



BUSINESS LAW AND PRACTICE

PARTNERSHIP PRECEDENTS AND DRAFTING

SUMMARY SHEET

Stage 1

Question 1 - are there any conduct problems that need to be dealt with?

- There may be a significant risk of a conflict of interests.
- Client care.

Question 2 - why is it important for the client to have a partnership agreement? What will happen if they do not?

- Evidence that the partnership exists and the terms under which it operates.
- Avoids a Partnership at Will under the Partnership Act 1890.
- Clarifies the relationship between the partners themselves.
- Clarifies relationships with third parties so far as the partners themselves are concerned e.g. authority to negotiate contracts.
- Minimises potential disputes.

Question 3 - identify the basic clauses to be included in the partnership agreement to use as a checklist for obtaining instructions.

- Commencement, names, addresses, definitions etc.
- Duration/continuation particularly to avoid dissolution by notice under the Partnership Act 1890 - partnerships at will etc.
- Place and nature of business.
- Finances - capital contributions, profits/loss sharing, interest on capital, salaries, drawings, increases and decreases on an asset's value.
- Management decisions, roles of the partners etc.
- Partner's exit - death, bankruptcy, retirement, expulsion, court intervention.
- Payment of outgoing partners share, valuations, tax assessments etc.
- Restraint of trade, anti competitive clauses etc.
- Dispute resolution.

Sports Business Law Practice Precedents

**Michael Beloff KC, Tim Kerr QC, Marie
Demetriou QC, Rupert Beloff**

Sports Business Law Practice Precedents:

Sport, Business and the Law Richard Verow, Clive Lawrence, Peter McCormick, 1999 This text concentrates on the legal issues involved in structuring a sports business deal It covers all the general legal concepts involved such as how governing rules of a sport may affect participation and gives advice on how sponsorship merchandising and endorsement agreements should be drafted It also specifically deals with the issue of broadcasting rights It comes complete with a disk containing all the precedent agreements from the book which can be installed on a PC and adapted as necessary Modern Sports Law Jack Anderson, 2010-10-26 The aim of this book is to provide an account of how the law influences the operation administration and playing of modern sports Although the book focuses on legal doctrine it has been written bearing in mind sport's historical cultural social and economic context including the drama and colour of sport's major events and leading personalities And although it is inevitably very much concerned with elite professional sports it is not dominated by them and seeks to cover the widest possible range of sports professional and amateur Initially the book addresses practical issues such as the structures of national and international sport and examines the evolution of the body of law known as sports law Thereafter three main themes are identified regulatory participatory and financial aspects of modern sport The regulatory theme is dealt with in chapters considering the manner in which decisions of sports governing bodies may be challenged in the ordinary courts and the development of alternative dispute resolution mechanisms in sport The participatory theme includes the legal regulation of doping and violence in sport as well as the broader topic of tortious liability for sporting injuries The financial theme reflecting the enhanced commercialisation of sport at all levels is developed in chapters concerning issues in applied contract and employment law for players and legal matters surrounding the organisation of major sports events The conclusion summarises modern sport's experience of EU law pointing the way to the future direction of sports law more generally While the book is aimed primarily at students and is designed to cover fundamental and topical areas of sports law sports law in general sports bodies and the courts arbitration in sport corruption doping violence civil liability discrimination the commodification of modern sport and the likely future of sports law it should also prove of wider interest to practitioners sports administrators and governing bodies and though focused primarily on UK law it will also appeal to readers in Australia Canada New Zealand and the USA **Economic Efficiency** Ben Van Rompuy, 2012-08-01 Over the past decade we have witnessed an apparent convergence of views among competition agency officials in the European Union and the United States on the appropriate goals of competition law enforcement Antitrust policy it is now suggested should focus on enhancing economic efficiency which we are to believe will promote consumer welfare Recent EU Commission Guidelines on the application of Article 101 TFEU appear to banish considerations that cannot be construed as having an economic efficiency value such as the environment cultural policy employment public health and consumer protection from the application of Article 101 TFEU Arguing that the professed adoption of an exclusive efficiency approach

