

Sport Act

Passed 6 April 2005

(RT¹ I 2005, 22, 148),

entered into force 1 January 2006.

Chapter 1

General Provisions

§ 1. Scope of application of Act

(1) This Act provides for the general organisational and legal bases of the organisation of sport, the rights and obligations of sportsmen, sportswomen and coaches, the bases for application for and grant of state support for winners of the Olympic Games, the bases for the financing of sport, the requirements for the organisation of sports events and liability for violation of the requirements.

(2) The provisions of the Administrative Procedure Act (RT I 2001, 58, 354; 2002, 53, 336; 61, 375; 2003, 20, 117; 78, 527) apply to administrative proceedings prescribed in this Act, taking account of the specifications provided for in this Act.

§ 2. Duty to organise and promote sport

Sport is organised and promoted by the state, local governments and sports organisations for the purposes of the physical and mental shape and sporty lifestyle of the whole nation and the self-realisation of the youth in sport.

§ 3. Organisation of sport in rural municipalities and cities

Rural municipalities and cities are required to:

- 1) determine the area necessary for sport within their administrative territories;
- 2) support the work of sports organisations located within their administrative territories;
- 3) ensure conditions for conducting physical education lessons in municipal schools and promote practising sport in schools, sports schools and youth camps;
- 4) designate public servants engaged in the organisation of sport within their administrative territories or assign these functions to other public servants of the rural municipalities or cities;
- 5) inform county governments and the Ministry of Culture of an intention to change the purpose of a sport facility.

§ 4. Sports organisations

For the purposes of this Act, the following are sports organisations:

- 1) sports club – a legal person in private law the main activity of which is the development of sport;
- 2) county sports union – an association of sports clubs operating in a county which, as a member of the national Olympic Committee, represents sport in the county and has the exclusive right to organise county championships and grant the corresponding titles;
- 3) sports federation – a national association of sports clubs practising a sport, which, as a member of the international sports federation of the sport and a member of the national Olympic Committee, represents the sport and has the exclusive right to organise national championships and grant the corresponding titles;
- 4) sports association – an association of sports clubs operating or natural persons acting in a specified field of sport (amateur sport, recreational sport, schools sport, student sport, sport for disabled people, company sport, veteran sport etc) or on the regional principle;
- 5) national Olympic Committee – an organisation which unites county sports unions, sports federations, sports associations and, under the conditions provided for in the Olympic Charter, natural persons and organises common activities and develops and protects the sports and Olympic movement in Estonia.

§ 5. Sports school

A sports school is an institution operating on the basis of the Hobby Schools Act (RT I 1995, 58, 1004; 1996, 49, 953; 1998, 57, 859; 2002, 53, 336; 61, 375; 90, 521; 2004, 41, 276) or the Private Schools Act (RT I 1998, 57, 859; 1999, 24, 358; 51, 550; 2000, 40, 255; 95, 611; 2001, 75, 454; 2002, 53, 336; 61, 375; 90, 521; 2003, 20, 116; 2004, 30, 206; 41, 276; 56, 404; 75, 524).

§ 6. Requirements for coaches

- (1) A coach is required to:
 - 1) ensure compliance with the general principles of sports training and safety;
 - 2) monitor the correspondence of the training load to the state of health of the trainee.
- (2) A coach is a sports specialist who instructs sportsmen and sportswomen and other persons participating in sport and who has the professional qualifications of coach within the meaning of the Professions Act (RT I 2001, 3, 7; 2002, 61, 375; 2003, 13, 68; 83, 559).

§ 7. Sports assignments

A sports organisation has the right to send sportsmen and sportswomen who are its members or members of the sports organisation which is its member, and coaches, judges, sports doctors and other persons connected with the organisation of sport outside of the location of the permanent place of employment of the person who is sent to the sports assignment, including foreign states, to achieve the objectives specified in the articles of association of the sports organisation and has the right to pay the compensation for travel and accommodation costs and daily allowances related to the assignment to them.

