

Study of Athletes civil liability in Iranian lawPeiman Latifi¹, Abdollah Ghaderi², Shahzad Abdolhoseini rouzbahani³¹. Department of law, University of Tabriz, Iran
Email: peyman.latifi@yahoo.com². Department of law, University of Tabriz, Iran
Email: Abdollah_gh2004@yahoo.com³. Department of law Tabriz branch, Islamic Azad University, Tabriz, Iran

Abstract: Athletes liability rights in Iran and one of the factors discussed in its various aspects are technically enforced. For example the talk sports contracts, legal assignments athletes, coaches and athletic directors individually with an emphasis on personal responsibility and respect of the resolution leaves. In order for the athlete's responsibility to know the condition of civil liability gather consensus, so we focus on the fundamentals of our core philosophy of responsibility and liability requirements for athletes and sportsmen against the third party is responsible for knowing. Was found in violation of rules and regulations for each specific field has led the field to come there is a disciplinary offense or civil liability. However, other cases were studied.. [Peiman latifi , Abdollah ghaderi , Shahzad Abdolhoseini rouzbahani. **Study of Athletes civil liability in Iranian law.** *N Y Sci J* 2014;7(5):1-5-]. (ISSN: 1554-0200). <http://www.sciencepub.net/newyork>. 1

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1. Introduction

Review the responsibility of the athlete's rights in the rounded leaves of different issues of This period, regardless of the delay, the rate of exercise in various areas of life spends responsibility legal check Athletes F the G and In the G various topics basic issues that can be provided to the contractor as to the exercise element of professional sports, It has been noted that the conclusion of c issues relating to the rights of athletes and their responsibility. It is proposed for nowadays as one of the basic problems of the country in the era of professional sport which it is concerned. But exercise is awarded for Republic Islam and Iran countries which it and similar the cursor on the G rand was the period in which the various abnormalities of the heart of the recent dozens of different issues (such as being professional, (b) a sufficient population of hip fashion clubs data entry like, body damage and non-RA) For the protection of the rights of the parties in the B.C. Interior Shot of the athletic population and the application of existing laws with the following difficult is retrospectively period of history with St. Meaning you for all of the lots in the new era of professional and lawful exercise period, Subject to the following institutions is not noteworthy., but the d-pad basic professional sports and contracts are mainly due to one of the D-pad is the new period.

Background and need for research

The present work on the main issue, there is no specific, independent book and in this regard, the debate took place, so we had little brief. For example, a doctor of civil liability consistory in the book. A discussion entitled to exercise the responsibilities are

assigned to this debate has the cornerstone of this issue. In an article entitled "Sports error" and have it almost completed by all the researchers and students of law that wanted was in furtherance of the problem and it took steps to promote this branch of civil liability.

Research objectives

Now with advances in all aspects of the sport and its outbreak, including in variety of sports, and the escalation of violence in some fields and consequently an increase in claims of civil liability arising from actions resulted in increasing of the athletes and practitioners and trustees claims the court has civil liability.

Materials and Methods

The research's method applied in this paper - the idea, as well as library and internet data collection, and analysis of the quality of the review of documents (books, internet, newspapers, etc.), as accepted.

The first debate**Civil liability**

Current topics in law and civil law enforcement has a liability and obligations outside of the contract and statute books entitled "Civil liability which it is mentioned before the arrival of the main issues. Enforcement and contract word liability and civic responsibility. The distinction between criminal responsibility, morality and convention, and some other issues in this regard, should be determined by examining the major issues. For understanding not to interfere. Civil liability, the word "responsible" person

who allegedly would ask the question, and the sense of responsibility in legal terms of their lexical meaning. It is taken away because of being in charge of or responsibility means that someone must be accountable for their actions and the responses of God. If the court Conscience is the case, we are faced with responsibility, moral responsibility. If the law performs a task we are facing a legal responsibility. Legal responsibility, in turn, can be divided responsibility for criminal and civil liability. Civil liability in its broader sense in two parts: liability and contract liability non-contractual (force) divided dealer (Alidurodyan, 1385, 56) "liability civil accountability" in the narrow sense and in particular that it only includes responsibilities non-contractual liability law and civil law enforcement have been mentioned in this thesis Examination of the issues of civil liability athletes, this proper sense of purpose and enforcement liability and obligations are outside of the contract because the contract is the issue responsibility. Athletes by the contract-based for liability and criminal responsibility in criminal law and moral responsibility in book for examines ethics and code of conduct for athletes. Civil liability. When will realize that the other person will answer. It is not reasonable that the person himself is legally responsible. The driver of in the case of an accident caused by recklessness or speed driving, and are led to their loss, civic responsibility does not materialize. Liability in cases such as the one in charge and the other lost that is, according to what was said can be defined such civil liability "is the commitment of the person's civil liability than compensate the loss incurred with the other. Whether the loss of function of the person or persons belonging to or caused by the operation of objects and Wall ve owned or occupied by him. (Specified 1,362th, 572)

