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## The ITF, ATP and WTA and the Governance of Global Tennis

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### 1 Introduction

The aim of this chapter is to introduce the structure and function of governance in global tennis and to contribute to the wider debate concerning sport-related governance, considering legal, organizational and functional dimensions. Although sport governance has been one of the most researched contemporary topics, the governance landscape in tennis deserves additional attention. The professional nature of tennis has transformed the relationship among its various stakeholders, both externally and internally. Despite the existence of relatively robust governing bodies, players constitute the vehicle of professional tennis, and are more often than not far more important than the states they represent. Professional tennis remains an ambiguous activity straddling not-for-profit entities and the highly commercial and lucrative nature of the sport and related actors.<sup>1</sup> The particular challenge lies in the distribution of power and potential jurisdictional overlap, especially in times of specific external disarray, such as pandemics or war in Europe.<sup>2</sup> Consequently, concern has been raised about the players' representation in decision-making processes and the emergence of unionization, revenue distribution and potential merger of professional bodies in tennis. That said, this chapter represents an overview of the development of professional

<sup>1</sup> See Ilias Bantekas, "Is Legitimate Gambling a Threat to the Integrity of Transnational Individual Sport Competitions?" (2024) 25 San Diego Int LJ 23 (demonstrating how the International Tennis Federation has entered into lucrative deals with live data streaming/gambling companies, which has increased manifold the likelihood of match-fixing in the sport).

<sup>2</sup> A key field of contention is the sanction-related power of sports governing bodies and given that in professional tennis there are three potent entities, such power becomes a significant tool of power. See Ilias Bantekas, "Sports Sanctions against Russia through the Court of Arbitration for Sport" (2023) 42 Cardozo Arts & Ent LJ 101.

tennis, particularly highlighting institutional interrelationships framed and directed within a largely corporate and business environment. Further, it focuses on several structural aspects of tennis governing bodies and assesses their organizational and operational relationship through coordinative, collaborative and competitive frameworks.

The contemporary tennis governance is comprised of rather complex institutional interrelationships at the macro-level, as these are shaped by largely corporate and business-style contexts. That said, the focus of this chapter is on the structural aspects of tennis governing bodies and their organizational and operational interdependence. Despite the absence of a singular authority on top, professional tennis governance is structured in the form of a vertical semi-pyramidal organizational ladder. The systematic approach represents a main feature in understanding the complexity between communication, collaboration and competition among the key governing bodies, players, the private sector and other stakeholders.<sup>3</sup> Professional tennis falls within the category of so-called “closed governance structures” with coordinated effort among a variety of entities shaped by on-court competition and commercial activities, all of which are intertwined. To understand the governance of professional tennis, it is important to look at the institutional relationship among key stakeholders. On the one hand, the International Tennis Federation (ITF), the Association of Tennis Professionals (ATP) and Women’s Tennis Association (WTA) operate as the sport’s dominant stakeholders. The institutional interrelation among these actors is both complex and stable at the same time. On the other hand, the role of athletes, coaches and competition organizations changes over time. In contemporary dynamics, the governance structure of tennis is reshaped primarily toward a species of corporate governance, further infused with bilateral and multilateral arrangements, with the participation of a number of other stakeholders ranging from nation states, companies, media and others. Furthermore, the governance complexity is multiplied by National Sports Federations (NSFs) operating within national geographic boundaries and citizenship/nationality links. Therefore, the interrelation between these actors within the global tennis ecosystem is intertwined with hybrid regulatory frameworks, both contractual and intra-regulatory, as these are generated by state and non-state actors bypassing opposing interests within

<sup>3</sup> Ian Henry and Ping Chao-Lee, “Governance and Ethics in Sports” in John Beech and Simon Chadwick (eds), *The Business of Sport Management* (Pearson, 2004), 25.

sport and non-sport-related contexts. The concerted effort is achieved primarily through the interdependence of sport-related entities.

As regards the sport-related context, the ITF exercises a leading governance role. However, due to the importance of the ATP and WTA, especially their engagement and scope of activities, global tennis governance resembles a network rather than a vertical-based organizational structure. The scheduling of events requires concerted effort in order to avoid overlapping and attract broader support, considering the different competences and scope of operations of the ITF, ATP and WTA. To understand this specific institutional and organizational relationship, it is important to elaborate on the role of each of these three global tennis stakeholders in detail. Additionally, NSFs may equally engage in the organization of events that may be part of the ITF/ATP/WTA structure, although in terms of operations, NSFs fully adhere to the ITF regulatory framework if they wish to maintain their membership status and have access to the Olympics. With this in mind, the coordination is particularly important in the relationship with players, including athletes' entourage and tournament organizers. This relationship has evolved mainly due to the excessive commercialization of tennis. The professionalization of tennis has been a historical challenge for the world of tennis and for a larger community, namely, the Olympic Movement.

From the early beginnings of the contemporary Olympic Games in 1896, the friction between the governing body of tennis at that time, the International Lawn Tennis Federation (ILTF), and the International Olympic Committee (IOC) was visible. This was particularly acute mainly in terms of event scheduling, at a time when the Olympic Games in Sweden overlapped with the organization of the Wimbledon tournament in 1912. The second reason is that tennis had long been a highly professionalized sport, and many players demanded appropriate conditions for the organization of the tennis event during the Olympic Games. Third, the ILTF demanded proper planning for the tennis event at the Olympic Games. At that time, the IOC used its dominant role within the Olympic Movement, by adopting the obligatory oath for participating athletes with a view to preserving amateurism. The absence of the ILTF in the preparatory phase of the Olympic Games of 1920 and 1924 in both scheduling and organization is therefore striking, but hardly surprising. Although these tennis events attracted many players, the friction between the IOC and the ILTF was deep, especially as the ILTF insisted on being in charge of the event. The IOC, in turn, insisted on adhering to the core principle of Olympism, namely, amateurism, along

with the demand that the ILTF cancel all its major events during the year of the Olympic Games.<sup>4</sup> The organizers of major events led by the British Lawn Tennis Association decided to reject the IOC's position. In order to maintain its dominant role, the IOC's Executive Board adopted the decision to remove tennis from the Olympic Games.

