

The Legal Status of a Professional Athlete

Abstract

The thesis addresses the status of a professional sportsperson within the legal system of the Czech Republic. It does so with a primary focus on the private law dimension of the matter, while utilizing public law regulations exclusively for more comprehensive interpretational purposes. The status of athletes is examined primarily through the description of the defining characteristics of each permissible regime and subsequent comparison with the actual state of athletes' activities. Fundamental analysis of the definitional norms facilitates an assessment of whether professional sports more accurately reflect the definition of dependent work, entrepreneurial activity, or independent practice of profession. The subsumption of sportsperson under the possible statuses causes a number of legal and economic consequences, which are also outlined in a broader manner. Special attention is paid to provisions and concepts that are difficult to apply to sports activities.

The thesis is structured into four main chapters. Three of these sections correspond to possible private law statuses, and the sportsperson is thus presented as a potential employee, entrepreneur, and a person independently practicing their profession. These are supplemented by a chapter focused on the state of applicable legal regulations. Considering there are no special legal regulations governing the status of athletes, a significant part of the chapter concentrates on the previous legislative efforts of the lawmakers.

In addition to evaluating which legal status is more suitable for a professional sportsperson, the aim of the thesis is to further analyse the ways in which the category of sports influences this conclusion. The activities of individual and team athletes exhibit significant particularities, the importance of which may ultimately lead to the consequence that their legal statuses will differ. These conclusions should ultimately enable the reader to assess how much the universal legal regulations are compatible with the world of sports, and whether considerations for adopting special norms are warranted.