

**MODERN REGULATORY AND LEGAL FRAMEWORK  
OF SPORTS AND SPORTS MEDICINE****A.K. Namazov<sup>1a</sup>, S.G. Garaeva<sup>2b</sup>, E.Yu. Putikhin<sup>1c</sup>, E.A. Safarov<sup>3d</sup>, K.Yu. Zahodyakina<sup>4e</sup>**<sup>1</sup>*St. Petersburg Branch of the Financial University under the Government of the Russian Federation, St. Petersburg*<sup>2</sup>*Azerbaijan Sports Academy*<sup>3</sup>*Peter the Great St. Petersburg Polytechnic University, St. Petersburg*<sup>4</sup>*Lesgaft National State University of Physical Education, Sport and Health, St. Petersburg*<sup>a</sup> [kuem@list.ru](mailto:kuem@list.ru), [orcid.org/0000-0001-5044-656X](https://orcid.org/0000-0001-5044-656X)<sup>b</sup> [aliyevasevda65@gmail.com](mailto:aliyevasevda65@gmail.com), [orcid.org/0009-0001-8790-2589](https://orcid.org/0009-0001-8790-2589)<sup>c</sup> [putihin@bk.ru](mailto:putihin@bk.ru), [orcid.org/0000-0002-4918-5005](https://orcid.org/0000-0002-4918-5005)<sup>d</sup> [elinsafarov@yandex.ru](mailto:elinsafarov@yandex.ru), [orcid.org/0009-0001-7555-6359](https://orcid.org/0009-0001-7555-6359)<sup>e</sup> [kasiopea80@mail.ru](mailto:kasiopea80@mail.ru), [orcid.org/0000-0001-9510-9831](https://orcid.org/0000-0001-9510-9831)**Nəşr tarixi**

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**Annotation.** This article is dedicated to the study of the regulatory and legal framework of sports and sports medicine. The author analyzes the current state of the legal framework of sports and sports medicine, as well as scientific works in the field of research. Based on the analysis, problems are identified and promising solutions are proposed.

**Keywords:** *sports, law, sports medicine, regulatory legal act.*

**Introduction.** Sport plays an important role in modern life, significantly influencing the health and social well-being of society. In Russia, important questions are raised about sports development and sports medicine, given the state policy aimed at promoting a healthy lifestyle and increasing the physical activity of the population. One of the most pressing question related to sports and sports medicine in the country is the subject of regulatory and legal regulation of these phenomena. Like any sector of social relations, sports and sports medicine cannot function fully without proper legal regulation. This necessitates the provision of an effective regulatory legal framework to regulate all tasks related to therapeutic physical culture and sports in general. To date, ma-

ny aspects of the sports sphere of society's life remain unregulated by legal norms.

**Materials and methods.** In this article, the author provides an analysis of scientific works in the field of sports law, as well as current documentation and sources related to the modern regulatory legal framework for sports and sports medicine. Based on this analysis, perspectives for the development of legal regulation in the field of sports and sports medicine are presented.

**Results.** Currently, the institution of sports and sports medicine faces many different issues regarding the regulatory legal framework. The reason for the emergence of such issues is that some subjects of discussion remain unaddressed. Addressing these issues requires a thorough analysis of scientific works and legal acts. Researchers who have dedicated their studies to the topic of sports and sports medicine highlight certain problems in the legislation that require the attention of the scientific community.

For instance, there is still no clear definition for some key sports terms, namely: sports conflict, sports contract, and other significant terms. Additionally, beyond establishing interpretations of these terms in the legislation, it is advisable to introduce certain benefits for distinguished athletes. For example, one potential solution can be seen in the laws of the Commonwealth of Independent States (CIS) countries, particularly the legislation of the

Republic of Kazakhstan. In accordance with the Presidential Decree of the Republic of Kazakhstan No. 814 dated December 26, 2018, "On Amendments and Additions to the Presidential Decree of the Republic of Kazakhstan No. 1587 dated June 6, 2005, 'On Approval of the List of Professions and Requirements for Persons Who Are Subject to a Simplified Procedure for Obtaining Citizenship of the Republic of Kazakhstan,'" the process of obtaining citizenship is simplified for athletes who have achieved a sports title of at least a master of sports of international qualification or an international-level sports qualification, having placed from first to sixth in the Olympic Games, or from first to third in world championships, or from first to third in the Asian Games, or from first to third in European championships, or first place in the World Cup finals in Olympic sports, or placed from first to third in the Asian, European championships, World Universiades, World Youth and Junior Games, as well as from first to third place in other significant international competitions. Further development of similar measures in the legislative system of the Russian Federation would promote the popularization and development of sports in the country by attracting professional athletes into the existing sports system (e.g., as coaches in Olympic schools) [2, 4].

