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WHAT IS THE COURT OF ARBITRATION FOR SPORT "COOKING"? ITS JURISDICTION ON "CHEFS/NUTRITIONISTS" AND PROFESSIONALS OTHER THAN PLAYERS AND COACHES

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ABSTRACT: *CAS has recently decided that it has jurisdiction in a dispute between a Chinese club and an Italian chef/nutritionist employed as a staff member of the new coach. The Author analyses the award and the subtle and convincing reasoning of the Sole Arbitrator. The latter examined the relevant agreement between the parties, their will and intentions. In doing so, he was able to establish solid criteria to define the sporting nature of the employment relationship of the chief/nutritionist and, thus, the CAS jurisdiction. This award will surely serve as a precedent in future similar cases involving professionals other than players and coaches.*

Il CAS ha recentemente deciso di avere la competenza giurisdizionale in una controversia tra un club cinese e uno chef/nutrizionista italiano impiegato come membro dello staff del nuovo allenatore. L'Autore analizza il lodo ed il sottile e persuasivo ragionamento dell'Arbitro Unico che ha esaminato il relativo accordo tra le parti, la loro volontà e intenzioni. Così facendo, ha potuto stabilire solidi criteri per definire la natura sportiva del rapporto di lavoro del capo/nutrizionista e, quindi, la giurisdizione del CAS. Questo lodo sicuramente servirà da precedente in futuri casi simili che coinvolgono professionisti diversi da calciatori e allenatori.

Keywords: *CAS – Jurisdiction – Chefs/nutritionists – Sporting nature*.

CAS – Giurisdizione – Cuochi/nutrizionisti – Natura sportiva.

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[*] Member of the Dispute Resolution Chamber of the FIFA Tribunal. The opinions expressed in this article belong to the Author and do not represent the position of FIFA.

SUMMARY: 1. Introduction – 2. The employment dispute between a football club and a chef/nutritionist – 3. General requirements for CAS jurisdiction – 3.1 The Sporting nature of the dispute – 3.2 The Arbitration Agreement designating CAS – 4. Conclusions