

Title of the thesis: Sport and labour law

Abstract

The subject of this thesis is to analyse the legal regulation in the Czech Republic in the field of sport and to evaluate its status. In the Czech Republic, the legal status of professional athletes still differs from the practice applied in most other European Union countries. In the Czech Republic, professional athletes in team sports are still in the position of self-employed persons, although these athletes are guaranteed the status of employees across Europe.

The first chapter deals with the definition of basic concepts related to the sports sector. These concepts include in particular the definition of the term sport itself and its possible subdivisions. The second chapter introduces the entities that occur within the sports sector. These are mainly sports organisations that operate in a so-called pyramid structure. It also includes sports clubs, coaches and agents. The third chapter deals with the National Sports Agency, the reasons for its creation, its legislation and its institutions. The author describes the development of the Agency over the last almost 5 years and critically evaluates its activities. The fourth chapter deals with the function of the European Union in relation to the regulation of the sports sector. Furthermore, the author presents a recent judgment of the Court of Justice of the European Union regarding the legal status of the supranational organisations FIFA and UEFA in relation to European Union law. The fifth chapter deals with the position of the professional sportsman in the labour market. In particular, it analyses the status of the professional athlete as a self-employed person, examines and assesses whether professional athletes in team and individual sports fulfil the characteristics of a self-employed trade. It examines the difference between a person operating a trade and a person exercising an independent profession, primarily from a tax perspective. It also examines the status of a professional sportsperson as an employee. It sets out the characteristics of dependent employment as set out in the law, taking into account the case law and again examines and assesses whether these characteristics and conditions of dependent employment are fulfilled by athletes playing team sports. Finally, it compares these institutes with each other and indicates the advantages and disadvantages that arise from these institutes, both for the athletes and for the sports organizations that "employ" them. At the same time, he takes his own critical stance on the issue.

key words: Sport, labour law, athlete, Sports Promotion Act, dependent work