

# Legal Challenges Facing New Zealand's Burgeoning Sporting Industry in the 21st Century

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## Abstract

Sports bodies in New Zealand have been forced to accept that they have a place at New Zealand's board table, where sport, industry and governance are intricately connected. This paper describes the metamorphosis of New Zealand's sporting industry; and New Zealand's acceptance of the law's growing importance in sport. Autonomy and regulation must go hand in hand.

## I. Introduction

Sport is a fundamental part of a nation's culture and identity. It embraces both nationalism and national identity. In the past 15 years New Zealand, often dubbed the 'great little sporting nation', has turned its sporting 'number 8 wire' mentality into big business. This metamorphosis has not occurred smoothly and, as is the case with any major culture change, legal challenges have mushroomed.

New Zealand's sporting industry has earned itself a place in the nation's economy and legislation. The All Blacks are now a corporate brand, associated with strategic media partnerships and a global sportswear company. Faced with the loss of hosting the Rugby World Cup in 2003, New Zealand's response was a hard-hitting Major Events Management Act 2007 that outstrips other nations' attempts to quell ambush marketing. Approval from the Commerce Commission to introduce anti-competitive salary caps is a first for Australasia. Copyright and trademark infringements are being decided at the highest judicial level, and much of New Zealand's cricket budget is attributed to the selling of broadcasting rights to India. As professionalism escalates, employers face

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