Another problem addressed by researchers on this topic is the lack of clear boundaries between state and private regulation of sports activity organization. Currently, each sport has its own regulations, which are used for control. Thus, with minimal legislative regulation, arising issues are resolved not directly by state authorities and regulatory legal acts, but by the internal regulations of specific sports federations. Obviously, different sports federations have different regulations. This leads to the same issues being resolved differently in various sports federations, sometimes even oppositely. The result of this is the emergence of contradictions and unequal conditions for participants of different sports federations. The author of this article considers it necessary to unify common approaches to the fundamentals of sports federation regulations to avo-

id potential conflicts. A solution to this problem could be the development and approval of a model regulation by a regulatory legal act. This model regulation should contain exhaustive limits of private regulation of issues within sports federations [2].

Another relevant problem in the field of research is the issue of protecting image rights.

Image is one of the components of success for athletes and sports teams, serving as a business card for professional athletes that distinguishes them from the anonymous multitude of the sports community. Moreover, image is an excellent way to generate income. By collaborating with well-known brands, the sports community and its members earn money from the production and sale of products under their name: souvenirs, clothing items, and so on [1].

Obviously, image is a "fragile" phenomenon, susceptible to the emergence of disputable situations. In practice, when resolving a dispute concerning image issues, cases arise where legislation on the regulation of intellectual property rights is applied, as in the resolution of disagreements regarding personal identity. It should be noted that such a solution is incorrect, as it can lead to erroneous resolutions of disputes. Thus, it becomes clear that it is necessary to legislatively establish the concept of "image rights" as a separate category of civil legal relations. According to the author, the corresponding norms should be included in the Civil Code of the Russian Federation.

Another issue that requires consideration is the matter of doping control. Undoubtedly, doping control is a necessary measure for checking athletes for the use of prohibited substances that affect their performance. Current legislation reasonably obligates athletes participating in professional competitions to undergo testing. However, the conduct of such tests can be overly intrusive, leading to interference in the private lives of athletes. The author of this article considers it necessary to review doping control measures. The main reason for this is the unjustified interference of regulatory organizations in the private lives of athletes, as well as in confidential information about their health, unrelated to their sports activities. It is

necessary to reduce the influence of sports organizations on these matters by revising the measures to ensure a fair balance between the interests of society and individuals [3].

It is also necessary to separately consider issues related to sports medicine. Sports medicine is a specific science whose field of study focuses on physical activity, namely: high loads caused by professional training, conditions resulting from a lack (or excess) of physical exercise, as well as the prevention, diagnosis, and treatment of various types of sports injuries and diseases. Sports medicine includes medical supervision, traumatology, rehabilitation, physiotherapy, pharmacology, psychology, and other areas. This science plays a colossal role in the careers of athletes. Without the participation of specialized professionals in the field of sports medicine, the conduct of high-level sporting events is impossible.

Sports medicine can be viewed through the prism of legislative regulation. This field has existed for quite some time and continues to develop to this day. Within the framework of legislation, the cornerstone of legal regulation of relations concerning medical support for physical culture and sports was laid in the Federal Law of April 27, 1993 No. 4868-1 "Fundamentals of the Legislation of the Russian Federation on Physical Culture and Sports." This law established the legal framework regulating issues of sports and physical culture, including sports medicine [8, 9].

The next important step in the development of the institution of sports and sports medicine was the adoption of the Federal Law No. 80-FZ of April 29, 1999 "On Physical Culture and Sports in the Russian Federation." This law also significantly strengthened the legal framework aimed at physical education, health methods, and the development of sports in the country [7].