This decision was approved by the Board during the 27th IOC session. It was clear that the ILTF could maintain its dominant status in the world of tennis, despite the role of the IOC and the significance of the Olympic Games. However, this governance struggle reflected primarily the character of the game of tennis and its opposing organizational philosophies. Despite a renewed application in 1957, tennis was not admitted to the Olympic program, despite the fact that the ILTF revised its rules, by which it sought to maintain a certain degree of amateurism. At the political level, football was not removed from the Olympic program, despite the fact that many football players were in fact fully-fledged professionals. The lack of institutional support for athletes and their specific labor status forced many participants to either move to professional sport or to drop off. At the national level, the NSFs failed to adopt appropriate regulatory frameworks to safeguard athletes effectively. The solution of semi-professional status that would ensure eligibility to participate in amateur competitions was not supported, as the IOC maintained its rigid position on the concept of amateurism. However, the discussions on the governance of tennis and the appropriate balance that needed to be struck between amateurism and growing professionalism under the support from the US Lawn Tennis Association (USLTA) ultimately led to the reintroduction of tennis in the Olympic Games of 1968 in the form of a demonstration sport.<sup>5</sup> In parallel, while the governing body was under pressure concerning a series of integrity claims, the All England Lawn Tennis Club adopted a decision to allow professional players to compete at Wimbledon.<sup>6</sup> The changes within the IOC along with geopolitical dynamics led to a rethinking of the concept of amateurism. It resulted in opening a new perspective for cooperation between the

<sup>4</sup> See Matthew P. Llewellyn and Robert J. Lake, "The Old Days of Amateurism Are Over": The Samaranch Revolution and the Return of Olympic Tennis" (2017) 37 *Sport Hist* 4.

<sup>5</sup> See generally, Robert J. Lake and Carol A. Osborne (eds), *Routledge Handbook of Tennis* (Routledge, 2019).

<sup>6</sup> See Olympic Studies Centre, *History of Tennis at the Olympic Games* (2017), available at: <https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/Factsheets-Reference-Documents/Games/OG/History-of-sports/Reference-document-Tennis-History-at-the-OG.pdf>.

IOC and the ILTF. In that respect, the IOC during a session in 1976 recognized the ILTF as the umbrella governing body for tennis. Following the change of status of tennis in 1981, the sport was readmitted to the Olympic program in 1988. This change was dominantly affected by the new developmental direction of the Olympic Movement and global sports.<sup>7</sup>

## 2 The Governance Structure of Tennis

From its beginning, the governance of tennis was developed between rigid amateurism and uncontrolled professionalism. For many years, the ITF was the dominant governing body in charge of promoting the game of tennis. The ITF is in charge of the administration, structure, organization and promotion of the game of tennis.<sup>8</sup> The Grand Slam tournaments (Wimbledon from 1877, US Open from 1881, Roland Garros from 1891 and the Australian Open from 1905) have been the most prominent tennis events where only amateur athletes were allowed to participate until major changes under the “Open Era” in 1968. Besides its authority to organize the Grand Slam circuit, the ILTF was responsible for the Davis Cup, the Fed Cup, the Hopman Cup and junior competitions. With the diminishing of the boundary between amateurism and professionalism, a number of new actors emerged. This eventuality gave rise to new and different competition formats for men, which signaled an attempt to reduce the dominance of the ILTF. The World Championship Tennis (WCT) and National Tennis League (NTL) were considered as the first promoters in professional tennis, limiting their players’ ability to only compete at the ITF’s Grand Prix tournaments. It was quickly realized that a coherent competition structure was needed in order to maximize commercialization potential and media exposure. In respect of men’s tennis, in 1972, the Association of Tennis Professionals was duly established. First, it was set up to safeguard athletes’ rights within the ITF and WCT, which took the dominant role over the NTL. Its creation led to a new ranking system, as

<sup>7</sup> Ueberroth cleverly negotiated exclusive licensing deals with a limited number of sponsors such as Coca-Cola, McDonald’s and IBM, in the process significantly elevating the value of sport celebrities. See Thomas Boswell, “Ueberroth: Lateral Logic and Forward Motion,” *The Washington Post* (September 29, 1984), available at: [www.washingtonpost.com/archive/sports/1984/09/30/ueberroth-lateral-logic-and-forward-motion/d58b6388-ee3f-43f3-9cd1-07cce1931326/](http://www.washingtonpost.com/archive/sports/1984/09/30/ueberroth-lateral-logic-and-forward-motion/d58b6388-ee3f-43f3-9cd1-07cce1931326/).

<sup>8</sup> ITF Constitution, available at: [www.itftennis.com/media/2431/the-constitution-of-the-itf-2024-web.pdf](http://www.itftennis.com/media/2431/the-constitution-of-the-itf-2024-web.pdf).

well as registration for tournaments in a manner that enhanced operations and the creation of the Men's International Professional Tennis Council (MIPTC). The composition of the MIPTC reflected the various interests of tennis's major stakeholders: namely, the ITF, the ATP and tournament organizers. The main competence of the MIPTC was to manage tournaments. However, due to the dominance of the ATP, which was reflected in its widespread support from players, a new format competition was created – the ATP Tour. The new format was based primarily on the principle that players and organizers share similar interests, while the ATP and ITF retained their role as the governing bodies responsible for the men's circuit. Further reforms led to the introduction of the Master Series tournaments with a world tour format from 250, 500 and 1000 series. The dominance of the ATP on these reforms reflected a shift toward a complete commercialization of tennis events. The organizational structure and regulatory framework were consolidated, especially in terms of scheduling, ranking system and tournament entry criteria. Moreover, the conferral upon the ATP of capacity to determine the size of particular tournaments resulted in a gradual transition from a mere players' association to a dominant governing body in the men's circuit.

