



Journal Website:
<https://theusajournals.com/index.php/ijlc>

Copyright: Original content from this work may be used under the terms of the creative commons attributes 4.0 licence.

THE PLACE AND ROLE OF INSURANCE IN THE ACTIVITY OF AGENTS IN THE SPORTS FIELD

Submission Date: August 19, 2023, **Accepted Date:** August 24, 2023,

Published Date: August 29, 2023

Crossref doi: <https://doi.org/10.37547/ijlc/Volume03Issue08-12>

Yetmishboev Mukhtorjon Ma'murjon Ogli

Academy Of The Ministry Of Internal Affairs Republic Uzbekistan, Tashkent City, Uzbekistan

ABSTRACT

The article is devoted to one of the urgent problems of modern civil law - the place and role of insurance in the activity of agents in the field of sports. The need to reform the current legislation in this area is proven. Attention is paid to the existing contradictions between the legislation and local regulation of the sports sector. In order to create additional legal guarantees, as well as to minimize the existing legal contradictions, it is necessary to introduce mandatory civil liability insurance of certain categories of persons in the field of sports.

KEYWORDS

Civil law, sports agent, civil liability, insurance, agent's professional liability.

INTRODUCTION

The principle of the legal regime of agency activity in sports should also include the obligation of professional liability insurance of the agent.

From the point of view of compulsory insurance of the liability of sports agents, it should also be borne in mind that civil law establishes the obligation to conclude an insurance contract only in cases clearly provided for by law, which once again demonstrates that the local and corporate requirements of sports federations do not correspond to our current legislation.

In some areas of civil relations that require special legal protection and regulation, there are regulatory mechanisms aimed at ensuring the "healthy" activity of these areas. An example of such a legal structure is the regulation on compulsory civil liability insurance as one of the leading private law institutions of legal regulation of property relations. Compulsory civil liability insurance, being a type of insurance, aims to create additional guarantees for persons entering into relations regulated by civil law, as well as to protect their rights and legal interests.

In addition to the legal norms of legal regulation of compulsory insurance, there are local regulatory legal documents aimed at regulating this category of obligations. As for the field of sports relations, among such activities of a local nature, the rules of sports in various sports occupy a special place.

The legal and local documents mentioned above help to restore the violated rights of the victims from the illegal actions of the entities with the help of the mandatory insurance norms established in them, and also serve as a guarantee of the fulfillment of obligations by the latter. Such legal structures make it easier to significantly compensate for the damage caused to the property and life and health of the injured party, as well as reduce the level of negative consequences for the insured person as a result of illegal actions.

If we look at the legislation of foreign countries, the French sports code regulates the issues in detail:

- legal status, activities and relations of subjects of sports relations: subjects of public law (state, national state institutions, administrative-territorial structures, public interest organizations);
- sports associations and sports societies; sports federations and professional sports leagues; representation (French National Olympic and Sports Committee, etc.) and mediating bodies, athletes, sports coaches, sports referees and referees, sports agents, other participants in sports legal relations;
- the general organization of physical education and sports activities and the characteristics of such activities in certain segments of the sports field;
- sports training and education in the field of physical education and sports; requirements and

restrictions in this area; control and supervision of educational activities in the field of sports;

- health protection of athletes, medical supervision
- athletes;
- fight against the use of doping, control and preventive means in this field;
- general organization of sports;
- requirements for sports facilities and other sports facilities;
- obligations related to sports activities;
- the procedure for organizing and holding sports events, broadcasting them through mass media and media coverage;
- financing and state support of sports (especially mass sports and high-achieving sports);
- administrative offenses and criminal offenses in the field of sports and responsibility for their commission;
- Features of the application of French sports legislation in foreign departments and regions.

At the same time, insurance obligation is included by the Code among obligations related to sports activities.

In order to carry out their activities on the territory of France, sports associations, societies and federations conclude compulsory insurance contracts for their civil liability, the liability of their hired or voluntary employees and the liability of athletes. Similar guarantees apply to sports referees and their activities. In addition, mandatory conclusion of an insurance contract is provided separately, primarily for engaging in extreme sports.

For persons who use (use) sports facilities: sports managers, teachers, coaches, all employees of the User, as well as for persons who have permanent or temporary access to the sports facility to engage in the

subjects taught there the obligation to conclude contracts on civil liability insurance is established.

In case of non-fulfillment of insurance obligations, competent authorities may prohibit the opening of a sports facility or make a decision on temporary or final closure. Also, the obligation of the organizers of sports events (with the exception of states and organizations that have compulsory insurance for other reasons) to insure, both their own civil liability and those who help in holding this sports event, as well as the participants of this event responsibility is provided.

Liability for offenses in the field of compulsory insurance is defined in the Code.

