



Legal framework of the National Sports Federation

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Abstract:

The sports or international federation is the sports administrative body that supervises the progress of sports competitions in the game or games that follow it. The federation undertakes this task based on the accreditation and authorization of public service granted by the supervising ministry. The national sports federation is also subject to a legal system that has a special character. In the event that the texts regulating it are issued, consideration must be given to the scope of the federation's activity and its extensions in its sports activity outside the national territory, in order to preserve its smooth running and avoid any sports penalties that may affect the activation of the sports specialty that it undertakes.

key words:National Sports Federation, Public Service, Sports Sanctions

Introduction:

Sports in our current era are considered an important aspect of the lives of people across the world. The importance given to them by countries and governments through the construction of massive sports facilities and structures is evidence of this. Today, sports are no longer merely a form of entertainment or a useful way to spend time. Rather, they have become an effective contributor to the development process in all countries, given the allocations they now allocate, just like any other economic aspect.

This demonstrates the status it has gained over its development journey, particularly after it was incorporated into the focus of modern scientific studies. This development has

been accompanied by a significant expansion of the circle of sports practitioners, with world-renowned professionals now attending tournaments and championships held around the world. From this perspective, Algeria, a country with a long and distinguished sporting tradition, has increasingly prioritized the sports field. This has been achieved by constructing more necessary sports structures and facilities, enacting sports and regulatory laws, such as the Physical Education and Sports Law and the Sports Reform Law, in addition to ministerial decrees aimed at managing and organizing sports facilities, and other laws designed to advance sports practice and encourage and motivate practitioners to further develop sports in Algeria.

Given the importance of the Sports Federation, it bears the greatest responsibility for raising the level of our sport by promoting the practice of sports among all segments of society and encouraging its practice. Based on the above, we pose the following question:

- What is the legal framework for the National Sports Federation?

SECTION I: The Sports Federation

The National Sports Federation is a national association that includes all the sports associations and clubs affiliated with it, and coordinates and monitors their activities. Sports federations are game federations, not club federations. Their primary mission is to care for and provide attention to sports. Each federation, in its own capacity, aims to raise the champion level of the game through free and fair competition, in accordance with the laws, regulations, and bylaws established by the game federation, in accordance with international laws and bylaws.



First Requirement: The emergence of federations

The importance and value of sports are rooted in facts derived from the innate tendency toward movement and the urgent need to practice it. This facilitated its spread, necessitating the emergence of bodies to regulate and develop these sporting activities. Each country established the rules and conditions for the game that suited its circumstances and players. Thus, the same game was played according to laws and rules that differed completely from one country to another.

As a result of the interconnectedness of the different peoples of the Earth as a result of development and the expansion of the scope of competition, efforts were directed towards forming sports bodies and associations for each game, and their laws and conditions upon which they were practiced were unified. The formation of these bodies was not only a watchful eye on sports competitions, but also a mind that studied and examined the process of development.

These bodies were called international federations. With the establishment of these international federations for various sports, national federations spread throughout most countries of the world to cooperate and collaborate with international federations, each in the sport that concerns it and within the borders of the country, with unified rules, regulations and foundations. Since this transformation, sports games have emerged on new scientific foundations that have made them a purposeful means with an important meaning for their practice, and not just an ordered, accepted act as it was before¹.

Second Requirement: Responsibility of the Sports Federation

Sports clubs within the Federation represent the broad base that forms the General Assembly, the supreme authority within the Federations. The General Assembly elects the Board of Directors from among the individuals nominated by the clubs.

The Federation's Board of Directors represents the apex authority responsible for the technical, administrative, and financial management of the Federation. Its term is determined by the Federation's bylaws. In order for the Federations' Boards of Directors to exercise their responsibilities across the country as a whole and to disseminate their sports widely, they form regional committees affiliated with them, selected by the Federation's member clubs located within the geographical borders of the country or region. This selection is made under the supervision of the Federation's Board of Directors in any form. Each of these committees assumes all or some of the responsibilities of the Board of Directors within its geographical borders, in accordance with the laws and regulations established by the Federation. All the work and activities of these committees are supervised by the Board of Directors, which implements its policy as an integral part of it.

