60 - ETHICS AND PRACTICE IN TEACHER EDUCATION. LEGAL DIGEST OF SPORT IN ARGENTINA

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1. INTRODUCTION

Pursue teacher training on aspects related to ethics and professional practice, requires knowledge of those values which are in force in the legal framework regulating the activity. In the case of Argentina, for some time there has been translating various regulations that have shaped the sport and his practice.

This field of sports-related laws, has increasingly become a necessary item to include in training teacher, given the significance of its impact on the daily lives of professionals. Hence, the aim of this work is the presentation of relevant standards in the field ofsports.The methodology used was the literature survey, document analysis and consultation with current standards.

2. LAWS RELATED TO SPORT IN ARGENTINA'S

Called Sports Act No. 20.65 was passed in 1974 and has been amended. This is a law that can be divided to his study into three parts:

a) The first states according to principles and values rooted, the importance of sport in the lives of citizens in order to achieve a full life; the decision to develop this idea of citizenship, meaning that everyone has access to participate in any sport either recreationally or providing professional competence or "high performance."

Thus, the aforementioned law provides the foundation or basis for the creation of specific disciplines such as Physical Education or Sports Medicine (branch of conventional medicine). Specifically states: "promote specialized teacher training in physical education and sport technicians and ensure that both teaching and practice thereof are oriented and conducted by professionals in the field" (Art. 3 inc. B)

b) The second part is concerned with the organization and resources to fulfill its aims; 1) Creation of the Secretary of Sports, depending on the Ministry of Social Welfare, 2) Divide regions because of our country and create A National Council of Sports. 3) You create a National Sports Fund (Art.12 º).

C) The third and last part deals with sanctions in sport, in describing the typical behavior (understanding this concept, as the object of punishment or sanction) bribery, the incentive and doping.

The rule punishes whom, "by itself or by third or delivers a gift, or promise remunerative to provide or ensure the outcome of a sporting irregular or abnormal performance of a participant in the same ... "(Art.24º). In this normative two behaviors are provided, one is bribery and other inducement.

Bribery is defined as the behavior of a participant in a sports competition that by act or omission hurts his own team.

Inducement is defined as the conduct of a competition participant receives a gift towards improving their performance in favor of a result.

Meanwhile, the doping is defined as the use of prohibited substances or methods, whatever the route of administration by athletes before, during or after the competition (Art.25 º). It is also a case of doping to the administration of prohibited substances or methods to an animal involved in a sports competition.

It should be noted that the standard not only punishes the person performing acts defined above, which are affected the principles of "Fair Play", but also punishes who provides an economic benefit to the athlete, as the legal benefit is the game itself (it punishes any attitude or behavior that seeks to "ensure an outcome"). In Indeed, from the objective point of view of the rule is to punish whoever seeks (regardless of their motivations) alter and / or secure an outcome as this is a benefit or advantage.

In 1997, it adopted Act antidoping Nº 24.819 amending some articles of the Law on Sport.The same protects loyalty and fair play, taking into account the preservation of health. It is understood that rule because of the technological breakthrough in prohibited substances and doping linked to the need for states to resolve. It also creates the National Anti-Doping Commission, under the Executive Branch, describing the organization of the Commission, its functions and sanctions to the person committing doping and / or recurs (according to the rules suggested by the International).

Is important highlight that repealing Section 24 of Law 20.655 (which is the incentive and bribery offenses), but those containing connection with doping, and deepening specifying prohibited drugs and masking (anabolic agents, hormones, agents, antiestrogen, diuretics, increased oxygen use, stimulants, narcotics, steroids, alcohol). This standard has to do with the legal principle that conduct that is not prohibited is permitted, therefore, listed exhaustively for this purpose. Law Masters of Sport No.23.891, of 1990, is related to a recognition athletes who have achieved "Olympic titles," whom they are paid through a monthly pension benefit or annuity, which acquired from 50 years. This rule was amended in 2004 by Law 25.962, the modification is to the actual receipt of the pension, pension income regardless of the athlete has had in his life for other activities in the former standard was conditional.

In 2000, it adopted Law Nº 25.284 Sport Organizations (Special Regime Sports Administration by economic difficulties. Administration Trust with Judicial Control). Civil Associations comprising first degree with legal, regardless of the name they take, whose purpose is the development of sport in all its forms Aims to regain normal functioning of the institution on

the grounds that the performance generated by of its directors or by economic and social crises are bankrupt or broken. To do this, you create a management body "management trust" with judicial - by an attorney, an accountant and a manager -.

In 2006 promulgating the Neighborhood Sports Program - Law Nº 26.069 -. Its purpose is to promote sports through the "neighborhood clubs", stipulating the creation of a register of them. Requirements posed by the norm is that they must be constituted as a civil (human groups together with the common purpose of realize an idea or objective of general good), social order linked to the development of sports, having to prove insufficient resources to maintain regular sports activities included in the program.

Passed in 1995, Law 23.184 and then amended by Laws 24.192 and 26.358, contains rules of nature and Criminal Offences Prevention and Suppression of Violence at Sports Events.