§ 8. Participation in international championships

Estonian citizens and minors under 18 years of age residing in Estonia who are not the citizens of another state have the right to participate in international championships in the membership of the Estonian national league or individually.

§ 9. Bases for financing sport from state budget

(1) Support shall be paid only to sports organisations which have a development plan and which have submitted an official statistics report which complies with the requirements on time to the agency conducting official statistical surveys.

(2) The development plan of a sports organisation shall prescribe the mission and objectives of the sports organisation and the activities and means planned to fulfil the mission and achieve the objectives. The development plan shall be prepared for at least four years.

(3) The procedure for the distribution of funds allocated from the state budget to support sport shall be established by a regulation of the Minister of Culture.

§ 10. State sports scholarships, grants and awards

(1) The Government of the Republic shall grant state sports scholarships, grants and awards for outstanding sporting achievements and to stimulate top results in sports.

(2) The conditions of and procedure for the grant of state sports scholarships, grants and awards shall be established by a regulation of the Government of the Republic.

§ 11. Compliance with anti-doping rules

(1) Sportsmen, sportswomen and coaches are required to know and comply with anti-doping rules which are provided for in the World Anti-doping Code and which are adopted pursuant to the Code.

(2) A sportsman or a sportswoman concerning whom the use of doping has been established or who has refused to take a doping test shall, therefore, lose the right to receive state sports scholarships, grants and awards granted to him or her by the sports federation or the international sports federation for the period of suspension.

Chapter 2

State Support for Winner of Olympic Games

§ 12. Persons having right to receive support for winner of Olympic Games

(1) Support for winner of the Olympic Games (hereinafter support) shall be granted and paid under the conditions provided for in this Act to persons who are citizens of Estonia and have won the Olympic Games in Olympic sports provided for in the Olympic Charter or in sports included in the Para-Olympic Sports Programme, representing the Republic of Estonia.

(2) A person who has won the Olympic Games may apply for support:

1) on the basis of age – ten years before attaining the pensionable age provided for in § 7 of the State Pension Insurance Act (RT I 2001, 100, 648; 2002, 53, 336 and 338; 61, 375; 2003, 20, 116; 48, 343; 82, 549; 88, 589; 2004, 16, 120; 89, 604 and 608) or

2) on the basis of permanent incapacity for work – as of establishment of the permanent incapacity for work pursuant to the procedure provided for in the State Pension Insurance Act, if the percentage of loss of capacity for work is at least 40.

(3) A person who has won the Para-Olympic Games may apply for support ten years before attaining the pensionable age provided for in § 7 of the State Pension Insurance Act.

§ 13. Financing of support and rates of support

(1) Payment of support shall be financed from the state budget.

(2) The basis for calculation of support shall be the support rate (separate for winners of the Olympic Games and winners of the Para-Olympic Games) established by the state budget for each budgetary year. The new rates of support shall not be lower than the valid rates.

§ 14. Application for support

- (1) An application for support shall be submitted to the local pension office of the applicant.
- (2) In order to apply for support, the following documents shall be submitted:
 - 1) an application;
 - 2) a document provided for in subsection 2 (2) of the Identity Documents Act (RT I 1999, 25, 365; 2000, 25, 148; 26, 150; 40, 254; 86, 550; 2001, 16, 68; 31, 173; 56, 338; 2002, 61, 375; 63, 387; 90, 516; 2003, 13, 65; 15, 87; 78, 527; 2004, 2, 4; 28, 189);
 - 3) a notice of the national Olympic Committee or Para-Olympic Committee which certifies compliance with the conditions provided for in subsection 12 (1) of this Act;
 - 4) a document certifying permanent incapacity for work in the case provided for in clause 12 (2) 2) of this Act.
- (3) Documents submitted to the Pension Board shall be originals or officially certified copies thereof. The Pension Board shall certify the copies of original documents to be kept by the Pension Board and shall return the original documents.
- (4) The date on which a local pension office receives a support application together with all necessary documents is deemed to be the date of application for the support.
- (5) If an application for support is sent by post and all necessary documents are appended, the date on the date stamp of the place in which the application is posted is deemed to be the date of application for the support.