The Federation's Board of Directors also undertakes to form permanent technical committees from technical members in its own way according to the Federation's systems and regulations. These are specialized committees that cooperate technically with the Board of Directors, each committee in its own area of expertise. The term of these committees, as well as the regional committees, ends with the end of the term of the Board of Directors. The most important of these committees for the federations are the Competitions Committee, the Referees Committee, the Coaches Committee, the National Teams Committee... Each of these committees is governed and its work is regulated by regulations that clarify its rights and obligations. The general concept of federations includes three elements: the Federation's Board of Directors, the permanent technical regional committees, and the clubs that are members of the Federation².

These federations, as game federations, each federation is responsible for its own game and is responsible for organizing its



local, regional and international championships and competitions. It is responsible for raising the level of the championship and bringing the teams to the highest possible level of performance and skill in preparation for international competition, the pinnacle of which is the Olympic Games. One of the most important responsibilities of these federations is to prepare the technical cadres of the game, including referees, coaches, leaders and administrators, by conducting studies to refine and qualify them, as these technical cadres are considered among the most important elements in the development of any sport.

In order for a national federation to gain legitimacy and be able to exercise its powers officially, the International Federation of the game must approve its establishment after the International Federation of the game has verified that the establishment of the national international federation has been in accordance with the conditions stipulated in the laws and regulations of the International Federation, which require that each game in each country have one federation that supervises the game and manages its affairs. The headquarters of this federation is usually in the capital of the country unless special circumstances prevent this.

Third Requirement:Duties of the Sports Federation

In accordance with the provisions of Law No. 13-05 of July 23, 2013, regulating and developing physical and sports activities,³ the Sports Federation has a primary mission:

- Manage the competitive systems and sports activities within its jurisdiction;
- Manage its activities with complete independence;
- Ensure the public service mission in one or more of the sports disciplines it is entrusted with;

-Contribute through its activities to the promotion and improvement of one or more sports disciplines, youth education, the protection of sports ethics and etiquette, sportsmanship, good governance, and the strengthening of social cohesion and national solidarity;

-May delegate one or more of its powers to the sports associations affiliated with it, in accordance with the terms and conditions specified in its internal regulations and general bylaws;

-Adopt disciplinary regulations that stipulate the structures, procedures, and means of complaint, and must ensure the independence of these structures from other federation structures;

-Determine the regulations for athletes and associations approved by the Minister in charge of Sports⁴;

Fourth Requirement: Objectives of the Federation

The Federation is considered a private, public-interest entity with a legal personality. The Federation conducts its activities within the framework of the state's general policy and the planning established by the Supreme Council for Youth. It exercises the following powers:

-Organizing and coordinating the sport's activities among its members, working to spread it, and raising its technical level.

-Developing a general policy that promotes the sport and raises its technical level.

-Managing the sport's affairs in all technical, financial, and organizational aspects.

-Establishing the foundations and principles for regulating training affairs and the conditions of coaches, in conjunction with the Olympic Committee and the Sports Professions Syndicate,



after obtaining the approval of the said syndicate. Coaches must be members of the aforementioned syndicate.

- Maintaining the international rules and principles of the sport, protecting amateurism, and regulating professionalism.

- Organizing public tournaments.

- Preparing national teams to represent their countries in tournaments and supervising their training.

- Permitting member bodies to field their teams in foreign tournaments, both inside and outside the country.

- Supervising the organization of these matches, if held locally, with the approval of the Sports Authority. - Coordinating efforts among member bodies, providing them with advice and counsel, representing the country at conferences and meetings, and approving player registrations or transfers to clubs domestically or abroad.

Fifth Requirement: The Sports Federation's Resources

- Annual subscriptions from its members.

- Membership rights and commitments to affiliated sports organizations.

- Income related to the Federation's activities and services, particularly those related to sponsorship, advertising, support, and marketing of sports events, competitions, or training periods.

- Profits from sports equipment contracts, sponsorship, and image marketing.

- Sales of publications and various items related to sports.

- State and local government subsidies.

-Potential contributions from the National Fund for the Promotion of Youth Initiatives and Sports Practices.

-A portion of the proceeds from competitions.

-The potential portion paid by international sports organizations.