The WTA represents a leading association in professional women's sports, with over fifty worldwide events organized annually. For its operations, the WTA has adopted an annual rulebook.<sup>9</sup> The WTA is the product of the pioneering skills of Billie Jean King, formally established in 1973. Besides King's efforts, one also finds the separate tour known as Virginia Slims that later merged with the USLTA, which originally had its own women's tour. The commercialization of the game of tennis led to the sharp increase in a number of broadcasted tournaments, albeit due to the inequality in prize money, top women players threatened to boycott major events. Nine female players agreed to break away and went ahead to sign a contract with Gladys, thus marking the start of the Virginia Slims Tour with more than a dozen tournaments in the first quarter of 1971. At the same time, the existence of the competing USLTA women's tour prevented all efforts at unifying professional women's tennis. The frictions led to the formation of the Women's International Tennis Federation as the governing body of the Virginia Slims Tour. However, the USLTA used its monopoly status to force female players to adhere to their regulatory framework as

<sup>9</sup> The 2024 WTA Rulebook is available at: <https://photoresources.wtatennis.com/wta/document/2024/02/12/1a78ea3b-3a70-4847-9951-d59307c2655d/2024-WTA-Rulebook-2-11-2024-.pdf>.

a way of forcing them to compete at the Grand Slam events. The solution came in the new framework, which gave rise to the formation of the WTA that jointly with the USLTA worked on creating a unified tour for women's tennis. The main motive behind this effort was to create equality for both sexes in professional tennis, primarily regarding prize money. This goal was achieved in the first decade of the 2000s for tournaments within the Grand Slam circuit. However, the challenge regarding economic imbalance and gender gap remains in other tournaments, with the more opposing voices coming from the men's circuit. This spurred ongoing political debate – between one underlining the importance of gender equality, and others stressing that tennis is professional, commercialized, televised and ultimately a competitive activity organized under market principles.<sup>10</sup> Further, development in both the women's and the men's circuits led to organization of joint events by the ATP and the WTA, which adopted specific provisions within their respective major regulations (rulebooks) in order to maintain autonomy and expand commercial opportunities.<sup>11</sup>

### 3 Players' Councils

Both professional governing bodies have players' councils that are focused around safeguarding players' rights on and off the court. The ATP Council, with twelve members on board, has the power to influence developments and revision of the ATP Rulebook.<sup>12</sup> The composition of the Council<sup>13</sup> reflects the existing ranking system:

- four players from the top 50 players on the ATP in singles;
- two players from the 51–100 players on the ATP in singles;
- two players below the top 100 on the ATP in singles;
- two players from the top 100 on the ATP in doubles;
- a player alumnus;
- one coach.

<sup>10</sup> Isabel Cepeda, "Wage Inequality of Women in Professional Tennis of the Leading International Tournaments: Gender Equality vs Market Discrimination?" (2021) 22 *J Int Women's Stud* 407–26.

<sup>11</sup> See Bret McCormick, "After Years of Talk, Is Now the Time for the ATP and WTA to Play Doubles?" *Sports Business Journal* (June 29, 2020), available at: [www.sportsbusinessjournal.com/Journal/Issues/2020/06/29/Leagues-and-Governing-Bodies/Tennis.aspx](http://www.sportsbusinessjournal.com/Journal/Issues/2020/06/29/Leagues-and-Governing-Bodies/Tennis.aspx).

<sup>12</sup> Amy D. Gibson, "The Association of Tennis Professionals: From Player Association to Governing Body" (2010) 10 *J Appl Bus Ec*, available at: [www.na-businesspress.com/JABE/Jabe105/GibsonWeb.pdf](http://www.na-businesspress.com/JABE/Jabe105/GibsonWeb.pdf).

<sup>13</sup> See "ATP Announces Player Advisory Council for 2024," ATP Tour (January 8, 2024), available at: [www.atptour.com/en/news/2024-player-advisory-council](http://www.atptour.com/en/news/2024-player-advisory-council).



The WTA's Council is composed of eight members and differs from the composition of the ATP's Council. It is structured as follows:

- four players from the top 20 players on the WTA in singles;
- two players from the top 21–50 players on the WTA in singles;
- one player from the top 51–100 on the WTA in singles;
- one player ranked in doubles on the WTA.

#### 4 The Relationship between Players and the ATP/WTA

There is an absence of information about the meetings, decisions and plans of the Councils. However, both the ATP and the WTA offer a range of support for a relatively restricted group of players. This support is based on each player's membership and the individual ranking. To be part of the world of tennis, a player must be bound to sport-related regulation. By the mere act of registering, a player is bound to all ITF/ATP/WTA rules, including integrity-related provisions. Moreover, a player must respect and adhere to the World Anti-Doping Code (WADC) and accompanying regulations. Both the ATP and the WTA offer two types of membership (full and associate), which relate to voting in the Players' Council, insurance policy and pension plan. The ATP membership is divided into two divisions: (1) on the date of one's application for membership, the person is ranked in the top 200 in the Pepperstone ATP rankings, or among the top 100 players in the Pepperstone ATP Doubles rankings, and pays ATP dues; (2) on the date of one's application for membership, the person is ranked in the top 500 in the Pepperstone ATP rankings, or among the top 250 players in the Pepperstone ATP Doubles rankings, and pays ATP dues. According to the WTA rules, the annual cost for full membership is set at US \$1,000, while for associate membership the cost is US \$500. For full membership, the eligibility criteria are based on the ranking system (for a singles player top 150 and for a doubles player top 50), with a minimum of six tournaments played (including ones from the Grand Slam events). As regards associate members, singles players under 750 on the WTA Singles ranking or top 250 on the WTA Doubles ranking must have participated in at least one WTA tournament. Full members possess the right to vote with the opportunity of reappointment in the Players' Councils. In both arrangements, members are entitled to a broad range of medical insurance, while depending on the number of years one has competed in ATP/WTA singles/doubles tournaments and membership



status, there is a further entitlement for a pension scheme.<sup>14</sup> In 2023, the ATP announced that it was planning to establish a financial safety net for the top 250 ATP-ranked players. The program is called “Baseline.” The first pillar of the program is known as “Guaranteed Base Earnings,” which guarantees minimum income levels for the top 250-ranked singles players each season. In case a player’s prize money earnings finishes below the guaranteed threshold, the ATP will step in to cover the shortfall. For the 2024 season, these levels are \$300,000 (top 100), \$150,000 (101–175) and \$75,000 (176–250).<sup>15</sup>