§ 15. Review of application

The Pension Board of residence of the applicant shall review the documents submitted for application for support at the earliest opportunity, but not later than within ten working days after the date of submission of the application.

§ 16. Calculation of amount of support

- (1) The amount of support paid on the basis of age shall equal to the rate of support provided for in § 13 of this Act.
- (2) The amount of support paid on the basis of permanent incapacity for work shall be a percentage of the rate of support corresponding to the loss of the person's capacity for work provided for in § 13 of this Act.
- (3) The amount of support shall be calculated on the basis of the support rate in force on the date of grant of the support. Upon amendment of the support rate, the support shall be recalculated as of the date of establishment of a new support rate.

§ 17. Term for grant of support

- (1) Support shall be granted from the date on which the right to receive the support provided for in this Act arises if the documents necessary for application for the support are submitted within six months from the date on which the right to receive the support arises.
- (2) Upon a later application for support, the support shall be granted as of the date of application.
- (3) Support paid on the basis of age shall be granted for an unspecified term.
- (4) Support paid on the basis of permanent incapacity for work shall be granted for the period of permanent incapacity for work.
- (5) Support on the basis of age shall be granted to a person to whom support is paid on the basis of permanent incapacity for work until the age provided for in clause 12 (2) 1) of this Act without requesting a new application.

§ 18. Decision to grant permit

- (1) Grant of support shall be decided by the director of a local pension office or his or her deputy or by the head of a structural unit authorised by the director of the Pension Board.
- (2) Grant of or refusal to grant support shall be documented in a written decision which consists of:
 - 1) an introduction which sets out the name of the director or deputy director of the local pension office or the head of a structural unit authorised by the director of the pension office who makes the decision and the date on which the decision is made;
 - 2) a descriptive part which contains a summary of the application of the applicant for support;
 - 3) the reasons of the decision which indicate the documents and evidence, and circumstances and reference to the provisions of legislation on which the decision is based;
 - 4) the conclusion of the decision which includes an opinion on the satisfaction of or refusal to satisfy the application;
 - 5) information on the procedure and term for appeal against the decision;
 - 6) a notation concerning the manner of notification of the decision;
 - 7) the signatures of the official or officials who make the decision.

§ 19. Payment of support

- (1) Support shall be paid through the pension office of the residence of the recipient of the support into the bank account of the recipient of the support for each given month.
- (2) Support shall be transferred to a bank located in Estonia at the expense of the payer.
- (3) Support shall be transferred to a bank located in a foreign state at the expense of the recipient.

Chapter 3

Requirements for Organisation of Sports Events

§ 20. Application for permit for organisation of sports event

(1) The organiser of a sports event (hereinafter organiser) shall, at least one month before the date on which the sports event is organised, submit to the rural municipality or city government of the location where the sports event is organised a written application for the receipt of a permit for organisation of the sports event (hereinafter permit) which sets out:

- 1) the name of the sports event, the time and place of the sports event;
- 2) the name, residence or address, date of birth or registry code of the organiser;
- 3) the names of the participating clubs and leagues;
- 4) the presumed number of spectators and, separately, the number of persons who support each team;
- 5) information on the person responsible for the public order and security;
- 6) information concerning the security undertaking and circumstances provided for in clause 9 (2) 4) of the Security Act (RT I 2003, 68, 461) or the number of stewards provided by the organiser and a description of their duties;
- 7) information on organisation of the ticket sale;
- 8) information on the organisation of separation of persons supporting the participating teams from each other;
- 9) if the retail trade of alcohol beverages is planned at the pace of the competition, information on the organisation thereof;
- 10) information on organisation of parking of vehicles;
- 11) the assessment by the organiser of the sports event concerning the security risks which may arise during the competition.

