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Administrative Oversight of Sports Federations and Associations under Algerian Legislation

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Abstract:
Sports federations and associations play a key role in organizing and developing sports activities. Despite their legal and administrative autonomy, they remain subject to administrative oversight to ensure legality, transparency, accountability, and proper use of public funds. In Algeria, this oversight is mainly regulated by Law No. 13–05 of 23 July 2013 and related regulatory texts.
This study examines the legal foundations, objectives, and mechanisms of administrative oversight over sports organizations in Algeria, while analyzing the balance between state supervision and sports autonomy under international sports law and the Olympic Charter. It also addresses challenges such as financial accountability, governance issues, and conflicts between public intervention and international regulations.
Using an analytical legal approach, the study concludes that although Algeria has established a comprehensive framework for oversight, effective implementation still requires reforms and stronger governance practices.
Keywords:; Administrative Oversight; Sports Federations; Sports Associations; Algerian Legislation; Sports Law; Governance; Ministry of Sports; Legal Supervision.

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1. *INTRODUCTION*

Sport has evolved far beyond a recreational activity into an essential social, educational, economic, and political institution. Modern sports organizations are entrusted with responsibilities extending from talent development and competition management to the representation of nations in international sporting events. Consequently, effective governance has become indispensable for ensuring the integrity, transparency, and sustainability of sports institutions. [1]

Sports federations and associations are generally recognized as private legal entities entrusted with public-interest functions. Their legal autonomy enables them to regulate sporting activities independently while remaining accountable to public authorities whenever public interests, public funding, or compliance with national legislation are involved. [2]

Administrative oversight represents one of the principal legal mechanisms through which the State guarantees that sports organizations operate within the framework established by legislation. Such oversight is particularly important where public subsidies are allocated or where organizations exercise powers affecting athletes, clubs, and national sporting interests.[3]

In Algeria, sports governance underwent substantial legal reform with the enactment of **Law No. 13–05 of 23 July 2013 relating to the Organization and Development of Physical and Sports Activities**, which replaced previous legislative arrangements and established a modern legal framework regulating sports institutions. The Ministry responsible for sports exercises administrative supervision over national sports federations and associations through registration procedures, approval of statutes, financial monitoring, inspections, and disciplinary mechanisms. [4]

Nevertheless, administrative oversight must remain compatible with the principle of autonomy promoted by international sports organizations such as the International Olympic Committee (IOC) and international sports federations. Excessive governmental intervention may expose national federations to sanctions or suspension under international sports regulations. [5] Consequently, the relationship between state supervision and institutional autonomy remains one of the most significant legal issues in contemporary sports law.

The present study aims to examine the legal framework governing administrative oversight over sports federations and associations under Algerian legislation. It further seeks to analyze the objectives, legal mechanisms, institutional actors, and practical challenges associated with such oversight while proposing recommendations for strengthening governance and ensuring compliance with both national legislation and international sports standards.

2. Research Problem

The central research question addressed in this study is:

To what extent does Algerian legislation achieve an effective balance between administrative oversight exercised by public authorities and the legal autonomy enjoyed by sports federations and sports associations?

This main question gives rise to several subsidiary questions:

- What is the legal concept of administrative oversight in sports law?
- What are the legal bases governing administrative oversight under Algerian legislation?
- Which authorities exercise administrative supervision over sports organizations?

- What mechanisms are available to ensure accountability and transparency?
- Does Algerian legislation comply with international standards governing the autonomy of sports organizations?

3. Research Objectives

The study aims to:

- Define the concept of administrative oversight within sports law.
- Examine the legal framework regulating sports federations and associations in Algeria.
- Analyze the administrative powers exercised by governmental authorities.
- Evaluate the effectiveness of oversight mechanisms.
- Identify legal challenges affecting sports governance.
- Propose legislative recommendations for improving administrative supervision while respecting institutional autonomy.

4. Research Methodology

This research adopts the **analytical legal method**, relying primarily on the interpretation of legislative texts governing sports organizations in Algeria. The study also employs the **comparative method** where appropriate by referring to international sports governance principles established by the International Olympic Committee, UNESCO, and comparative legal doctrine.