For both the men’s and women’s circuits, the relevant governing bodies adopted a code of conduct that legally binds players to sponsorship and broadcasting deals. For example, on the day of event, players are obliged to undergo a pre-match interview followed by a post-match conference. Exceptions are possible in the case of injury or physical inability to attend. Violation of these rules leads to fines starting from \$1,000 and depends on the player’s ranking. In addition, the ATP STARS program established in 2008 is aimed at utilizing media and commercial interest in tennis. All players from the main draw are obliged to participate in ATP-sponsored events. If a player fails to participate in the ATP STARS activities, he or she would be subject to a fine depending on his or her ranking. Similarly, for media appearance, dress code has been in almost 150 years in the case of Wimbledon narrowed to all-white uniforms. According to the ATP/WTa regulations, players are obliged to present themselves in a professional manner during tournaments, official practice sites and media appearances. Failure to comply with this rule may lead to a fine or default from the tournament. It is hardly uncommon for a discretionary power to be conferred upon tournament officials (Chair Umpire or Supervisor) by which to order a player to comply with the pertinent rules and regulations.<sup>16</sup> However, in 2023, women are allowed to wear dark-coloured undershorts, departing from the original and strict application whereby players incurred fines. From 2019, the WTA has eased the rules for players, but even so, approval is

<sup>14</sup> For the WTA, see Section XI.E. from the WTA Rulebook, available at: <https://photoresources.wtatennis.com/wta/document/2022/01/26/125189f7-fe9f-4aaf-8ff4-88973e54bd9a/2022-WTA-Rulebook-1-26-2022-.pdf>.

<sup>15</sup> See “ATP Unveils Baseline, a Pioneering Financial Security Program for Players,” ATP News Release (August 22, 2023), available at: [www.atptour.com/en/news/baseline-financial-security-programme-august-2023](http://www.atptour.com/en/news/baseline-financial-security-programme-august-2023).

<sup>16</sup> See ATP Rulebook 2023, Section VIII Code, sub-section L, On-site Offenses/Procedures, available at: [www.itftennis.com/media/9098/2023-atp-rulebook.pdf](http://www.itftennis.com/media/9098/2023-atp-rulebook.pdf).

needed for some forms of attire, such as footwear. As an alternative, players may submit a sample shoe for approval no later than ninety days from entering a tournament.<sup>17</sup>

## 5 The Relationship between National Tennis Federations and the ITF

The NSFs and organizations where the Grand Slam events are organized prevailed over time. Before the Open Era, the dominance of some amateur-oriented NSFs was strong and decisive in terms of national ranking systems and representation, with players forced to adhere to the rules if they desired to participate in both national and international events. There are currently 213 NSFs under the global governing body, the ITF. Out of these 213, 160 possess voting rights. These rights are divided between different member classes (B and C) of participants. According to the ITF Constitution, the following classes enjoy “exclusive voting rights”:

- Class B – five leading NSFs (Australia, Great Britain, France, Germany and the United States) with twelve votes;<sup>18</sup>
- Class B – fourteen NSFs with nine votes;
- Class C – NSFs with seven, five, three and one votes.

Besides the NSFs endowed voting rights, there are fifty-three member federations from within Class C without voting rights. NSFs are structured within a framework of continental federations or confederations as follows:

- Asian Tennis Federation;
- Central American and Caribbean Tennis Confederation;
- Confederation of African Tennis;
- Oceania Tennis Federation;
- South America Tennis Confederation; and
- Tennis Europe.

The conferral of voting rights clearly concerns the NSFs’ capacity to participate and influence the AGM of the ITF and its overall operations. The membership procedure is twofold. NSFs need to prove their ability

<sup>17</sup> See WTA Rulebook 2023, Section VII, Player responsibilities/on-court rules and procedures, sub-section C, available at: [www.itftennis.com/media/9258/2023-wta-rulebook.pdf](http://www.itftennis.com/media/9258/2023-wta-rulebook.pdf).

<sup>18</sup> See ITF Constitution, Art. 11, available at: [www.itftennis.com/media/2431/the-constitution-of-the-itf-2024-web.pdf](http://www.itftennis.com/media/2431/the-constitution-of-the-itf-2024-web.pdf).

to operate in their geographical territory of origin. This requires that they are following that country's legislative framework. Second, concerning the NSF's organizational capacity, the ITF will grant membership status in accordance with the applicable criteria. A two-thirds majority of the Council at the AGM is needed to grant membership status. As per Class B, the Council shall adopt an appropriate resolution in accordance with Article 3 of the ITF Constitution, by which it grants particular NSFs membership status.

A potential member is obliged to present all relevant details related to the development of the game of tennis for its respective territory.<sup>19</sup> As per Class B requirements, the Board of Directors assigns an envoy or representative to visit the applicant with a view to submitting an appropriate report. The procedure includes the ITF's Council adopting the resolution at the AGM. According to the ITF Constitution, the Council may take a range of actions against NSFs, including suspension and expulsion from their membership where they are responsible for damaging the image of the ITF (and the game of tennis) or failing to comply with the ITF's rules.<sup>20</sup>

## 6 Contemporary Governance Setting and Challenges

In accordance with Article 10 of the ITF Constitution, the ITF is organized and registered as a limited liability company under the laws of the Commonwealth of the Bahamas, but retains its headquarters in London. This is unusual, because the vast majority of sports governing bodies are organized in the form of non-profit entities.<sup>21</sup> In the contemporary setting, the three main governing bodies of global tennis continue to operate in a rather concerted manner. Despite their autonomous competences, as a result of their business orientation, their mutual interaction without conflict reflects their desire for functional sustainability. The latter is particularly important for scheduling purposes despite the possible opposing interests. Although not impactful as before the Open Era, the ITF is considered as the sole sports governing body in the world of tennis. As an important part of policymaking, the ITF adopts the Rules of Tennis.<sup>22</sup>

<sup>19</sup> See *ibid.*, Arts 3.g and 11.

