

Standards of Quality of Sports Legislation in Accordance with Constitutional Principles and International Conventions

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Introduction and Research Problem:

Legislation is the establishment of legal rules in texts by the legislative authority in the State and is required to be written. (4: 35)

The drafting of legislation means the creation and construction of legal rules in a specific form in accordance with established rules in order to meet the need for regulation in the conduct of individuals and bodies in a binding manner. (3:20)

The sports movement is also witnessing a growing interest in the sports relationship with sports legislation and legislative policies. This issue has become important and vital for sports management, sports practice, and also for national production. (5: 137)

The sports legislation is the platform to work within the framework of all the workers in the field of sports and determine the ways to address the decision-maker in the field of sports and even control the progress of the movement of sports. (9: 268)

The Olympic Charter, which is an international agreement to which all the member states of the International Olympic Committee (IOC) are governed by international law, governs regulation and procedures and also acts as a law. In addition, it sets forth the basic rights and obligations exchanged between the bodies. (2: 59)

It is necessary to make fundamental changes in the strategy of such legislation and openness to the outside world, and adopt appropriate policies and methods that lead to the continuous efficiency of the production process and the rehabilitation of national cadres and provide the necessary investment to achieve satisfactory results. (10: 43)

The change in the structure of the administration and the organization is better than the intended effects resulting from the amendment of the legislations and the difference in their impact on the different institutions. The costs of monitoring compliance with legislation should be borne by the legislator. The development of standards for the protection of sports legislation provides decision makers with detailed information on the expected effects of legislation. To achieve the principles of accounting, transparency and compatibility, which contributes to the promotion of the economy and social welfare and works to achieve development, but the unexpected effects of legislative amendments are impeding development as

they constitute administrative and financial burdens Which was amended by Law No. 51 of 1978, which was amended by Law No. 71 of 2017, we find a situation of confusion, but some articles of the law The same sports law states that the president of the Olympic Committee is the president of the sports court, as well as the lack of clarity of the roles of both the competent and central administrative authority on the one hand and the Olympic Committee on the other, so the researcher tries to put Standards for Atmosphere Of sports legislation, which can be in the light of the drafting of legislation, good manner and evaluation of sports legislation and its impact in order to achieve development and linking legislation to achieve the interests of the state bodies and individuals to organize their work and activities directly within the framework of taking into account aspects of the application of legislation and methods of obligation and commitment.

Search objective:

The aim of the research is to develop a proposed scenario for the quality standards of sports legislation in accordance with the constitutional principles and international conventions by: (1) To identify the scientific bases for building sports legislation in accordance with the constitutional principles and international conventions, and to identify the technical bases for building sports legislation in accordance with constitutional principles and international conventions. Sports legislation and its formulation in accordance with constitutional principles and international conventions)

Previous studies:

1- In 2007, Mohamed Ibrahim Maghawary conducted a study entitled Legislative Policy between Local and International in the Field of Sports Clubs. The study aimed to identify the importance and role of the legislative policy in the field of sports and the legislative development of governmental and civil organizations in Egypt from 1952 to 2007, The Olympic Charter and the evaluation of local sports legislation and its relevance to international legislation. (7)

2- In the year 2013, Mohammad Ibrahim Maghawary conducted a study entitled "Evaluation of sports legislation between hobby and professionalism in the framework of quality and the most important results of the research. There is no legislation that serves hobby or professionalism. The existing legislation does not meet the quality standards of legislation. At the level of hobby or professionalism. (8)

3 - Ahmed Adam Ahmed, Huda Abdul Rahim Omara (2014) studied the impact of laws and sports legislation in the development of sport in Sudan, this study aimed to identify the impact of laws and sports legislation in the development of sport in Sudan, and the most important results that the laws and sports legislation In Sudan does not work on the development of sport. (1)

4. In the year 2017, Laith Kamal Nasraouin studied the requirements of good legislative drafting and its impact on legal reform. The study concluded that the interest in the legislative drafting process would positively affect the reform of the legislation and make it more suitable for community needs and more applicable to the legal centers of individuals. Issued for organization (6)

5. In 2005, Chateauyhand conducted a study entitled "New Directions for Power at the Government Level in the Field of Sports". The aim of the study was to identify the governmental intervention in the field of sports and the transition to decentralization. The most important results are that the political trends at the top of these sport federations, and government intervention are inevitable. And must be dealt with in accordance with the regulations and legislation available. (11)

Research Methodology: The researcher used the descriptive approach to suit the nature of the research.