For the convenience of policyholders, the Code stipulates that sports federations recognized by the Code may conclude collective insurance contracts, which include insurance of their members. These contracts must be concluded in accordance with the legislation on competition.

In addition to mandatory insurance, the Code defines measures aimed at developing voluntary insurance of participants in sports legal relations.

Thus, sports associations and federations are obliged to inform their members about the benefits of concluding a personal insurance contract that covers sports physical damage.

As a second example, I would like to cite the mandatory sports insurance model implemented in the USA, for example, Title 5 of the Arizona Revised Code of Laws, which is called “amusement and sports”.

The American insurance business is a reliable leader in the world insurance market on a very large scale and by all possible indicators. There are about 9,000

property insurance companies and about 2,000 life and health insurance companies in the United States. The assets of all insurance companies are about 2.5 trillion. Dollar.

Arizona's regulatory framework for various aspects of sports is of interest for the following reasons:

- Arizona is one of the States with a general size, the normative legal material regulating relations in the field of sports is very large;
- The state of Arizona has a multi-element legislation in the field of sports relations.
- High level of sports development in the state of Arizona. At the state's three public universities (University of Arizona, Arizona State University (University of Phoenix), and Northern Arizona University) and several colleges, athletic activities are very widespread and developed;
- Unique geographical and administrative-territorial features of the state of Arizona. A large part of the territory of the state corresponds to mountains, plateaus and deserts, which means that it is not possible to talk about very favorable conditions for mass sports. However, due to Arizona's large area and varying elevations, the state has many different climates.

In addition, the Arizona Sports Code: - it contains substantive and procedural law norms in various areas - civil, administrative and administrative-procedural, criminal, criminal-procedural and criminal-executive laws, environmental law, commercial, insurance, information law, norms of legal regulation of sports broadcasting and marketing, a complex cross-sectoral regulatory legal document containing highly

specialized norms regulating social relations in the field of sports.

Mandatory insurance issues in the field of sports are reflected in the “Sports Code” of Arizona. In particular, mandatory life and health insurance of participants in boxing, unregulated fights, hand-to-hand combat and other martial arts competitions is provided.

A prerequisite for obtaining a license by a promoter or match organizer in the above disciplines is the submission of a copy of the relevant insurance contract to the Arizona Boxing Commission.

However, in the event of an injury in competition, the athlete's health insurance for medical, surgical and hospital care, the boxer himself will deduct and pay only twenty-five dollars as a premium to the insurer. should be done in the amount of twenty thousand dollars. The athlete's life insurance is carried out in the amount of at least fifty thousand dollars, which is paid in case of death from injuries received during the competition. In this case, the promoters are responsible for concluding insurance contracts and paying the main part of the insurance premium.

Arizona's “sports code” also provides for mandatory liability insurance for owners of plots of land where sports facilities are being built, as well as those engaged in construction.

In conclusion, the principles of the legal regime of agency activity in sports should include mandatory special accounting of agency activity subjects in the form of special registration with the relevant sports federation/association, as well as mandatory professional liability insurance of the agent. From the point of view of mandatory liability insurance of sports agents, it should also be remembered that the Civil Code stipulates the obligation to conclude an

insurance contract only in cases where it is clearly provided for by law, which once again demonstrates the incompatibility of local and corporate requirements of sports federations with our current legislation. is enough.

REFERENCES

1. <http://www.insurebiz.ru/archive/?act=18>.
2. Title 5 «Amusements and Sports» of the Arizona Revised Statutes [//http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp?Title=5](http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp?Title=5).
3. Title 20 «Insurance» of the Arizona Revised Statutes [//http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=20](http://www.azleg.gov/ArizonaRevisedStatutes.asp?Title=20).
4. Етмишбоев М. Спорт соҳасидаги шартномавий муносабатларни фуқаролик-ҳуқуқий жиҳатдан тартибга солишни такомиллаштириш //Общество и инновации. – 2021. – Т. 2. – №. 12/5. – С. 343-347.
5. Етмишбоев М.М. СПОРТ СОҲАСИДАГИ АГЕНТЛИК ФАОЛИЯТИ ТУШУНЧАСИ, ЎЗИГА ХОС ХУСУСИЯТЛАРИ ВА ТУРЛАРИ //Экономика и социум. – 2022. – №. 11-2 (102). – С. 366-372.
6. Етмишбоев М. Спорт агентлари фаолиятини лицензиялаш масалалари //Общество и инновации. – 2023. – Т. 4. – №. 6/5. – С. 381-386.
7. Yetmishboev M. EXPERIENCE OF FOREIGN COUNTRIES IN THE LEGAL REGULATION OF THE ACTIVITIES OF AGENTS IN THE FIELD OF SPORTS //International Bulletin of Applied Science and Technology. – 2023. – Т. 3. – №. 3. – С. 302-307.