(2) The following are the sports events for the organisation of which a permit specified in subsection (1) of this section must be applied for:

- 1) an A-league game or tournament of a football, ice-hockey and basketball;

- 2) a UEFA Cup game or tournament of a football club;
 - 3) a friendly sports meeting of a Masters League football, ice-hockey or basketball club with a club or league of a foreign state.
- (3) A rural municipality or city government shall forward an application for a permit specified in subsection (1) of this section immediately to the police prefecture or rescue service of the region for approval and, if necessary, also to other agencies which approve or refuse approval of the application for the permit within five working days after submission of the application for the permit for approval. The specified agencies may grant approval for the application for the permit conditionally in order to ensure security.
- (4) A rural municipality or city government may transfer the competence provided for in §§ 21, 22 and 24 to a rural municipality or city administrative agency.

§ 21. Grant of permit

A rural municipality or city government shall grant a permit within ten working days after submission of an application for the permit. The permit shall set out:

- 1) the name of the sports event;
- 2) the name, residence or address, date of birth or registry code, and telephone number of the organiser;
- 3) the location of the place of the competition;
- 4) the date and time of the beginning and end of the sports event;
- 5) the conditions set by the agencies which approved the application.

§ 22. Refusal to grant permit

A rural municipality or city government may refuse to grant a permit within ten working days after submission of an application for the permit and shall notify the organiser thereof in writing within three working days. The rural municipality or city government may refuse to grant the permit if:

- 1) the required information is not submitted in the application for the permit or other deficiencies exist and the deficiencies are not eliminated within a term;
- 2) the application for the permit is not submitted on time;
- 3) the organiser fails to comply with the conditions of approval of the agencies which approved the application for the permit, which must be complied with before the grant of the permit.

§ 23. Obligations of organiser

Upon planning, preparation and organisation of a sports event, an organiser is required to:

- 1) ensure the security of those participating in the sports event;
- 2) ensure strict monitoring of the ticket sale such that persons who support different competitors are separated from each other;
- 3) organise the parking of vehicles;
- 4) ensure the public order and maintenance of general order at the place of the competition;
- 5) comply with the conditions set by the agencies which approved the application.

§ 24. Application for permit to organise home games, grant of permit and refusal to grant permit

- (1) The organiser of home games shall submit a application for a permit which sets out information specified in subsection 20 (1) of this Act concerning all known home games at least one month before the beginning of the season to the rural municipality or city government of the location where the home games are organised.
- (2) In the case of a sports club belonging to the Masters League of football, ice-hockey or basketball, a home game is a game against another sports club in its own home field or local hall and, in the case of a national league, a game against the league of another state in the Republic of Estonia.
- (3) A permit specified in subsection (1) of this section shall be granted or grant thereof shall be refused under the conditions and pursuant to the procedure provided for in §§ 21 and 22 of this Act.

Chapter 4 Liability

§ 25. Violation of requirements for organisation of sports events

- (1) Organisation of sports events without permission or violation of the obligations of organiser is punishable by a fine of up to 200 fine units.
- (2) The same act, if committed by a legal person, is punishable by a fine of up to 30 000 kroons.

§ 26. Procedure

- (1) The provisions of the General Part of the Penal Code (RT I 2001, 61, 364; 2002, 86, 504; 82, 480; 105, 612; 2003, 4, 22; 83, 557; 90, 601; 2004, 7, 40; 46,

329; 54, 387; 56, 401; 88, 600) and of the Code of Misdemeanour Procedure (RT I 2002, 50, 313; 110, 654; 2003, 26, 156; 83, 557; 88, 590; 2004, 46, 329; 54, 387 and 390; 56, 403; RT III 2004, 9, 96) apply to the misdemeanours provided for in § 25 of this Act.

(2) Extra-judicial proceedings concerning the misdemeanours provided for in § 25 of this Act shall be conducted by police prefectures.

Chapter 5

Implementing Provisions

§ 27. Grant of supplementary support

(1) In addition to the persons complying with the conditions provided for in subsection 12 (1) of this Act, persons who are citizens of Estonia and have won the Olympic Games in Olympic sports provided for in the Olympic Charter before 1988, representing the Soviet Union, also have the right to receive support on the basis of age. The list of the specified persons shall be approved by a directive of the Minister of Culture on the proposal of the Estonian Olympic Committee. Support shall be applied for and paid pursuant to the procedure provided for in this Act.