-Donations and bequests.

-All other resources resulting from the Federation's activities or placed at its disposal⁶.

SECTIONII: Components of the Sports Federation

The Sports Federation consists of:

-The General Assembly.

-The Federal Bureau.

-The President.

First Requirement:The General Assembly

Members of the General Assembly must meet the following conditions:

-Hold Algerian citizenship.

-Enjoy civil and national rights.

-Have not been subjected to a physical sports penalty.

-Commit to compliance with the Federation's bylaws and regulations.

Duties of the General Assembly

-Elects the President and members of the Federal Bureau.

-Approves the Federation's bylaws.



- Amends the Federation's bylaws.
- Approves the Federation's disciplinary regulations.
- Approves the Federation's financial and literary outputs, as well as its work program.
- Votes on the budget and approves the accounts.
- Determines the membership dues.
- Approves the Federation's bylaws and general regulations based on a proposal from the Federal Bureau.
- Decides on acquisitions and real estate leases.
- Approves assumptions.
- Contributes to the development of school and university sports in liaison with relevant bodies.
- Ensures women's representation within the federation.
- Promotes women's sports.

Second Requirement: The Federal Office

The Federal Office is the executive body of the Federation and ensures its administrative and technical management. The Federal Office is composed, according to the Federation's specificities, of 8 to 19 members, distributed as follows:

- 6 to 14 elected members, including one of three elected experts appointed by the Minister of Sports to the General Assembly.
- 2 to 5 methodological directorate officials, including the Federation's Secretary-General. The Federal Office elects from among its elected members:
 - A President.

-One to four Vice-Presidents.

-A Treasurer.

The Federal Office may also be provided with specialized committees tasked with assisting it in carrying out its activities. The Federal Office meets at least twice a month upon convocation by its President. The Federal Office's deliberations are approved by a majority of the votes cast. In the event of a tie, the President's vote is decisive⁷.

Third Requirement: The President

The Federal Office elects a President from among its members for a four-year term. The President represents the Federation in all civil life activities, as well as before national and international sports bodies. He is particularly responsible for the following:

-Distributes duties within the Federal Office.

-Prepares the draft agenda for Federal Office sessions and General Assembly sessions.

-Activates and coordinates the work of all federal bodies.

-Convenes federal bodies and chairs and directs their work.

-Ensures the implementation of the decisions of the federal bodies.

-Periodically prepares reports, summaries, and information related to federal activities and sends a copy thereof to the Minister in charge of Sports.

-Orders expenditures based on approved programs.



-Prepares the moral and financial report, presents it to the Federal Office, and submits it to the General Assembly for approval.

-Takes precautionary and disciplinary measures in accordance with applicable law and regulations.

SECTION III: The legal framework of the National Sports Federation

The National Sports Federation is subject in its organization, operation and relations with third parties to national legislative and regulatory texts, taking into account the international organization of sports specialization and the Olympic Charter, as indicated in the first paragraph of Article 11 of Executive Decree 14-330, which determines the methods for organizing and operating national sports federations, as well as their model basic law⁸.

First Requirement: The legislative and regulatory framework of the Sports Federation

The sovereignty of the state requires that the National Sports Federation be subject to the laws and regulations in force within or outside the state's territory, including those applicable to its citizens and legal entities established in accordance with national law or those headquartered in Algeria. In addition to the above, the National Sports Federation is subject to the following texts:

Paragraph 1: National legislative and regulatory texts

-Law 12-06 relating to associations, which constitutes the general legal framework for the establishment of the National Sports Federation as an association of a national nature, as stipulated in Article 87 of Law 13-05.

-Law 13-05 of July 23, 2013, relating to the organization and development of physical and sports activities, which devoted Chapter Three of Part Four, entitled "The National Sports Federation," the provisions of which set forth the general framework of national sports federations and their position within the national system of physical education and sports and national policy in this field, with reference to the regulatory texts for further details.

-Executive Decree 14-330 of November 27, 2014, defining the organization and operation procedures of national sports federations, as well as their model bylaws.

-Annex to Executive Decree 14-330, containing the model bylaws of the National Sports Federation.