to Article 101 TFEU does not preclude but rather obfuscates the role of non efficiency considerations the author of this timely contribution accomplishes the following objectives traces the genesis of the shift to an efficiency orientation in EU and US antitrust policy and dispels several ingrained misconceptions that underpin it demonstrates the close interrelationship between evolving images of the purpose of antitrust the development of related enforcement norms and enforcement output provides in depth analyses of a number of analytically rich cases in the audiovisual sector and particularly those related to sports rights and explores what the role of non efficiency considerations in the application of Article 101 TFEU could and should be under the modernized enforcement regime

Sports Law Michael Beloff KC, Tim Kerr QC, Marie Demetriou QC, Rupert Beloff, 2012-10-19 Sports law has been growing with increasing rapidity over the years since the first edition of this book was published in 1999 regularly making headlines as well as leading to a developing body of law practised by specialist lawyers This revised work by leading practitioners in the field with a foreword by Lord Coe provides a coherent framework for understanding the principles of sports law in this area as well as a deep analysis of its key features The subject is split into various areas of practice first regulatory rules which embrace the constitutional aspect of organised sport including the disciplinary procedures of the various governing organisations second broadcasting and marketing resulting from the commercial exploitation including sponsorship of sports clubs sporting events and players and third player s rights and obligations which embraces a wide range of legal issues including club transfers and player contracts and issues arising from employment including discrimination law personal injury and criminal law Special attention is paid to the impact of EU and Human Rights law as well as to the influential jurisprudence of the Court of Arbitration for Sport London 2012 provides an appropriate point at which to assess the current state of the law as well as a look to the future The target readership extends from solicitors barristers and legal advisers to sports organisations and clubs corporations involved in marketing and sponsorship media companies academics teaching sports law and sports administrators I commend it to everyone who has to administer sport as well as to those who have to advise the administrators or argue cases in the field on whatever side It is a gold medal book From the Foreword by Lord Coe KBE This title is included in Bloomsbury Professional s Sports Law online service

Forthcoming Books Rose Army, 2004 *The New Law Journal*, 2005 **Sport Business Management** Lori K. Miller, 1997 In this unique text you ll find practical business theory and professional practice guidelines specifically for the sport business manager The basics of running a for profit sport business as well as influential management tips for survival in the 1990s make this an ideal book for sport businesses *American Sports Empire* Frank P. Jozsa, 2003-01-30 How did the professional baseball basketball football and hockey leagues become the most successful sports organizations in the United States Jozsa investigates the major leagues histories with unparalleled depth and rigorous economic analysis He marshals relevant data facts statistics that measure the performance of professional sports teams and players the strategies of franchise owners and the loyalties of fans Delineating the development maturation and revitalization of the leagues

throughout the 20th century he highlights significant events and reforms of the era and discusses the future of sports leagues in the marketplace Sports fanatics casual fans professional coaches and players journalists economists administrators and owners will discover a goldmine of information in this unique volume Readers will learn about key owners investors coaches managers and players of teams that won divisions conference titles and league championships from the 1950s through the 1990s The book includes information on attendance operating incomes payrolls win loss percentages and the estimated market value of individual teams Specific franchise owners are noted for their wealth and success factors The author also predicts that league commissioners franchise owners local business and community leaders and government officials will be forced to bargain in good faith and compromise on the question of whether to use taxpayer money to invest in sports facilities

