

Weyward Competition

Compliance Playbook: Navigating Competition Risk in Sport

Raise your game, reduce your risk

In today's high-stakes sports industries, the boundaries of fair play extend far beyond the pitch. From data sharing and sponsorships, to fee arrangements and ownership structures, the grip of competition law is tightening and the cost of getting it wrong is rising.

This Compliance Playbook is your strategic guide to navigating antitrust risks across the sporting ecosystem, including:

- Clubs and governing bodies
- Player agents and agencies
- Broadcasters and media rights holders
- Commercial partners and sponsors

Designed for decision-makers, legal teams and commercial leads, this Playbook translates legal complexity into practical action, helping you to remain compliant and competitive.

The Performance Paradox

In elite sport, performance depends on collaboration, but the structures that sustain the sport can create competition law risk exposure. To protect the integrity of the sport, you must also protect the integrity of the market.

The Playbook considers some of the key risk areas:

Fee arrangements

Governing bodies

Player markets

Minority Shareholdings

Fee Arrangements

In many sports, agent commissions and third-party fees are routine. However, the way that fees are structured can raise serious competition law concerns.

“Price coordination, even when tacit, undermines the competitive process” European Commission

Risks arise when:

- Commission levels are standardised across the market
- Fees are fixed or discussed amongst competitors
- Access to representation is limited by agreement

These practices may be viewed as horizontal price-fixing or market sharing agreements.

Instead:

- Allow for flexibility and competitive negotiation in fee structures
- Avoid sharing information about fees, discounts, client terms or markets in which you are active with competitors

Governing Bodies

Sporting regulators often act as both rule-maker and market participant. They organise competitions, regulate entry and participation, and control commercial assets like media rights and sponsorship.

Case law has made one thing clear:

“Where a sporting association lays down rules that determine who may participate in competitions and under what conditions, while also organising those competitions itself, it must ensure that the rules are transparent, objective, non-discriminatory and proportionate.”

CJEU - European Superleague

Governance best practice:

- Separate regulatory and commercial functions, or ring-fence decision making between commercial and regulatory arms
- Publish clear, proportionate and fair rules on participation, centrally distributed funding and league access, and avoid barriers that are de facto discriminatory
- Where restrictions are imposed, ensure that they serve a genuine sporting need and are the least restrictive means for achieving that need
- Ensure consistency in governance and dispute resolutions

The message from the courts is simple: *Sport is special but not exempt. Governing bodies must lead with integrity, not isolation.*

Player Markets

Player mobility drives performance, compliance protects it.

Player mobility, wage dynamics and fee structures are under regulatory scrutiny worldwide. Informal discussions, sharing of information or agreements can be hard-core infringements.

“The labour market is a key input market. Restricting mobility, even informally, restricts competition.” UK Competition and Markets Authority.

Salary caps are not automatically legal. They must be proportionate, objectively justified and not eliminate competition.

Discussions between clubs about wages, or player agencies about fees charged for services are very high risk, even where no formal agreement has been reached.

Compliance training is not optional, it is expected.

Minority Shareholdings

In elite sport, private equity and cross-league investment are reshaping the game.

Recent case law has made clear, that cross-ownership can bring significant antitrust risk.

Structural links matter and even passive investments require active safeguards.

Even a non-controlling minority shareholding can reduce competitive pressure if it creates structural links or enables strategic influence.

Enforcement trends

Recent high profile investigations show that enforcement risk is increasing. Fines and reputational damage are likely to grow.

Reputation, revenue and regulation are the new competitive triangle: *antitrust compliance is now a strategic imperative.*

Compliance is strategic power

In elite sport, compliance isn't control, its competitive advantage.

With the right guidance and expert design, compliance becomes an asset, not an afterthought.

Request a bespoke compliance audit, carefully crafted training or expert-designed white label research to protect brand value, navigate risk and elevate your competitive edge.

Weyward Competition