Society and Research Sample: The research community is represented in the following categories: (faculty members, human rights colleges, faculty members, sports administration, physical education colleges)

Table (1) Description of the society and the sample of the research

No	research community	Basic sample	exploratory sample
١	University professors of law faculties	٢٧	٩
٢	University professors in physical education colleges	٤٨	١٦
	Total	٧٥	٢٥

The researcher obtained random responses.

- Data collection tools:

1. The analysis of documents and records (the existing sports legislation, including the Sports Act No. 71 of 2017, 2. The questionnaire as a tool to collect data and calculate the scientific transactions of the questionnaire as follows: First: Honesty: The researcher calculated honesty through two methods:

A - The judges' truth: The form was presented to the experts at the number of (10) experts, in order to explore their scientific opinion on the appropriateness of the axes and the appropriateness of the statements set for each axis, as well as the appropriateness of the proposed balance of estimation, in order to calculate the degree of their agreement on the terms. Axes or phrases, and the researcher has satisfied the proportion of the agreement 70%

Table (3) Correlation coefficient

third axis		second axis		first axis	
Coefficient of correlation	no	Coefficient of correlation	no	Coefficient of correlation	no
0.557	١	0.623	١	0.739	١
0.790	٢	0.896	٢	0.834	٢
0.912	٣	0.926	٣	0.911	٣
0.900	٤	0.895	٤	0.877	٤
0.803	٥	0.367	٥	0.677	٥
0.919	٦	0.878	٦	١0.67	٦
0.878	٧	0.869	٧	0.881	٧
0.875	٨	0.623	٨	0.902	٨
0.788	٩	0.755	٩	0.713	٩
0.809	١٠	0.929	١٠	0.906	١٠
		0.901	١١	0.793	١١
				0.811	١٢

Table (2) views of the expert masters

The third axis		second axis		first axis	
%	no	%	no	%	no
%١٠٠	١	%١٠٠	١	%١٠٠	١
%١٠٠	٢	%١٠٠	٢	%٩٠	٢
%٨٠	٣	%١٠٠	٣	%١٠٠	٣
%٩٠	٤	%١٠٠	٤	%١٠٠	٤
%١٠٠	٥	%٩٠	٥	%٩٠	٥
%١٠٠	٦	%١٠٠	٦	%١٠٠	٦
%٩٠	٧	%١٠٠	٧	%١٠٠	٧
%١٠٠	٨	%١٠٠	٨	%١٠٠	٨
%١٠٠	٩	%١٠٠	٩	%١٠٠	٩
%١٠٠	١٠	%١٠٠	١٠	%٩٠	١٠
		%١٠٠	١١	%١٠٠	١١
				%١٠٠	١٢

B - Sincerity of internal consistency: The researcher conducted a survey by applying questionnaire questionnaire according to the opinion of the experts on a sample survey of 25 people to calculate the correlation coefficient and the level of significance between the words and axes, the validity of the questionnaire was verified by finding the binary correlation between the degree of each statement And the total score of the axis to which it belongs, and no words (* T value of the table were deleted at $0.05 = 0.361$)

Second: Stability: Stability of the questionnaire: To achieve the stability of the questionnaire, the researcher used the coefficient of (Alpha Kronbach), and the result of calculating the stability coefficients as follows:

Table (4) Alpha coefficient values for the questionnaire axes

the Axis	Axis name	Alpha. Re
The first	The scientific basis for building sports legislation in accordance with the constitutional principles and the international conventions	0,779
The second	Technical foundations for building sports legislation in accordance with constitutional principles and international conventions	0,803
The axis	Establishing the objectives of the sports legislations and drafting them according to the constitutional principles and the international conventions	0,809

Table (4) shows that the values of the coefficients of the " Alpha " stability range from (0.779, 0.853) indicating that the questionnaire has an acceptable degree of stability