Current Law Index ,2007 **Encyclopedia of World Sport** David Levinson,Karen Christensen,1999 Spanning the wide world of sports this volume is packed with every conceivable fact that anyone would possibly want to know about nearly 300 sports including history and practice worldwide *Chambers UK 2009* Tracey Sinclair,2008-11 An independent guide to the top solicitors barristers law firms and barristers chambers in the United Kingdom **Contemporary Sport Management** Paul M. Pedersen,2024-10-17 Contemporary Sport Management Eighth Edition examines core functions current trends and career opportunities in sport management Using expertise from a diverse team of contributors this introductory text covers the essentials for entering the profession of sport management and sport business Sports and Inequality Michael J. Cozzillio,Robert L. Hayman,2005 Sports and Inequality is a comprehensive collection of annotated writings examining the legal and social implications of discrimination in both the professional and amateur sports contexts The text examines the full scope of sports discrimination issues specifically the history of and contemporary experience with discrimination based on race gender disability and sexual orientation The text features an introductory chapter on the inter relationship of law culture and sports and discrete introductory overviews of the American experience with race gender disability and sexual orientation The text provides a detailed examination of sports discrimination issues including disparities in employment and educational contexts and the exclusion of persons from public facilities or services based on race gender or disability Topics include racial inequalities on the playing fields and in the front offices of amateur and professional sports the impact of NCAA eligibility criteria the effects and future of Title IX gender segregation and exclusion in professional sports the impact and persistence of private clubs the relationship between sports and sexual violence covert and overt homophobia and sexual orientation discrimination in sports and sports opportunities for people with disabilities The text considers its topics from a broad spectrum of perspectives utilizing both legal and non legal resources such as judicial opinions statutory provisions and articles and book excerpts from a variety of disciplines to offer a wide ranging survey of views on sports and inequality The writings are supplemented with extensive notes questions references and in class exercises The text is designed to be accessible to a variety of audiences and is appropriate for use in law school courses as well as in undergraduate and

graduate courses As the only text to offer a comprehensive and detailed treatment of its topic it is also uniquely valuable as a research tool for academics journalists or interested lay readers *The Law of Hockey* John Barnes, 2010 **Chambers & Partners' the Legal Profession**, 1999 **Understanding Business & Legal Aspects of the Sports Industry**, 2000 **The Martindale-Hubbell Law Directory**, 1999 *The Management of Sport* Bonnie L. Parkhouse, 1991 Manuel didactique couvrant les bases du management du sport et plus pr cid ment la comptabilit la finance le droit la communication le management et le marketing Diff rents auteurs examinent des domaines d application Cibl plut t pour les tudants Sensibilit am ricaine Inside the Minds, 2004 Inside the Minds The Legal Side of Entertainment Sports and Media is an authoritative insider s perspective on the laws that shape these industries the characteristics and capabilities of the successful practitioner and the future of these legal disciplines on a global scale Featuring Department Heads Group Chairs and Leading Partners all representing some of the nation s top firms this book provides a broad yet comprehensive overview of these practice areas discussing the current shape and future state of these unique industries as well as the laws that outline influence and regulate them Addressing the challenges intricacies and rewards of representing high profile clients musicians sports teams and publishing houses alike as well as the underlying complexities of contracts and strategic negotiations raising critical points around keeping up with the latest technological advances and ever changing laws these authors articulate the finer points around entertainment now and what will hold true into the future The different niches represented and the breadth of perspectives presented enable readers to get inside some of the great legal minds of today as experts offer up their thoughts around the keys to success within these fascinating practice areas where law and entertainment intersect This book is written by Creighton O M Condon Partner Mergers Head Sports Group Shearman Chair Litigation Department Weil Gotshal Chair Technology Transactions Group Buchanan Ingersoll PC The Successful Entertainment Lawyer Arnold P Peter Partner Chair Entertainment Practice Group Lord Bissell Brook The Growth of Entertainment Law Roger L Armstrong Partner Manatt Phelps Phillips LLP Foresight Meets Reality Deal Saving Negotiations in Entertainment Law M Robert Dushman Partner Brown Rudnick Berlack Israels LLP Media Law and the Passion for Freedom of Speech **Sports Law Practice** Martin J. Greenberg, 1993 The only publication to combine up to date coverage of sports law with time saving practice aids Sports Law Practice is the essential resource for the attorney or agent in the arena of sports law Contractual analysis assists in understanding contract provisions how to structure contracts addendums Sample forms checklists examples provide invaluable assistance in drafting contracts

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