation?
- Is it possible to draw comparisons with the sports sector and other economic sectors to identify what sports can offer to national consumption?

- What is the rate or ratio of household consumption in the sports field to all other consumption areas (sport equipment - club subscriptions - sports clothing - tickets to attend matches).

Sports depend on the economy through the following:

\* Sports' dependence on the economy to finance its various aspects of activity: Dutch sports sociologist Stockvis believes that the sports system is based on economic pillars at its core, such as budgets for activities, programs, tools and equipment, wages of coaches and administrators, and rewards and incentives for athletes.

\* Sport is part of the economic cycle: Sport is considered an integral part of collective activities of production and consumption. It is part of the economic cycle, whether as a producer or partner in production or as an added value.

\* Sports industry: Over the past thirty-five years, the sports industry has achieved great development compared to other types of industries. The sports industry has been associated with companies, factories, equipment, business networks, media outlets, arenas, studios, commercial companies, players, sports teams, and professional sports organizations.

\* Financing scientific research in the sports field.

## 5. CONCLUSION

Based on the above, it is clear that sport in our current era represents one of the important aspects in the lives of people spread across the world due to the great importance that has been given to it by countries and governments that strive to build and establish structures to achieve strategic management in this sporting field, and in parallel with the efforts that With the efforts made by the state in this field, professionalism continues to take its first steps, as the concept of sport is not limited to competitive achievements, but rather it is a broader and broader concept on the social level. It enhances belonging and interaction between people. It contains deep meanings that are linked, in its final analysis, to a set of relevant social, cultural and economic relationships. Multiple dimensions. This was achieved through the Algerian state's issuance of an arsenal of laws, the most recent of which was Law 13-05 relating to the organization and development of physical and sports activities, which is the law currently in effect.

## 5. Bibliography List :

### 1. Books :

- Amin Al-Khuli: Sports and Society, Al-Ma'arifa Series,1996, National Council for Culture, Arts and Literature, Kuwait, p 112-120.
- Ahmed Falah Abdul Karim Al-Aziz, 2013, Economics of Sports, The Academy for Social and Human Studies, Faculty of Social Sciences, Issue 10, Algeria, June p. 55.
- Abd Al-Yaman Boudaoud, Requirements of Professionalism in Sports, 2014 , Dar Al-Wataniya for Publishing, Algeria, , p. 40.

- Walid Kehoul: 2011, Crime of Trademark Counterfeiting in Algerian Legislation , Al-Fikr Magazine, Issue Eleven, Algeria.
- Burt Jean Jacques: 1993, Unfair Competition and Parasitism, DALLO, p 92.

## **2. Journal article :**

- Naaman Wahiba: "Exploitation of Industrial Property Rights and Economic Growth," Master's Thesis, 2012, University of Algiers.
- Najia Bouguemiga: "Legitimate Competition in Intellectual Property: Doctoral Thesis, 2014," University of Algiers 1.
- Mohammed Ibrahim Al-Saqa, Football Industry: Economics and Competition, Al-Eqtisadiyah Newspaper, 2010, Issue 8128, Kingdom of Saudi Arabia, December 10, p. 12.

## **3. Legal Texts:**

- Law 05/13 dated 14 Ramadan 1434 corresponding to July 23, 2013, regulating physical and sports activities.
- Order 03/06 dated 19 Jumada I 1426 corresponding to July 19, 2003, regarding trademarks.
- Law 04-02 dated 5 Jumada I 1425 corresponding to June 23, 2004, determining the rules applicable to commercial practices (amended and supplemented).
- Law No. 06-24 dated 6 Dhu al-Hijjah 1427 corresponding to December 26, 2006, incorporating the Finance Law for 2007.