Firstly, fixed circumscribing the scope on the occasion of a sports public assembly or its vicinity, before during or after it (Clause 1). Then determine penalties, which are aggravating respect of offenses under the Criminal Code.

Attributed also responsibilities, involving leaders and dependents linked to crime to be committed and make the figure of "hooligans" who is punished for the formation of groups for committing offenses (Art. 5 °).

Finally, in 2009, was Law Nº 25.673 sanctioned, which created the National Board of High Performance Sports-ENARD-as a legal entity. Its aim is to manage and coordinate specific financial support for the implementation and development of high performance policies. The Ministry of Sport Ministry of Social Development of Argentina and the Argentine Olympic Committee are founding members of the entity (Art. 5 º).

ENARD has the legal capacity to manage the resources allocated to the allocation of scholarships to athletes engaged activities and sports competitions; afford the expenses for participation in international sporting events stated in the official calendar of the relevant International Federation; solve the coaches and technical fees affected the sports performance, hire specialists in sports sciences and acquire the elements necessary for the training of athletes (Art. 2 º).

Moreover, according to the standard, the ENARD should provide financial support for the organization of national and international competitions to be held within the territory of the Republic of Argentina; ensure medical coverage care of athletes, coaches and solve technical and maintenance costs of the doping control laboratory (under the Ministry of Sports of the Nation). It also has the responsibility to devise ways conducive to supporting Argentine Paralympians.

3. CONCLUSIONS

Regulations emanating linked to sport a set of rights and obligations indict responsible professional practice, being a key element in the formation. Therefore you should have a place in any educational program as a liaison to promote values based on the dignity and rights of the people.

Starting analyzed standards, which can be synthesized in Argentina, they realize a set of factors that regulate the professional and moral activity of sport, namely:

1) Sport as an indispensable factor for the health and welfare of society.

2) The problem of doping in sport.

3) Recognition of the greatest exponents of the sport.

4) Forecasts sanitation sport-related institutions.

5) Development in a sport such as primary link called "neighborhood clubs."

6) Rejection of violence in sport.

7) Creating a National Entity of High Performance Sports, with In order to implement policies and develop high performance sports.

Teacher training in physical education has a responsibility to develop their work based on a set of ethical aspects and qualities will you be able to provide the legitimacy of the educational process and the compliance with the criteria that guide the training.

Standards ultimately expose the use of sport as an educational factor adjunctive to the integral formation of persons as a fundamental resource for recreation and genuine, recreation and improving population health.

In this scenario, the knowledge of the laws that exist in our society and regulating the sport, is essential for the formation of future professionals of Physical Education, being that they are a must compliance by all citizens that make up a national and regional community, as the case of MERCOSUR.

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ETHICS AND PRACTICE IN TEACHER EDUCATION. LEGAL DIGEST OF SPORT IN ARGENTINA

ABSTRACT

This paper derives from a study conducted in the framework of the Ethics and Professional Ethics Course, career in Physical Education Teacher of the National University of La Matanza - Argentina. The goal is to make a presentation of the laws of Argentina related to sport, for the purposes of analyzing the rights, obligations and sanctions contemplated therein, summarizing its central aspects. The reader may have a regulatory compendium of what legally developed in Argentina in the field of Physical Education.

KEYWORDS: sport - rights -obligations

ETICA Y EJERCICIO PROFESIONAL EN LA FORMACIÓN DEL PROFESORADO. COMPENDIO NORMATIVO DEL DEPORTE EN LA REPÚBLICA ARGENTINA

RESUMEN

El presente artículo es fruto de un estudio realizado en el marco de la Asignatura Ética y Deontología Profesional, de la carrera del Profesorado en Educación Física de la Universidad Nacional de La Matanza – Argentina-. El objetivo es realizar una presentación de las leyes de la República Argentina vinculadas al deporte, a los fines de analizar los derechos, obligaciones y sanciones que en ellas se contemplan, sintetizando sus aspectos centrales. El lector podrá contar con un compendio normativo de lo desarrollado jurídicamente en la República Argentina en el campo de la Educación Física.

PALABRAS CLAVES: deporte – derechos - obligaciones

ÉTICA E PRÁTICA PROFISSIONAL NA FORMAÇÃO DE PROFESSORES. COMPÊNDIO DE NORMAS DO ESPORTE NA REPÚBLICA ARGENTINA

RESUMO

O presente artigo é um resultado de uma pesquisa feita no âmbito da disciplina Ética e Deontologia Profissional, da Escola de Professorado em Educação Física da Universidad Nacional de La Matanza – Argentina-. U objetivo e fazer uma apresentação das leis da República Argentina que tem um vínculo com o deporte, com o fim de fazer um analise dos direitos, as obrigações y as reprimendas que contemplasse nelas, resumindo seus aspectos centrais. O leitor pode ter assim, um compendio normativo dos desenvolvimentos na área da Educação física na República Argentina.

PALAVRAS CHAVE: Esporte – direitos – obrigações