-Joint Ministerial Decision between the Minister of the Interior and the Minister of Sports, issued on March 5, 2016, setting the criteria for establishing the National Sports Federation, in accordance with the reference contained in Article 7 of the aforementioned Executive Decree 14-330.

Paragraph2: Regulations issued by the Federation itself or by the National Olympic Committee and its bodies.

In addition to general legislative and regulatory texts, the Sports Federation may also issue regulations and rules governing its operation through its own bodies, or implement the provisions of the regulations and rules of the National Olympic Committee, as it is responsible for general supervision of national sports, or through specialized bodies such as the Sports Court or the National Anti-Doping Agency. This is in accordance with the provisions of the second paragraph of Article 87 of Law 13-05, by which the legislator granted the Federation the freedom to prepare the regulations governing its activities. Article 20 of Executive Decree 14-330 also grants the Federation the authority to ratify its own disciplinary system attached to its bylaws.



Article 21 of the same Executive Decree stipulates that the Sports Federation shall prepare a bylaw for its athletes, as well as the bylaws of the association or associations affiliated with it, under the supervision of the Minister of Sports.

In addition, the sports federation is subject to the National Olympic Committee or the National Paralympic Committee, as the case may be, as it assumes guardianship over the sports movement, as well as the Court of Arbitration for the Settlement of Sports Disputes, as stipulated in the first paragraph of Article 19 of Executive Decree 14-330¹⁰.

Paragraph3: Regulations and rules issued by the International Federation for the discipline, the International Olympic or Paralympic Committee, their bodies, and the International Court of Arbitration for Sport

The national sports federation affiliated with a sports federation for the sporting discipline it supervises is automatically subject to the rules and rules issued by the body through its bodies. It must comply with these rules, subject to penalties issued by the sports body, which may include disqualification from participating in international competitions, suspension of membership, or final expulsion, particularly with regard to interference by public authorities in the affairs of national sports federations or violations of the Olympic Charter, the ethics of sports practice, or what is known as the Code of Sports Ethics.

Second Requirement: Conditions for establishing a national sports federation

Upon its establishment, the national sports federation is subject to a set of general conditions included in the Associations Law, as associations of a national nature, as stipulated in Article 87 of Law 13-05. In addition, there are special conditions included in its legislative and regulatory texts and bylaws, in

addition to meeting the requirements of the international sports federation for sports jurisdiction.

Paragraph1: General conditions for establishing a national sports federation

These are the same conditions required for establishing a national association within the meaning of Law 12-06 relating to associations, namely¹¹:

- The age requirement, which must exceed eighteen years upon establishment.

- Algerian nationality. Since the legislature did not explicitly stipulate original Algerian nationality, both original and acquired nationality are acceptable.

- Enjoying political and civil rights.

- Not having been convicted of a felony and/or misdemeanor incompatible with the association's scope of activity, and their status as managers has not been revoked.

In addition to the provisions of Article 6 of the aforementioned law, it refers to the founding general assembly, its conditions, and procedures, stipulating the following¹²:

- The association shall be freely established by its members, who shall meet in a founding general assembly, which shall be certified by minutes drawn up by a judicial officer. It is noteworthy that the legislature granted the founding members the freedom to establish their associations, but stipulated, in addition to the judicial officer's minutes, the need for a general meeting to be authorized by the competent administrative authorities, depending on whether the association is national, provincial, or municipal. The founding general assembly shall ratify the association's bylaws and appoint its executive officers.



- The legislator stipulated a minimum number of founding members, which must be at least twenty-five for the National Association, with members drawn from twelve states, in addition to special conditions included in the special texts framing the federation.

Paragraph2: Special conditions for establishing the National Sports Federation

These special conditions are included in Law 13-05, Executive Decree 14-330, and the joint ministerial decision between the Minister of the Interior and the Minister of Sports. They are¹³:

-Each federation must manage one or more sports disciplines.

-One sports federation must be established for each sports discipline or group of disciplines for a single federation at the national level¹⁴.

-Public service functions must be included in the sports discipline(s) it oversees.

-The sports discipline(s) for which a sports federation is to be established must have been in operation for at least one year.

-There must be an international sports body managing the discipline.

