

LEGAL SCIENCES

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SPORTS CONTRACTS: THEORETICAL ASPECTS

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Introductions. Contracts with athletes, particularly in professional sports, encompass a wide array of financial and legal considerations to protect the interests of both the athlete and the sports franchise. Here are some of the key elements and clauses that are typically included in these contracts [1]:

1) *«Duration and Compensation.* Athlete contracts usually outline the length of time an athlete will play for a team and include provisions for salary, bonuses, access to training facilities, equipment, and staff support. The contract may also require athletes to participate in team-related activities outside of games, like marketing campaigns and media events.

2) *No-Trade Clauses.* Athletes may negotiate clauses that require their approval before being traded to another team, thus giving them some control over potential career moves.

3) *Signing Bonuses and Salary Caps:* Signing bonuses are lump-sum payments used as incentives for joining a team, which may be separate from the overall salary and can sometimes be exempt from team salary caps. Salary caps are implemented to prevent wealthier franchises from monopolizing talent and to maintain competitive balance within the league.

4) *Free Agency.* Once an athlete's contract expires, they become a free agent, free to sign with any team. There are distinctions between unrestricted free agents, who can sign with any team post-contract, and restricted free agents, who may have

the option to join a new team if their current team does not match an offer they receive from another team».

Additionally, specific clauses are crucial to protect an athlete's earnings and career trajectory [2]:

1) «*Guaranteed Compensation Clause*. This clause ensures that an athlete receives a certain percentage of their salary even if they are traded, waived, or released under specific conditions, safeguarding their income despite changes in their career circumstances.

2) *Injury Clause*. Given the high risk of injury in sports, this clause guarantees compensation if an athlete is unable to perform due to an injury, providing a safety net and defining what qualifies as an "injury" under the contract.

3) *Performance Bonuses and Incentives*. These clauses offer additional earnings based on meeting specific performance metrics like touchdowns or points scored, motivating athletes to achieve higher performance levels.

4) *Morality and Conduct Clause*: These clauses can affect an athlete's contract if they engage in behavior deemed "immoral" or misconduct in public, potentially allowing teams to terminate contracts based on such actions.

5) *Termination and Renewal Options*. These terms outline how and when a contract can be renewed or terminated, providing athletes with information on their security and future with the team or franchise».

Conclusion. The complexity of these contracts often requires athletes to seek the assistance of agents or attorneys to negotiate terms that are in their best interest, considering the high stakes involved in professional sports contracts.

LITERATURE:

1. Contracts for Professional Athletes & Legal Considerations URL: <https://www.justia.com/sports-law/contracts-for-professional-athletes/>.

2. Must-Have Contract Clauses for Professional Athletes: A Comprehensive Guide URL: <https://www.tacsis.com/blog-posts/must-have-contract-clauses-for-professional-athletes-a-comprehensive-guide>.