Analysis and discussion of results:

(Table 5)

Frequency and percentages of the sample responses on the first axis (N = 75)

No.	Phrases	yes	To some extent	No	Weigh ting	Relative importan ce	Ka 2
1	Taking into consideration the legislative and mathematical classification of independence and democracy.	60	205	5	205	91.1	74.0
2	Discipline: Follow appropriate and proper ethical conduct to ensure integrity and equal opportunity.	63	207	6	207	92.0	86.6
3	Transparency: the establishment of legal rules that work to provide a true picture of everything that happens within institutions	70	218	2	218	96.9	121.5
4	Independence: There are no unnecessary influences and pressures to work in sports institutions, especially civil ones.	62	207	5	207	92.0	82.3
5	Accountability: The possibility of evaluating and evaluating the Board of Directors and the supervisors of auditing, evaluation and accounting.	54	195	9	195	86.7	50.6
6	Responsibilities: Rules clarifying the terms of reference, authorities and responsibilities before all concerned parties.	70	218	2	218	96.9	121.5
7	Justice: Respect for the rights of various stakeholder groups in the sports field.	64	209	5	209	92.9	91.2
8	General: The legal rule does not relate to specific facts or persons and applies them to all individuals and institutions.	67	215	2	215	95.6	106.1

9	Abstraction: The legal rule is to establish an objective general standard that applies only in all cases where certain conditions are met.	56	201	5	201	89.3	59.2
10	Obligation: The legal rule is binding, which is enforceable and enforceable, and the mechanisms of application and the previous and subsequent evaluation of legislation is put in place.	71	221	0	221	98.2	59.8
11	Balance: taking into account the factors influencing the establishment of legislation, namely, constitutional rules and international obligations.	57	10	8	199	88.4	61.5
12	Signing the penalty against the violator to ensure respect for its implementation	61	11	3	208	92.4	79.0

It is clear from Table (5) that the percentage of the first axis ranged from the scientific foundations for the construction of sports legislation in accordance with the constitutional principles and the international agreements between (98.2% - 88.4%). The researcher believes that the legislative drafting process includes three basic stages: the first stage includes the study during which the reasons are identified, and the preparation of the technical material for legislation, followed by the second stage, the formulation, where at this stage to determine the tool And reflect the need for the existence of legislation in a disciplined legal form that achieves the purposes that the legislation seeks to achieve and fulfills what is specified in the reasons for it. This process of crystallization is crystallized in the form of draft draft legislation to be issued. The legislative rules and international obligations must be taken into consideration. The drafting of the proposed legislation should be concise and the writing should be clear and the wording simple and concise.

The evaluation of the quality of the legislation is considered to be a factor in achieving the best legislation. The quality of the legislation can be assessed based on the evaluation and prior advice (prior assessment) or on the degree of its compatibility and impact compared to the existing legislation (subsequent evaluation). , Including taking into consideration all options for applying the policies related to the legislation. Evaluation of the impact of the legislation. It is also advisable to review to ensure that all of these steps are completed successfully. This evaluation consists of a simple checklist of all the steps required in the evaluation process. The following evaluation clearly contributes to the review of existing legislation, as it provides clear information on the efficiency of the legislation and its degree of impact, explaining its shortcomings and deficiencies, which provides an opportunity to study the procedures required for reform, whether simplifying / facilitating or canceling the legislation or reviewing the same policies. Existing legislation in general and otherwise the subsequent evaluation is used when new legislation is prepared and ready to draft its legal text,

and the subsequent evaluation becomes more important when there is doubt about the impact of the legislation or its compatibility with the problems it addresses, This assessment is also used in accordance with the principle of prevention.