<sup>20</sup> See *ibid.*, Art. 4.

<sup>21</sup> Art. 1 of the FIFA Statute stipulates that FIFA is a foundation (non-profit) under Swiss law and in equal measure Art. 15.1 of the Olympic Charter emphasizes that the IOC is a non-profit association under Swiss law.

<sup>22</sup> The latest, 2025, version is available at: [www.itftennis.com/media/7221/2025-rules-of-tennis-english.pdf](http://www.itftennis.com/media/7221/2025-rules-of-tennis-english.pdf).

These rules are subjected to the review of the Rules of Tennis Committee that further recommends revisions (when needed) to the ITF's Board of Directors. Besides the President, the composition of the Board includes:

- fourteen individuals elected in accordance with Article 21 of the ITF Constitution; and
- two Athlete Representatives (one from each sex) appointed by the elected members of the Board of Directors in accordance with Article 21 of the ITF Constitution.

Members, excluding the President, are elected by Class B members during the AGM for a term of four years. There is a clause that limits terms for not more than twelve years in total. A member may be removed by the Council by a two-thirds majority resolution adopted by the Board of Directors. The ITF adopts and/or updates on a yearly basis the ITF Rules of Tennis aimed at setting up a framework for the organization of competitions under the predictable format of play, as well as maintaining the traditional character and integrity of the game of tennis. In ensuring the consistency of rules with possible changes (e.g. technological ones), the ITF appoints the Rules of Tennis Committee to monitor, evaluate and prepare when needed recommendations to the AGM as the authority in charge for making any changes to the ITF Rules of Tennis. These rules are issued by a Ruling Board appointed by the President of the ITF.<sup>23</sup> The Chairperson of a Ruling Board determines the appropriate procedure for review/hearing if and when necessary.

The Board of Directors appoints the ITF International Adjudication Panel to decide any eligibility issues related to decisions under the ITF Rules of Tennis, the ITF Davis Cup Regulations, the ITF Fed Cup Regulations, the ITF Pro Circuit Regulations, the ITF Wheelchair Tennis Regulations, the ITF Wheelchair Classification Manual, the ITF Junior Circuit Regulations, the ITF Junior Team Competitions Regulations, the ITF Senior Regulations, the ITF Beach Tennis Rules and the Code of Conduct for Officials.<sup>24</sup> The competence of the Panel is broad and includes interpretation of the ITF Rules, determining possible breaches thereof, hear/determine appeals made by other governing bodies under the ITF

<sup>23</sup> See ITF Rules of Tennis, Appendix XI, Procedures for Review and Hearings on the Rules of Tennis, available at: [www.itftennis.com/media/4421/2021-rules-of-tennis-english.pdf](http://www.itftennis.com/media/4421/2021-rules-of-tennis-english.pdf).

<sup>24</sup> See Chapter 4 of this volume for a discussion on the jurisdiction of the ITF's International Adjudication Panel.

Rules and propose changes to the ITF Rules before appropriate governing entities.<sup>25</sup>

According to the ITF Constitution, the ITF Code of Ethics is set to ensure that the game of tennis and governing structures are governed in accordance with the highest standards of ethics and integrity.<sup>26</sup> The Director of the ITF, the ITF President, its CEO and any person serving on an ITF committee or commission are obliged to adhere to the ITF Code of Ethics.<sup>27</sup> The ITF Ethics Commission was formed in 2019 to ensure compliance with principles of integrity and ethics under the ITF Code of Ethics. The major governing bodies in the world of tennis, the ITF, ATP and WTA, along with related bodies and stakeholders, are bound and must comply with the Code of Conduct for Officials. The Code is issued and could be revised by major governing bodies, contributing to the shared responsibility, network-based and complex governance structure.

There were steps between 2008 and 2009 to establish an appropriate anti-corruption body (Tennis Integrity Unit, TIU). However, in order to address wider challenges associated with integrity and ethics in a more autonomous manner, the International Tennis Integrity Agency (ITIA) was established by the ITF, ATP, WTA, the Australian Open, French Open, US Open and Wimbledon. The ITIA adopted two programs, the Tennis Anti-Corruption Program (TACP) for tackling corruption and the Tennis Anti-Doping Program (TADP) for ensuring a clean game of tennis.

The composition of the main decision-making body of the ATP, its Board of Directors, besides encompassing a chairperson, includes three players' representatives and three tournament representatives. The ATP Players' Council elects players' representatives. The composition of the ATP Tournament Council includes thirteen members of organizers from the regions of the Americas, Europe and the International Group of tournaments. The WTA's Board of Directors is composed of a chairperson, and three players' and three tournaments' representatives, in addition to the WTA CEO and an ITF representative. The

<sup>25</sup> See Art. 1 of the Procedural Rules Governing Procedures before an Internal Adjudication Panel convened under ITF Rules, available at: [www.itftennis.com/media/5989/2019-procedural-rules-itf-iap.pdf](http://www.itftennis.com/media/5989/2019-procedural-rules-itf-iap.pdf).

<sup>26</sup> See Chapter 12 of this volume for a discussion of ethical issues and adjudication thereof in the context of the ITF.

<sup>27</sup> ITF Constitution, Art. 8. The ITF Code of Ethics is available at: [www.itftennis.com/media/7246/2023-itf-code-of-ethics-english.pdf](http://www.itftennis.com/media/7246/2023-itf-code-of-ethics-english.pdf).

composition of the WTA Tournament Council includes nine members, three each from the regions of the Americas, Europe and Asia-Pacific. The recent emergence of players' associations/union(s), such as Djokovic's Professional Tennis Players Association (PTPA) established in 2020, disrupted the supremacy of the ATP and caused tensions. The tension between players and the ATP, in particular, are not new; however, its financial challenges for players are multiplying, thus giving rise to yet another challenge to the existing governance ecosystem in tennis. The level of mistrust was obvious during Djokovic's attempt to run for the ATP's Players' Council. He was not allowed to run because he is a member of the PTPA. The ATP initiated a campaign to prevent players from joining the PTPA. Despite these frictions, 250 players are members of the PTPA, thus signaling the need for necessary changes. In parallel, the ATP is under discussion on possible streamlines of reforms in order to improve players' conditions. As a result, the Baseline financial security system was launched, which, as already explained, aims to enable tennis professionals at the lower end of the rankings to make a fair income. The program aims to provide base salaries, compensate players in the case of injury and provide financial support for newcomers. Within the proposed system there are three levels of support, depending on ranking (up to 250 on ATP) and threshold earnings.