First Speech - civic responsibility and moral responsibility

Word "responsibility" wherever used in color and has a moral resonance. Responsible, in most cases, to say that someone should slip and Punishment of sins that are committed to see. She thought the authors of scientific disciplines and are based on the entire responsibility on the basis of religious and moral rules are justified. "Rippers"¹ French professor, head of department, in his mind, most technical rights in their departments, namely the obligation, must lie the moral rules is a must. What we call human rights, the material and moral rules state enforcement². Ethics ruled that anyone has the right to harm others, and no harm shall remain without compensation. In other words, task non-deliver harm to others and the need to redress the harm done to the world outside of the scope of morality has taken a step forward. The moral

of this rule by entering the field of law, independent living of any individual, has taken unto itself, yet this relationship, especially when the loss of civil liability based on fault input is well evident b.

Despite such close coordination between civil and moral responsibility, in the current system and the differences between them, there are many advantages, which we refer to some of them.

1 - Ethical takes place when a person accepts the court's conscience before God Almighty and be held accountable, but to the contrary, civil liability occurs when a person accepts the creation of venture seeks to answer.

2 - Realm is a moral responsibility not only includes words and deeds, but also encompasses his opinion, it is obscene to think badly about others, while civil liability if someone noticed that he thought emerged demonstrate reached an act or omission is centered.

3 - words or deeds are reprehensible and blame for any kind of action and any deed, blame someone, it forms the basis for moral responsibility and moral blame to someone who does not act in good faith, They Prophet of God commanded PBUH & HP: "Allaemallo Balnyat", but today any civil liability based on fault and not reprehensible deeds, and even there it is the fault of the moral responsibility of the guilt of her own (according to a recent comment) excerpts away and shun Took some sort of action.

Civil liability and criminal liability

Distinct from civil liability and criminal responsibility varies from multiple directions, which we will cite some of them

1 - civil liability, which takes place when a person (whether natural or legal) harm caused, but criminal liability when the loss occurs on the society becomes, due mainly to the support of the civil liability make focus on any individual makes, while criminal responsibility of defending the community in the first place is pursuing and supporting civil liability or compensation to the aggrieved person centered, But it will expose and punish the perpetrators of criminal responsibility community defense will take the back in his time as punishment for his actions for security and peace. Order of society is disrupted or threatened to be thrown, and it was a memorial for others and prevent them from committing such act in the future.

2 - Because the criminal responsibility of the perpetrator will be punished with heavy, hard, and inexpensive, because that may have been criminal cases recapture life and liberty (such as jail sentence and banned from political activities or leave the country. ..) or damage to his dignity, lawmaker prohibited commands their offense is punishable as a capable and accurate, They judge mat requirethe

counts as in Article 36 BC. These states that: "warrant the punishment implemented only by a competent court accordance to law."

In Section 2 BC. M. A. S. new

"Any act or omission be punished under the law or it is necessary for securing and training. Any crime cannot be considered a crime, unless the law providing for punishment or training to determine" he said.

In Section 2 BC. M. A. C. Act 1392 stipulates that:

Contractual and non-contractual liability responsibility

1 - Responsibility contractual obligation as a result of failure to execute the contract is due to come on, who does not fulfill its promise. Other contract thereby causing harm, it must give up the damage. The Warranty becomes delinquent in this regard, because of the roots of the principal obligation. Contractual liability is called, and in other words, the obligation is the responsibility contract in violation of the provisions of private contracts for multiple entities are created. The previously discussed The "Bill 3" while inspecting the material, "221, 222 and 226," the following passage.

Non-contractual liability or, in other words, out of contract, in places that are not allied with any two people. I have one of those, either intentionally or otherwise fail to damage them. For example: the command that has been cautious in their behavior and speech by, do not slander, not kill people and the people do not enter a tax loss. If someone does not perform the duties which the law has provided for everyone is a result of the infringement. The damages caused to the other, it must BE compensated.

The roots of the alliance between his responsibility and not damaged, but for all that is sue there are a violation of legal duties. (Taheri, 1386, 92)

2 - The unit has two responsibilities of the system and numerous scientists have disputed. Some people deny the number of non-contractual liability. Have contractual say these responsibilities do not differ in nature, since the fault basis of these two Responsibility are nothing but abuse is not a pre-existing obligation, whether the obligation is already an agreement made or to be made law.