Table (6)
Frequency and percentages of the responses of the research sample on the second axis (n = 75)

No.	Phrases	yes	To some extent	No	Weighting	Relative importance	Ka 2
1	Harmonization of legislation governing sports movement with the basic legislation and laws supplementing it.	58	12	5	203	90.2	66.3
2	Harmonization of local legislation of national sports bodies with international legislation.	64	8	3	211	93.8	91.7
3	Sports legislation includes all aspects related to sports, sports organizations and bodies and all elements of the sports system.	58	15	2	206	91.6	68.7
4	The legislation is compatible with the requirements of the present and the future, such as not specifying financial categories or time periods	65	6	4	211	93.8	96.0
5	Sports legislation ensures the continuation and development of sports activities and sports institutions.	69	4	2	217	96.4	116.2
6	Serving the interests of the homeland, individuals and institutions and the ability to attract investment and achieve the welfare of the citizen.	70	3	2	218	96.9	121.5
7	The ability to coordinate, link and balance between the legal, technical and professional rules that distinguish the sports field from other fields.	69	5	1	218	96.9	116.4
8	To harmonize sports legislations, where they serve the hobby and professionalism (not to overlook the health and social side at the expense of commercial interests).	64	8	3	211	93.8	91.7
9	Sport legislation is formulated in a manner that is appropriate to the existing legal context both in terms of domestic legal norms or international charters and obligations.	66	4	5	211	93.8	100.8
10	Social responsibility includes any clarification of the social role of sports institutions in legal rules.	59	10	6	203	90.2	69.6
11	To harmonize and integrate sports legislation with all existing legislation in the state (constitutional, civil, criminal, etc.)	59	12	4	205	91.1	70.6

Table (6) shows that the percentage of the second axis ranged from 98.2% to 88.4%. The phrase "the ability to coordinate, link and balance between the legal,

technical and professional rules that distinguish the sports field from other fields "Where the sport is characterized by a special nature, it links between the technical aspects and scientific aspects and professional aspects related to the sports field and the issuance of sports legislation must achieve the legislative purposes that have been developed to apply, and must match the aspects associated with sports practice T has become a fundamental right of every citizen according to the Egyptian Constitution, which in Article 84 that the sport is a fundamental right for every citizen.

The researcher believes that the constitution is the nominal law that the state must abide by its provisions and principles in all laws issued. Respecting the provisions of the constitution and its commitment is obligatory at all stages of the legislative process, starting with the idea of the draft law, In order to submit it to the Chamber of Deputies for discussion and approval, and to send it to the President of the Republic to be issued and published in the Official Gazette, all so as not to be the laws issued in the State laced with suspicion of non-compliance with the provisions and provisions of the Constitution, thus being subject to the judiciary unconstitutional at any time And that the challenges facing the workers in the preparation and formulation of draft laws, and review and ensure the quality of the large and growing day by day, as a natural impact and return of the human activities have become diverse, and careful specialization, on all levels.

Legislative drafting is aware of its origins and rules. It is necessary to have experience and knowledge of those assets and rules of the person responsible for the drafting. It is not enough that the person responsible for drafting the legal text belongs to the category of jurists. Rather, he must be a professional in the legislative drafting and should be familiar with all aspects of this. The vital field of legal science

The results of the research sample also stressed the importance of observing international legislation when building and drafting domestic legislation. The Olympic Charter, which is an international agreement to which all member countries of the IOC governs the organization, procedures and application of the Olympic Movement, The International Olympic Committee (IOC), in addition, sets out the main rights and obligations of the three main elements that make up the Olympic Movement, namely the International Olympic Committee, the International Associations and the Olympic Committees National as well as the Organizing Committees of the Olympic Games.

Table (7)
Frequency and percentages of the sample responses on the third axis (N = 75)

No.	Phrases	yes	To some extent	No	Weigh- ting	Relative importan- ce	Ka 2
1	Clarification of the purpose of the legislation in the legislative policy note, explanatory note and explanatory note.	72	3	0	222	98.7	63.4
2	Disclose the objectives of the legislation in order to be able to take charge of legislative drafting at all stages of the performance of their task in the best manner.	74	1	0	224	99.6	71.0
3	Disclosing the objectives of the legislation in order to facilitate the passage of the project at all stages of its preparation and review, from various bodies related to the legislative process.	65	9	1	214	95.1	97.2
4	Prior to the stage of progress of the project phase of studies and research to ensure that all other solutions and alternatives that the institution can resort to will not succeed in addressing the problem with the same capacity achieved by the issuance of legislation	63	10	2	211	93.8	87.9
5	The thought on which the bill is based must have new provisions and meanings that meet the requirements of modern development and thought	67	8	0	217	96.4	46.4
6	The goals must be addressed and divided into what is expected of them in the near term, medium and long term	62	10	3	209	92.9	83.1
7	The Statement of Justifications and Goals is based on official statistics and opinion polls that support what is stated, justify and reflect the quality and extent of the required legislative intervention.	62	11	2	210	93.3	83.7
8	The objectives statement that is expected to be achieved in the other areas related to the subject area is presented to regulate the draft law	55	13	7	198	88.0	54.7
9	There should be a clear need and necessity for the draft law or legislation to be introduced.	56	15	4	202	89.8	60.0
10	Accurate review and review of all applicable legislative instruments relevant to the area to be regulated in the project	64	9	2	212	94.2	92.2