From 2019, both professional governing bodies have been discussing the potential of taking their cooperation to another level. The main motive behind this is related to utilizing media and commercial interests in a number of joint events. However, their respective positions are significantly apart, with the ATP focusing on media, while the WTA plans to achieve equal compensation with their male counterparts by 2033. That said, there are a number of challenges to be resolved before proceeding to a potential merger, as both actors have their own sponsorship and broadcasting deals. In addition, the involvement of investment companies is taking pace. While the WTA accepted a proposal from CVC Capital Partners to sell 20 percent of their media rights from WTA Ventures, the ATP rejected the same proposal.<sup>28</sup> Similarly, the ATP announced it will organize the NEXT Gen in Saudi Arabia. While questioning a potential merger, the PTPA addressed another governance challenge – the relationship with betting authorities. The PTPA suggested that 50 percent of

<sup>28</sup> "WTA Announces Partnership with CVC Capital," Reuters (March 7, 2023), available at: [www.reuters.com/lifestyle/sports/wta-announces-partnership-with-cvc-capital-2023-03-07/](https://www.reuters.com/lifestyle/sports/wta-announces-partnership-with-cvc-capital-2023-03-07/).

revenues from betting sponsorship deals with tournament organizers should be awarded to athletes.<sup>29</sup>

### 6.1 Commercialization, Corruption and Financial Governance Challenges

The challenges and potential disruptions to the existing governance structure are closely aligned with the concept of autonomy of sport. The first reference on autonomy is found in the Olympic Charter of 1949. The rationale behind this was an attempt to prevent the omnipresence of state aspirations to utilize the Olympic Games for non-sporting objectives. The number of corruption scandals and widespread negative phenomena (e.g. doping) questioned the place and scope of sports autonomy. Further, the *Bosman* ruling added another perspective to sport governance, formulating limits to such autonomy as sport became more professional and intertwined with the commercial sector.<sup>30</sup> Later, the IOC adopted its Basic Universal Principles of Good Governance as an attempt to lower external pressure. Despite this and similar actions, the spread of corruption (e.g. FIFA)<sup>31</sup> and institutional doping scandals (e.g. McLaren Report)<sup>32</sup> confirmed the need for external involvement aimed at supervising governance and limiting autonomy. The Olympic Movement, the IOC and International Sports Federations (ISFs) jointly with governments founded the World Anti-Doping Agency (WADA) in order to eliminate doping in sport. Reforms to sport arbitration and further involvement of intergovernmental organizations (e.g. European Union or Council of Europe) culminated in the erosion of autonomy of governing bodies.

<sup>29</sup> Adam Addicott, “Novak Djokovic Calls for Changes to Tennis’ Partnerships with Betting Companies,” Ubitennis (September 22, 2023), available at: [www.ubitennis.net/2023/09/novak-djokovic-calls-for-changes-to-tennis-partnerships-with-betting-companies/](http://www.ubitennis.net/2023/09/novak-djokovic-calls-for-changes-to-tennis-partnerships-with-betting-companies/).

<sup>30</sup> *Union Royale Belge des Sociétés de Football Association ASBL v. Jean-Marc Bosman, Royal club liégeois SA v. Jean-Marc Bosman and Others and Union des Associations Européennes de Football (UEFA) v. Jean-Marc Bosman*, Case C-415/93, ECLI:EU:C:1995/463.

<sup>31</sup> Brian W. Bean, “FIFA – Where Crime Pays” in M. Breuer and D. Forrest (eds), *The Palgrave Handbook on the Economics of Manipulation in Sport* (Palgrave, 2018), 281; Mark Pieth, “Governing FIFA: Concept, Paper and Report,” cited in Roger Pielke, “How Can FIFA Be Held Accountable?” (2023) 16 Sport Manag Rev 258.

<sup>32</sup> The McLaren Report is available at: <https://ita.sport/resource/mclaren-independent-investigator-report-to-the-oversight-and-integrity-commission-of-the-international-weightlifting-federation/>.



The term “governance” has been exploited and is ambiguous at the same time. Although there are different definitions, governance may be defined as the manner through which organizations are regulated, steered, navigated and controlled. This term emerged in the Olympic Charter emphasizing the importance of its own operations. One of the fundamental principles served as a foundation for the development of the Basic Universal Principles of Good Governance. As indicated, this framework reflects the necessity to maintain the concept of political neutrality.<sup>33</sup> The updated version from 2022 is based on Recommendation 14 of Olympic Agenda 2020+5.<sup>34</sup> Specific emphasis is given to compliance with the Olympic Charter, the WADC and the Olympic Movement Code on the Prevention of the Manipulation of Competitions.<sup>35</sup> This effort was mostly involuntary. The rationale behind it represents numerous governance issues associated with major sports organizations that feed the public’s interest. That said, governance in sport-related organizations has become a major topic for practitioners, policymakers, academia and the broader public.<sup>36</sup>

The changes toward commercialization have led to the exposure of sport to negative phenomena reflected in numerous corrupt practices resulting in deteriorating legitimacy.<sup>37</sup> Consequently, all major ISFs, including the ITF, needed to introduce a number of governance-related rules to respond

<sup>33</sup> See Basic Universal Principles of Good Governance within the Olympic Movement, Preamble, para. 1, available at: <https://stillmed.olympics.com/media/Documents/Beyond-the-Games/Integrity/Bonne-Gouvernance-EN.pdf>; see also Ilias Bantekas, “Political Neutrality of International Sports Federations: Compatible with Fundamental Rights of Athletes?” (2024) 34 *Fordham IP, Media & Ent LJ* 193.