(2) If permanent incapacity for work with the loss of 40 per cent of the capacity for work is established in the case of persons specified pursuant to subsection (1) of this section pursuant to the procedure provided for in the State Pension Insurance Act, these persons have the right to apply for support under the conditions and pursuant to the procedure provided for in this Act.

(3) The state support for winner of the Olympic Games shall be granted to a person regarding whom the right to receive the state support for winner of the Olympic Games arises on 1 January 2005 according to subsections (1) or (2) of this section retroactively as of 1 January 2005 if the person has submitted the application and the necessary documents not later than by 1 November 2005.

(4) The rate of support for winners of the Olympic Games in 2005 is 10 000 kroons per month.

§ 28. Amendment of Victim Support Act

The words “, including a contract provided for in subsection 13 (2) of the Sport Act (RT I 1998, 61, 982; 2002, 53, 336; 90, 521)” are omitted from clause 11 (3) 4) of the Victim Support Act (RT I 2004, 2, 3; 30, 208).

§ 29. Amendment of Health Insurance Act

The words “, including persons who receive remuneration on the basis of a contract provided for in subsection 13 (2) of the Sport Act (RT I 1998, 61, 982),” are omitted from clause 5 (2) 5) of the Health Insurance Act (RT I 2002, 62, 377; 2003, 20, 116; 88, 591; 2004, 37, 253; 49, 342; 56, 400; 75, 520; 89, 604 and 614).

§ 30. Amendment of Social Tax Act

The words “, including remuneration paid on the basis of contracts provided for in subsection 13 (2) of the Sport Act (RT I 1998, 61, 982),” are omitted from clause 2 (1) 6) of the Social Tax Act (RT I 2000, 102, 675; 2001, 50, 285; 59, 359; 79, 480; 91, 544; 95, 587; 2002, 44, 284; 62, 377; 111, 662; 2003, 82, 549; 88, 587 and 591; 2004, 37, 252; 84, 568; 89, 604; 2005, 9, 34).

§ 31. Amendments to the Income Tax Act

The Income Tax Act (RT I 1999, 101, 903; 2004, 59, 414; 81, correction notice; 84, 568; 89, 604) is amended as follows:

- 1) the words “, including amounts paid to a sportsman or sportswoman under contracts specified in subsection 13 (2) of the Sport Act (RT I 1998, 61, 982; 2002, 53, 336; 90, 521)” are omitted from subsection 13 (1¹);
- 2) the title of § 19 is amended and worded as follows:
„§ 19. Maintenance support, pensions, scholarships and grants, benefits, awards, lottery prizes, compensation”;
- 3) subsection 19 (2) is amended and worded as follows:
„(2) Income tax is charged on all pensions, benefits, scholarships and grants, cultural, sports and scientific awards, lottery prizes, benefits received on the basis of the Parental Benefit Act and compensation and daily allowances related to sports assignments.”;
- 4) clause 10) is added to subsection 3 (3) worded as follows:
„10) compensation for travel and accommodation costs and daily allowances related to sports assignments paid to persons specified in § 7 of the Sport Act (RT I 2005, 22, 148) under the conditions and within the limits established by the Government of the Republic.”;
- 5) the words “, including payments made under a contract provided for in subsection 13 (2) of the Sport Act” are omitted from clause 41 3).

§ 32. Repeal of Sport Act

The Sport Act (RT I 1998, 61, 982; 2002, 53, 336; 90, 521) is repealed.

§ 33. Entry into force of Act

- (1) This Act enters into force on 1 January 2006.
- (2) Sections 12-19 and 27 enter into force pursuant to the general procedure.
- (3) Subsection 6 (2) of this Act enters into force on 1 September 2006.

¹ RT = *Riigi Teataja* = *State Gazette*