But most scholars of law, respect the plurality and rejected the idea that both are responsible, first, in many cases the basis of fault liability is not to say that there is a basis in both cases. Secondly the contractor's responsibility and the commitment that will be available depending on your offense, but as a result of breach of contract and violation of a duty of responsibility from the public. However, it is a definite difference. Now the question is how we can

measure the responsibility of the guaranty contract enforcement and recognition of out-of-contract?

Nature of contract players

Athletes in this issue is the responsibility contract that the contract is a contractual nature, what kind? In Books capital and retrospectively Ayatollah Bahjat (rah) has stated that no significant difference in accuracy and legitimacy retrospectively and capital otherwise not., in a sense, its nature, traditional marriage have introduced retrospectively and capital, as Motahari (rah) in jurisprudence from retrospectively and capital chapter Anfal verse 60 as noble.

Norm cause

Cause discussion accordance with the usual jurisprudential period immediately following the loss arises because, in fact, cause kind of waste is the waste of this interpretation. The person directly (To proceed wasting taxes, but cause act) However, removing the offending cause of mine. For example, if personal property, movable or immovable, or any other reason steward ship fire to kill an animal belonging to another is wasteful. But if you dig a hole all the way down to the falls and dies and animal belonging to another, is cause. (Mohaghegh, D, 1386, 111) about the "cause" has been said, there is no longer anything that may not exist, but they no longer come lack thereof, "cause" is the "because of" this way a relationship. There is one thing that there are both a way no one else and no longer need to run the "one" total period because of the other voices. Despite the similarity of the cause or causes, there are two different things. [3](#)

First - deliberately and consciously involved cause

Noting of evidence rule is clear in the hadith narrations absolute including the non-committed with the intent to harm, or attempt to operate without a specific intent to act due to the objection harm the other in Both are guarantors. It should be noted, though not deliberately intend to harm is not necessary, but it certainly is necessary to establish the cause of action for damages of attribution, citing

Athletes of civil liability

From what has been said so far, it was concluded that the principle of civil liability arising from imprudence persons, and to compensate for losses caused by illegal or a threat to others are also. But to fulfill the responsibility, at all three ingredients are necessary

1. Despite losses, 2 - committed harmful act; 3 - causation relationship between individual actions and the harm that has been entered.

Loss

The conventional meaning of loss or damage that we all know. Wherever you may be a defect in the property or benefit is lost or the health and dignity of Muslims is personal harm arrived. They say the time has come to harm, as previously mentioned, that the actions hurt the athletes during competition and practice to occurs Johnny and somehow both physical and financial damage from both the perspective view of the physical damage to property as a result of the lack of financial compensation alone. In some the other hand is not uncommon. Harm the party decists it the financial loss is caused (whether the same or benefit or right) or loss of interest in the outcome. Before, the doubts which had a loss of interest among their losses. But in today's literature, uselessness compensation is also considered. Including Articles 9 and 12 BC. A. D. K. implicitly uselessness refers to the period of neutrality with regard to Article 5 BC. M. M. uselessness is very demanding and receivable death benefit will be equal uselessness possible to obtain interests.

4. Discussions

There are some basics about of sports rights on the charge of being implicated in the athletes, and there are also a number of other principles law emphasis on the non-athletes. The first group of approaches in civil law based on Islamic law, such as the dissipation cause and waste general relationship are existed. The conduct of civil liability law, human rights law to keep pace with the world's Iran's fault, and risk theory and the theory be mixed were analyzed. However, the basic idea seems to be due to non-current liabilities athletes today basis is appropriate. Basically, every person is responsible for their actions. Indeed, liability arising out of non-exceptional acts, but legislation on compensation for losses suffered, the responsibility for the other is forced to make. waste basic concept of responsibility arising from non-action is, that wherever the right of someone in authority to take care of personal or other activities to direct the control; responsible for damages which caused by the act under the control of the person under care, even if it is not mentioned in the Act, as applicable. So the rule is, that no liability of any other error criteria can be imposed to someone else, but the purpose of the rule is that it must be under the rules and regulation. Obviously, someone else would have the authority to protect and care or have the right to control any kind of activity, should impose liability under the control actions., In some cases, legislators, and the ability to think a particular sport, , so the coach and the athletic director will assume responsibility for the loss of sight, as in the

case of child support, or maintenance obligation and child care is insane, and the period in the first paragraph of Article 7 of "who kept by law or by contract to take care of a minor or insane or is he "had been appointed to the detriment of non-responsibility in the event log, the type of exercise and the aim of the legislator can be attached to the responsibility of non-verb.

Corresponding Author:

Peiman latifi

Department of law, University of Tabriz, Iran

Email: peyman.latifi@yahoo.com**References**

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