<sup>34</sup> The 2020+5 Agenda is available at: <https://olympics.com/ioc/olympic-agenda-2020-plus-5>.

<sup>35</sup> The 2016 version of the Code is available at: [https://stillmed.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/olympic\\_movement\\_code\\_on\\_the\\_prevention\\_of\\_the\\_manipulation\\_of\\_competitions-2015-en.pdf](https://stillmed.olympic.org/Documents/Commissions_PDFfiles/Ethics/olympic_movement_code_on_the_prevention_of_the_manipulation_of_competitions-2015-en.pdf).

<sup>36</sup> See Mathieu Winand and Christos Anagnostopoulos, *Research Handbook on Sport Governance* (Edward Elgar, 2019).

<sup>37</sup> On commercialization, see Trevor Slack and Ben Hinings, “Planning and Organizational Change: A Conceptual Framework for the Analysis of Amateur Sport Organizations” (1987) 12 *Canadian J App Sport Sci* 185–93; Trevor Slack and Ben Hinings, “Understanding Change in National Sport Organizations: An Integration of Theoretical Perspectives” (1992) 6 *J Sport Manag* 114–32. On integrity, see Arnout Geeraert, Michael Mrkonjic and Jean L. Chappelet, “A Rationalist Perspective on the Autonomy of International Sport Governing Bodies: Towards a Pragmatic Autonomy in the Steering of Sports” (2015) 7 *Int J Sport Pol & Politics* 473–88; Jean L. Chappelet, “Autonomy and Governance: Necessary Bedfellows in the Fight against Corruption in Sport,” Transparency International, *Global Corruption Report: Sport* (2016), available at: [https://transparency-france.org/wp-content/uploads/2018/02/2016\\_GCRSport\\_EN.pdf](https://transparency-france.org/wp-content/uploads/2018/02/2016_GCRSport_EN.pdf).

to growing public pressure. For the world of tennis, as a result of its complexity, the challenge was more demanding as all three major bodies are in charge of their own events. The complexity is further fueled by the fact that their relationship with NSFs and tournament organizers seems to be blurred, as was the case with the suspension of Russian and Belarussian tennis players from competing at the Wimbledon Championship in 2022.<sup>38</sup> Although an organizational clarity and division between ITF and ATP/WTA operations seems to be in place, the organization of the Davis Cup has presented a major challenge – first, for scheduling the event, and second, for the recent emergence of the ATP event called the ATP Cup. Interestingly, top players were not keen for both the Davis Cup and the ATP Cup to be on their schedules, albeit the ATP remained resolute to proceed with the event. It was founded in 2018, as a response to the change of the Davis Cup format. However, after 2022, the ATP Cup was abolished, with a new event emerging involving both the ATP and the WTA – the United Cup.<sup>39</sup> It is a mixed-gender event with two singles men's and two singles women's events, plus a mixed doubles match. It consists of a round-robin format of competition, with eighteen countries qualifying based on the following criteria:

- six countries qualify based on the ATP ranking;
- six countries qualify based on the WTA ranking; and
- six countries qualify based on the combined ATP/WTA ranking.

The second challenge to the current governance structure requires a transformation of players' associations and their relationship with other stakeholders. The ATP is a global non-stock corporation in charge of the professional circuit, including scheduling and organizing professional tennis events. The ATP's competence includes adopting and implementing the ATP ranking system for players and tournaments. Although Grand Slam tournaments and the Davis Cup are governed by the ITF, these tournaments employ the ATP ranking system for entry and seeding. In return, the ATP agreed not to organize events that could

<sup>38</sup> Ray Siladitya. "Wimbledon Bans Russian and Belarusian Tennis Players – Here's Who's Affected," *Forbes* (April 20, 2022), available at: [www.forbes.com/sites/siladityaray/2022/04/20/wimbledon-bans-russian-and-belarusian-tennis-players-heres-whos-affected/?sh=28bc19062499](https://www.forbes.com/sites/siladityaray/2022/04/20/wimbledon-bans-russian-and-belarusian-tennis-players-heres-whos-affected/?sh=28bc19062499).

<sup>39</sup> The United Cup is a first joint event of the ATP and the WTA organized in Australia prior to the Australian Open, with 500 points for individual players from both the ATP and the WTA. The points make this event different from the existing Hopman Cup, which is rather seen as an exhibition event.

conflict with ITF events and include the latter in the ranking system. The Grand Slam tournaments are mandatory for professional players, and the ITF will not organize an event that conflicts with the ATP Finals. This is particularly important due to the technical demand in announcing weekly ranking lists based on players' performance during an entire year as it constitutes the basis for entry into tournaments and consequently impacts the allocation of prize money. Therefore, the ATP, with its monopoly on the ranking and organization of professional tennis events, may decide to upgrade or downgrade tournaments. The ATP's decision to downgrade certain tournaments has been challenged before the courts. The importance of the ruling in *Deutscher Tennis Bund v. ATP Tour, Inc.* was that it confirmed that by joining the ATP, NSFs are bound by its regulatory framework, save of course if the ATP or other tennis entity is violating anti-trust legislation by enforcing a monopoly. In addition, the judgment recognizes that under applicable legislation, the Board of Directors may adopt/amend/revise the ATP Rulebook.<sup>40</sup> However, the ATP governance mechanism does engage wider consultation as part of the Board of Directors operations. Recently, these consultations resulted in addressing the question of financial accountability and transparency, concluding the need for a 50/50 profit-sharing formula for players and organizers. These changes reflect the growing commercialization of tennis, resulting in prolonged and more televised games, as well as the introduction of new technologies and diversified engagement by major sponsors.<sup>41</sup> Echoing business opportunities, the format for the specific number of ATP Masters 1000 events has been changed from 56-draw to 96-draw, further extending these tournaments from eight to twelve days, enabling more opportunities for the ATP as a circuit promoter, and for tournament organizers, players and sponsors.<sup>42</sup>

That said, the Board of Directors represents a specific form of governance, as indicated earlier, reflecting both the nature of organizational and regulatory evolution of professional tennis, facilitating as

<sup>40</sup> *Deutscher Tennis Bund v. ATP Tour, Inc.*, 610 F.3d 820 (3d Cir. 2010).