It is clear from Table (7) that the percentage of the third axis ranged from (99.6% -88.0%) to the setting of the objectives of the sports legislations and their formulation in accordance with the constitutional principles and the international agreements. Of the performance of their task in the best manner "at the highest

percentage and the researcher sees the importance of disclosure of the party that submitted the draft law on the justification that it invited to submit it and the objectives to be achieved in practical reality, through a written statement called "Statement of Justifications and in this context should not be confused statement Justifications and objectives The explanatory memorandum is prepared exclusively by the party that submitted the draft law, while the explanatory memorandum may involve more than one party in preparing the statement of objectives. It is a detailed research that contains official statistics and field research conducted by the organization before it begins drafting the draft law that it submits. , While the explanatory note does not include any field research or statistical data, and is prepared at a later stage to finalize the final draft of the law and the statement of objectives is prepared to comply with the first draft of the draft law submitted by the Ministry of Youth and Sports when the project.

In formulating the goal statement, the goals should be dealt with and divided according to what is expected to be achieved in the short, medium, and long term. Therefore, it is natural that all the desired goals of issuing the law are not achieved once. And some of the goals may be delayed to achieve a long period and include a statement of goals and justifications The expectation of the party that prepared the project on the time necessary to achieve all the desired objectives is a difference in the assessment of the feasibility of issuing the law and the cost and mechanisms of Enva E in reality.

The results of the research sample confirmed that there should be a clear need and necessity for the draft law to be submitted. The actual phase of the project should precede the stage of studies and research to ensure that all other solutions, options and alternatives that the government can resort to will not be able to address the problem with the same effect. And the bill must be new. It should not refer to what other laws already in force apply, even if this is done by resorting to the use of formulations or names that differ from those contained in the laws in force. Rulers and new meanings, and are required to resort to the amendment in the existing laws as an alternative option for progress to draft a new law in full, to be proposed infringements are some limitations.

Conclusions:

1 - Not to set goals and justifications for the manufacture of the law of sports works on the lack of clarity of vision for what is required to be implemented by bodies and individuals in the field of sports.

2. Consider the importance of good legislative drafting in the field of sport, which sometimes leads to inconsistencies, including Article (41) which stipulates that the membership of the Board of Directors of the Federation and the membership of the Board of Directors of the Egyptian Sports Settlement and

Arbitration Center stipulated in Article 66 of this Law, 66) The Egyptian Sports Settlement and Arbitration Center is governed by a Board of Directors, headed by the Chairman of the Egyptian Olympic Committee. In this way, there is a conflict between the articles of the same law.

Article (1) refers to the competent administrative body: the body entrusted with supervising the sports bodies which fall within its jurisdiction from all financial and administrative aspects. The law and regulations do not clarify the administrative control, but he pointed out that the administrative side assigned to the Egyptian Olympic Committee.

3- Lack of adequate studies and statistics on which the law industry is based, which is an integral part of the sport law industry.

4- The mechanism of implementing the nominal and fundamental objective is not clarified. It is the Egyptian Constitution, which states in its article No. 84 that sport is a basic right for every citizen guaranteed by the state. This constitutional text must clarify the law and the mechanisms of its application.

5 - Not to develop appropriate legislative alternatives to address legislative shortcomings in the field of sports.

6 - Failure to develop a classification of sports institutions and institutions (professional - semi-professional - hobby) makes it more difficult to implement legislation on all sports bodies, which vary in nature from one institution to another.