Currently, both of the aforementioned laws have lost their force, giving way to a more current regulatory legal act, namely the Federal Law No. 329-FZ of December 4, 2007, "On Physical Culture and Sports in the Russian Federation" (Федеральный закон от 04.12.2007 № 329-ФЗ «О физической куль-

туре и спорте в Российской Федерации»). The current law is a relevant regulator of public relations in the field of research, establishing the basic principles for the construction and development of, among other things, the system of sports medicine in the Russian Federation [6].

Another significant regulatory legal act in the field of sports medicine regulation is the order of the Ministry of Health of the Russian Federation No. 337 of August 20, 2001, "On Measures for the Further Development and Improvement of Sports Medicine and Therapeutic Physical Culture" (Приказ Министерства здравоохранения Российской Федерации от 20.08.2001 № 337 «О мерах по дальнейшему развитию и совершенствованию спортивной медицины и лечебной физкультуры»). This order, back in 2001, laid some of the foundations that formed the basis of other regulatory legal acts and other acts of the Russian Federation, ministries, and departments, which establish the following directions for the development of sports medicine [5]:

- Taking measures to strengthen interdepartmental interaction and coordination of efforts among medical, physical culture, and sports organizations of the Russian Federation, regardless of departmental affiliation and organizational-legal form, to implement the Main Directions of Medical Support for Physical Culture, Sports, Disease Prevention, and Rehabilitation of Patients and Disabled Persons using means and methods of physical culture;
- Taking organizational and practical measures to improve the quality of comprehensive medical examinations of the Russian national teams and their immediate reserves, ensuring the necessary health improvement and monitoring this work in the Russian Federation;
- Taking measures for the further development and enhancement of the effectiveness of sports medicine dispensaries.

The author of this article believes that these measures are fundamental in the field of sports medicine development. It is necessary

to further explore the possibility of developing the studied sector, as well as supporting the physical and psychological health of athletes. It is proposed to legislatively establish specific measures aimed at addressing this issue.

**Conclusions.** In conclusion, it should be noted that the current regulatory legal framework for sports and sports medicine serves as the regulatory foundation for athletes, sports organizations, and state authorities authorized in the field of sports. Despite the fact that the current state of the regulatory legal framework in the area of research is dynamic and updated, there are issues at present that require the attention of both state authorities and sports public associations. It is fair to note that the problems identified in this work are not exhaustive. The conducted analysis generally shows that the legislation regulating physical culture and sports, as well as sports medicine in Russia, has an established and comprehensive system that requires improvement. Solving the identified problems by developing new regulatory measures (including borrowing foreign experience) will serve as a vector for the development of professional sports in modern Russia.

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## İDMAN VƏ İDMAN TƏBABININ MÜASİR NORMALIVVƏ HÜQUQİ ÇƏRÇƏSİ

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**Annotasiya.** Bu məqalə idman və idman təbabətinin normativ-hüquqi bazasının öyrənilməsinə həsr edilmişdir. Müəllif idman və idman təbabətinin qanunvericilik bazasının mövcud vəziyyətini, eləcə də tədqiqat sahəsində el-

mi əsərləri təhlil edir. Təhlillər əsasında problemlər müəyyən edilir və perspektivli həll yolları təklif olunur.

**Açar sözlər:** idman, hüquq, idman tibb, normativ hüquqi akt.

**СОВРЕМЕННАЯ НОРМАТИВНО-ПРАВОВАЯ БАЗА  
СПОРТА И СПОРТИВНОЙ МЕДИЦИНЫ****А.К. Намазов<sup>1a</sup>, С.Г. Гараева<sup>2b</sup>, Е.Ю. Путихин<sup>1c</sup>, Е.А. Сафаров<sup>3d</sup>, К.Ю. Заходякина<sup>4e</sup>**<sup>1</sup>*Санкт-Петербургский филиал Финансового университета при Правительстве  
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**Аннотация.** Статья посвящена исследованию нормативно-правовой базы спорта и спортивной медицины. Автор анализирует современное состояние нормативно-правовой базы спорта и спортивной медицины, а также научные труды в данной области ис-

следований. На основе анализа, выявлены проблемы и предложены перспективные решения.

**Ключевые слова:** спорт, право, спортивная медицина, нормативный правовой акт.