-The sports discipline for which a national sports federation is to be established must be either:

-An Olympic sports discipline recognized by the International Olympic Committee or the International Paralympic Committee.

-A non-Olympic sports discipline recognized by the International Olympic Committee and/or the International Paralympic Committee.

-A non-Olympic sporting discipline not recognized by the International Olympic Committee and/or the International Paralympic Committee.

-The presence of five hundred (500) license holders distributed among the twenty-five (25) clubs and associations representing at least twelve (12) states, who established the sports federation in accordance with the content of Article 6 of the joint ministerial decision specifying the criteria for establishing the national sports federation.

Conclusion:

In conclusion, this study concludes that a sports federation is a national or international association with a sports character, aiming to organize, supervise, and encourage various sports. It works to develop the game, provide services to clubs and athletes, and organize sports competitions at the national or international level. The sports federation also aims to develop sports in general by organizing sporting events, training athletes, and encouraging the practice of sports.

The sports federation also plays an important role in developing the game by setting rules and regulations, providing infrastructure, and providing services to athletes and clubs. There are various types of sports federations, such as national federations (such as the Algerian Football Federation) and international federations such as FIFA.

We also came up with a set of proposals:

-Recycling, training, and rehabilitating the law at the federation level.

-Training specialized personnel in the sports field.

-Strictly implementing the law and implementing it in practice.



-Assisting the federation, leagues, and clubs of the state in respecting the laws established to regulate national sports.

Writing conditions :

1- Issam Badawi: Encyclopedia of Organization and Management in Physical Education and Sports, Dar Al Fikr Al Arabi, Egypt, 2000, p. 97.

2- Issam Badawi, *ibid.*, pp. 97-98.

3- Law No. 13-05 of July 23, 2013, regulating and developing physical and sports activities, Official Gazette, No. 39, issued on July 31, 2013.

4-Algerian Sports Federation, article published at <https://www.mjs.gov.dz/index.php/ar/> on May 5, 2025, at 2:30 PM.

5- Issam Badawi, *ibid.*, p. 98.

6- Law 90-31 of December 4, 1990, relating to associations, Official Gazette No. 53, issued on December 5, 1990.

8- Article 87 of Law 13-05, regulating and developing physical and sports activities, stipulates that the National Sports Federation is a national association governed by the provisions of the law relating to associations and the provisions of this Law 13-05, as well as its bylaws, which are approved by the Minister of Sports. 8- Article 11, paragraph 1, of Executive Decree 14-330, which determines the organization and operation of national sports federations, as well as their model bylaws, dated November 27, 2014, Official Gazette, No. 69, issued in 2014, stipulates that the relationship between the Ministry of Sports and the National Sports Federation shall be subject to applicable laws and regulations and falls within a framework that defines mutual responsibilities and ensures respect for national and international regulations, particularly the Olympic Charter. These relations shall be conducted in accordance with the principles of good governance and shall be accompanied by."...

9- Article 87, paragraph 2, of Law 13-05 on the organization and development of physical and sports activities stipulates that the National Sports Federation shall prepare the competitive regulations and sports activities within its jurisdiction and manage them with complete independence.

10- Article 19 of Executive Decree 14-330, which determines the organization and operation procedures, stipulates that National Sports Federations and Their Operations, as well as Their Model Constitution, stipulates that "The Constitution must also provide for the following:

-Notifying the Court of Arbitration for the Settlement of Sports Disputes in the event of potential sports disputes"...

11- Law 12-06 issued on January 12, 2012, relating to associations, Official Gazette, No. 02, issued on January 15, 2012.

12- Maamar Belhassen, Dispute Settlement in the Field of Sports - A Comparative Study -, PhD Thesis, Specialization in Private Law, Faculty of Law, University of Youssef Ben Khedda, Algeria, 2018, p. 84.

13- Article 87, Paragraph 03 of Law 13-05 relating to the Organization and Development of Physical and Sports Activities, stipulates that "The National Sports Federation shall be specialized or multi-sport, depending on the nature of its activities".

14- Article 2 of the Joint Ministerial Decree between the Minister of the Interior and Local Authorities and the Minister of Youth and Sports dated March 16, 2016, which sets the criteria for establishing the National Sports Federation.