Primary legal sources include the Algerian Constitution, Law No. 13–05 of 23 July 2013, executive decrees, ministerial regulations, and international legal instruments relating to sports governance. Secondary sources include books, peer-reviewed journal articles, official reports, and legal commentaries.

5. Conceptual Framework

5.1 Administrative Oversight

Administrative oversight refers to the legal authority exercised by competent public authorities to ensure that administrative entities comply with applicable legislation, public policy objectives, financial regulations, and principles of good governance. [6]

Unlike hierarchical administrative control, oversight does not necessarily entail direct management of the supervised entity. Instead, it involves monitoring legality, reviewing administrative decisions, conducting inspections, approving certain legal acts, and ensuring accountability. [7]

Within sports law, administrative oversight seeks to reconcile organizational autonomy with public accountability, especially where public funding or national representation is involved.

5.2 Sports Federations

Sports federations are specialized organizations responsible for regulating and developing specific sports disciplines at the national level. They organize championships, issue technical regulations, license athletes and clubs, and represent the country before international sports federations. [8]

Under Algerian legislation, national sports federations acquire legal personality upon obtaining official approval from the competent ministry and operate within the framework established by Law No. 13–05.

5.3 Sports Associations

Sports associations are voluntary nonprofit organizations established to promote physical and sporting activities among citizens. Their legal regime is governed by both the general legislation regulating associations and the special legislation governing sports organizations. [9]

Sports associations contribute significantly to grassroots sports development, youth participation, and community engagement while remaining subject to administrative supervision concerning legality, financial management, and public accountability.

6. Legal Framework of Administrative Oversight over Sports Federations and Associations in Algerian Legislation

6.1 Constitutional and Legislative Foundations

The Algerian legal system recognizes sport as an activity of public interest that contributes to education, health, social cohesion, and national development. Although the Constitution does not provide a comprehensive legal regime for sports organizations, it establishes the general principles governing freedom of association, legality, public administration, and the protection of public interests. [10] These constitutional principles provide the legal basis upon which sports legislation has been developed.

The principal legislative instrument governing sports organizations is **Law No. 13–05 of 23 July 2013 relating to the Organization and Development of Physical and Sports Activities**. This law introduced a comprehensive legal framework defining the legal status, rights, obligations, governance structures, and supervisory mechanisms applicable to sports federations, leagues, clubs, and associations. [11]

The law seeks to achieve two complementary objectives. First, it grants sports organizations a degree of administrative and financial autonomy necessary for the efficient management of sporting activities. Second, it subjects these organizations to administrative oversight by the Ministry responsible for sports in order to safeguard legality, transparency, and the proper use of public resources. [12]

Unlike purely private associations, sports federations perform functions that affect the public interest, including the organization of national championships, athlete licensing, national team selection, and international representation. Consequently, Algerian legislation considers administrative supervision indispensable for ensuring that these public-interest responsibilities are discharged in accordance with national law. [13]

6.2 The Competent Administrative Authorities

Administrative oversight over sports federations and associations is exercised primarily by the **Ministry of Youth and Sports** (currently the ministry responsible for sports affairs). The Ministry represents the central governmental authority responsible for implementing national sports policy and supervising sports organizations. [14]

The Ministry exercises several supervisory powers, including:

- Granting official recognition to sports federations;
- Approving statutes and internal regulations;
- Monitoring compliance with legal provisions;
- Conducting administrative inspections;
- Supervising the allocation and use of public subsidies;
- Verifying electoral procedures;
- Suspending or withdrawing accreditation in legally prescribed circumstances. [15]

At the decentralized level, **Directorates of Youth and Sports** in each province (Wilaya) supervise local sports associations, monitor their activities, verify compliance with applicable legislation, and assist in implementing governmental sports policies. [16]

In addition to the Ministry, financial oversight bodies such as the **Court of Accounts** and the **General Inspectorate of Finance** may exercise control whenever public funds are allocated to sports organizations. [17]

6.3 Legal Status of Sports Federations

Under Algerian legislation, national sports federations possess legal personality after obtaining official approval from the competent administrative authority. Legal personality enables federations to own property, enter contracts, employ staff, receive public funding, and represent Algeria before international sports organizations. [18]

However, the acquisition of legal personality does not exempt federations from administrative supervision. Rather, it establishes a legal relationship whereby organizational autonomy coexists with public accountability.