<sup>41</sup> See, in particular, Francesca Jenner, "Innovation in Tennis Brings Opportunities and Challenges – Francesco Ricci Bitti," *Horizon Magazine* (June 30, 2014), available at: <https://ec.europa.eu/research-and-innovation/en/horizon-magazine/innovation-tennis-brings-opportunities-and-challenges-francesco-ricci-bitti>; Robert Demir and Sten Söderman, "Strategic Sponsoring in Professional Sport: A Review and Conceptualization" (2015) 15 *Eur Sport Manag Q* 271.

<sup>42</sup> Five tournaments have been the subject of these changes: Mutua Madrid Open from 2023, Internazionali BNL d'Italia from 2023, Rolex Shanghai Masters from 2023, National Bank Open from 2025 and Western & Southern Open from 2025.

well an institutional arrangement between players and tournament organizers. Consequently, both actors share responsibility on policy-making and implementation, although from both parties, there have been growing voices, especially players, speaking up about the lack of adequate representation. In particular, achieving coordination between key stakeholders serves only to multiply business opportunities, whereas players have been underrepresented and underpaid, among other challenges.<sup>43</sup> The complex governance interrelation was magnified during the Covid-19 pandemic.<sup>44</sup> Besides tennis events being cancelled or postponed, the restructuring scheduling, organizational rules and procedures have been the subject of major changes.<sup>45</sup> However, these challenges resulted in a greater coordinating effort that led to a more coherent short-term policy toward protecting players' interests.<sup>46</sup> The main features of this unique governance structure were based on collaborative efforts and cooperation among a variety of different stakeholders. Furthermore, the game was shaped around professionalization and commercialization as major drivers, resulting in the continued growth of the game over time and balancing rules, format and schedules favoring the commercial nature of the sport. However, revenue sharing, heterogeneity of stakeholders and their engagement in decision-making bodies remains one of the major impediments to the stability of governance bodies.

<sup>43</sup> Saul J. Shrom, Jennifer Cumming and Sarah-Jane Fenton, "Lifestyle Challenges and Mental Health of Professional Tennis Players: An Exploratory Case Study" (2022) 21 *Int J Sport Exerc Psychol* 1.

<sup>44</sup> The Covid-19 pandemic had severe effects on sport-related industry at both national and international levels. For more, see Marko Begović, "Effects of COVID-19 on Society and Sport National Response" (2020) 27 *Manag Sport Leis* 241.

<sup>45</sup> "Expert Insights: Tennis Players' Struggles during COVID-19," Western News, Western Communications, Western University (May 31, 2021), available at: <https://news.westernu.ca/2021/05/expert-insights-tennis-players-struggles-during-covid-19/>; Kelsey Slater and Jim Watkins, "Tennis Players' Responses to Covid-19 and the Global Pandemic's Impact on Professional Tennis Governance" in Paul M. Pedersen, Brodey J. Ruihley and Bo Li (eds), *Sport and the Pandemic* (Routledge, 2020), 146–56; Toru Ishihara, Nicolas Robin, Takashi Naito et al., "Effects of the COVID-19 Pandemic on Professional Tennis Players' Match Statistics: A Large-Scale Population-Based Study" (2022) 32 *Scand J Med Sci Sports* 1516; Matthew Futterman, "How Tennis and Djokovic Are Pushing against the U.S. Covid Vaccine Rule," *New York Times* (March 6, 2023), available at: [www.nytimes.com/2023/03/06/sports/tennis/djokovic-biden-miami-open-covid-vaccine.html](https://www.nytimes.com/2023/03/06/sports/tennis/djokovic-biden-miami-open-covid-vaccine.html).

<sup>46</sup> "Governing Bodies Join Forces to Answer Players' Cry for Financial Help," Reuters (April 18, 2020), available at: [www.reuters.com/article/sports/governing-bodies-join-forces-to-answer-players-cry-for-financial-help-idUSKBN21Z2E0/](https://www.reuters.com/article/sports/governing-bodies-join-forces-to-answer-players-cry-for-financial-help-idUSKBN21Z2E0/).

## 7 Epilogue

There are currently three major initiatives at the table for wider discussion – namely, reshaping the profit-sharing formula, the merger of professional associations and ATP’s Baseline program. Contrary to football, these discussions are limited and related to internal processes within existing organizational structures, with a possible outcome being the granting or decentralization of power and responsibility with a view to achieving unique organizational and operational interdependence. This reflects a continuous interplay between political legitimacy and institutional governance focusing on the manner in which power is being practiced, and the scope of the influence within a given regulatory framework that facilitates to some extent the prevailing corporate governance. The democratic deficit within global tennis was manifested during the unionization process, especially during the formation of the PTPA.<sup>47</sup> Quickly, the ATP dislocated its focus from a number of challenges, including the devastating effects of the pandemic, to suppress such developments because of their potential impact on existing governance that is already complex and, in some cases, proved to be uncoordinated or fragmented. This was particularly obvious following the Russia–Ukraine war, when the All England Lawn Tennis and Croquet Club (AELTC), organizer of the Wimbledon tournament, decided in concert with the LTA to unilaterally ban Russian/Belarusian tennis players from participating in 2022. With support from the UK government, the LTA declined entries to Russian/Belarusian athletes to take part in any UK tennis event. The official holder of the Grand Slam circuit, the ITF and both professional associations failed to apply their own regulations, except for removing points from all categories for competition, including the ATP/WTA imposing fines on the LTA/AELTC. This confirms the limited authority and enforcement of rules over particular tournament organizers, cumulatively confirming a deficit of contemporary tennis governance and the need for comprehensive reforms.

<sup>47</sup> Patil Swarali, “Pro Tennis Needs an Organization That Advocates for Players’ Health, Safety and Prize Money,” *The Conversation* (November 2020), available at: <http://theconversation.com/pro-tennis-needs-an-organization-that-advocates-for-players-health-safety-and-prize-money-149203>.