7 - Not clarify the role of the administrative body in the development of regulations and control in sports bodies.

Recommendations:

First: Recommendations related to the first axis the scientific basis for the construction of sports legislation in accordance with the constitutional principles and international conventions

- Respect for sports legislation, independence and democratic work in sports institutions.
- Respect for the rights of various groups of stakeholders in the sports field.
- The legal rule does not relate to specific facts or persons and applies them to all individuals and institutions.
- The legal rule is to establish an objective general standard that applies only in all cases where certain conditions are met.
- The legal rule is binding on all applicable and enforceable and mechanisms of application and the previous and subsequent evaluation of legislation are put in place.
- Take into account the factors influencing the establishment of legislation, namely, constitutional rules and international obligations.

- Signing the penalty against the violator to ensure respect for its implementation.

Second: Recommendations related to the second pillar The technical foundations for building sports legislation in accordance with the constitutional principles

- The harmonization of legislation governing sports movement with the basic legislation and complementary laws and with international legislation.

- The ability to coordinate, link and balance between the legal, technical and professional rules that distinguish the sports field from other fields.

- Harmonize sports legislation, where it works to serve the hobby and professionalism (not to overlook the health and social side at the expense of commercial interests).

- To harmonize and integrate sports legislation with all existing legislation in the country (constitutional, civil, criminal, etc.)

Third: Recommendations related to the third axis The foundations of setting the objectives of the sports legislation and drafting them in accordance with the constitutional principles

- To disclose the objectives of the legislation in order to be able to take charge of legislative drafting at all stages of the performance of their task in the best manner.

- Disclosing the objectives of the legislation in order to facilitate the passage of the project at all stages of its preparation and review, from various bodies related to the legislative process.

- Prior to the stage of progress of the project stage studies and research to ensure that all other solutions and alternatives that the institution can resort to will not succeed in addressing the problem with the same capacity achieved by the issuance of legislation

- The thought on which the bill is based must have new provisions and meanings that meet the requirements of development and modern thought.

- There should be a clear need and need for the draft law or legislation to be introduced.

Scientific references:

Arabic References:

- 1- Ahmed Adam Ahmed, Huda Abdul Rahim Amara: the impact of laws and sports legislation in the development of sport in Sudan, published scientific research, Sudan University of Science and Technology, Faculty of Physical Education and Sports,
- 2 - Bahaa Sayed Mahmoud and others: Modern trends for the manufacture of the law of sports, the Center of modern books for printing and publishing,

- Cairo, 2016.
- 3 - Esmat Abdel Majeed Bakr: Problems of legislation, a theoretical and applied comparative study, Scientific Book House, Beirut, 2013.
 - 4- Omar Al-Sayyed Mo'men: The General Theory of Law, Dar Al-Nahda Al-Arabiya, Cairo, 2005.
 - 5 - Kamal Darwish and others: Mathematical systems and the legislative structure, the Modern Book Center for Printing, Publishing and Distribution, Cairo, 2016.
 - 6- Laith Kamal Nasrawin: The requirements of good legislative drafting and its impact on legal reform, published scientific research, Faculty of Law, University of Jordan, Fourth Annual Conference Law Reform and Development Tool No. 2, May 2017.
 - 7- Mohamed Ibrahim Maghawary, General of the study of legislative policy between local and international in the field of sports clubs, unpublished master thesis, Faculty of Physical Education for Boys, Helwan University, 2007.
 - 8- Mohammed Ibrahim Maghawry A year in the study of the evaluation of sports legislation between hobby and professionalism in the framework of quality, unpublished doctoral thesis, Faculty of Physical Education for Boys, Helwan University, 2013
 - 9- Naji Ismail Hamed, Mohamed Ibrahim Maghawary: Professional Management, Modern Book Center for Printing, Publishing and Distribution, Cairo, 2014.
 - 10- Nabih Al-Alqamy: Legislation and Sports Laws, Introduction to Quality, Egyptian Printing, Cairo, 2009.
- Foreign References:
- 11- Chateaufreynaud, y. :- Sport – new stakeout power at the local level ,Journal des Scion's et techniques des activitites physiques et sportive, Vol.10,No.20 , Grenoble , France , 2005 .