The legislator distinguishes between **administrative autonomy** and **absolute independence**. While federations independently organize competitions and adopt technical regulations, their activities remain subject to legal review whenever issues of legality, financial management, or public order arise. [19]

6.4 Legal Status of Sports Associations

Sports associations operate under a dual legal framework composed of the general legislation regulating associations and the special legislation governing sports activities.

Their principal objectives include:

- Promoting sports participation;
- Developing youth activities;
- Organizing local competitions;
- Encouraging volunteer work;
- Supporting grassroots sports development. [20]

Unlike commercial entities, sports associations pursue non-profit objectives. Nevertheless, they frequently receive financial assistance from public authorities, which justifies the exercise of administrative oversight concerning financial accountability and lawful administration. [21]

7. Mechanisms of Administrative Oversight

Administrative oversight is implemented through several complementary legal mechanisms designed to ensure compliance with legislation while preserving the operational autonomy of sports organizations.

7.1 Prior Administrative Oversight

Prior oversight refers to supervisory measures exercised before certain administrative acts become legally effective. [22]

Examples include:

- Approval of federation statutes;
- Recognition of newly established federations;
- Authorization of amendments to governing documents;
- Approval of electoral procedures where required by legislation.

Prior oversight aims to prevent illegal administrative acts before they produce legal consequences. Rather than constituting governmental

interference, it serves as a legality review ensuring conformity with national legislation. [23]

7.2 Financial Oversight

Financial oversight constitutes one of the most significant forms of administrative supervision because many Algerian sports organizations benefit from substantial public funding.

The objectives of financial oversight include:

- Preventing misuse of public funds;
- Ensuring budgetary transparency;
- Verifying accounting procedures;
- Detecting financial irregularities;
- Promoting accountability and good governance. [24]

Sports federations receiving state subsidies are generally required to:

- Prepare annual financial statements;
- Submit audited financial reports;
- Maintain accounting records;
- Permit governmental inspections;
- Comply with public financial regulations. [25]

Financial oversight does not merely seek to identify violations after they occur; it also functions as a preventive mechanism encouraging responsible financial management.

7.3 Administrative Inspection

Administrative inspection represents another important supervisory mechanism.

Inspection missions may examine:

- Administrative organization;
- Compliance with legislation;
- Election procedures;
- Personnel management;
- Implementation of governmental sports policies;
- Execution of development programs. [26]

Inspectors may issue recommendations, require corrective measures, or prepare reports that form the basis for subsequent administrative decisions.

Inspection therefore functions as both a monitoring instrument and a management-improvement mechanism.

7.4 Oversight of Elections

The election of governing bodies within sports federations has become an increasingly important area of administrative supervision.

The competent authorities verify:

- Compliance with statutory procedures;
- Eligibility of candidates;
- Transparency of voting;
- Respect for democratic principles;
- Proper constitution of electoral commissions. [27]

However, Algerian authorities must exercise this oversight carefully to avoid conflicts with international sports organizations, particularly the International Olympic Committee and international federations, which oppose excessive governmental interference in internal elections. [28]

7.5 Disciplinary Oversight

Administrative authorities possess limited disciplinary powers where serious legal violations occur.

Possible measures include:

- Formal warnings;
- Suspension of public funding;
- Appointment of temporary administrative committees in exceptional circumstances;
- Withdrawal of accreditation;
- Referral to judicial authorities when criminal offences are suspected. [29]

Such measures must comply with constitutional guarantees of legality, proportionality, and due process.

Administrative sanctions remain subject to judicial review before the competent administrative courts. [30]

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