

Abstract

Professional sport and its legislation

I choose this topic for its currency and for in my opinion ignored need of solving problems mentioned in the thesis. In scope of this thesis I tried not only to assess legal status of individual and collective professional sportsmen or in other words of performance of their activity on professional level, but I also tried to solve chosen problematic points resulting from the confrontation of professional sport activity and strict provisions of Czech law (in particular Labour Code), by which the performance of sport activity and related legal relations are governed.

Thesis is systematically divided into four chapters besides the introduction and conclusion which contains other subchapters. These subchapters specify topics contained in chapters.

First chapter is the introduction to the topic devoted to reciprocal relation of sport and law. In this chapter I deal with the term “sport” and its possible definition from the law point of view and its basic organization and division in general. There is also one subchapter dedicated to act on support of sport.

In second chapter I deal with the performance of sport activity by individual professional sportsman in detail and with two possible options of its inclusion into law. New Civil Code is also reflected here.

Subject matter of the third chapter is determination of whether collective professional sportsman perform sport activity as dependent work according to Labour Code. Besides the analysis of individual attributes of dependent work in relation with performance of sport activity by collective sportsman I also compare my conclusions with judicature of Supreme Administrative Court and Court of Justice of European Union. I also deal with the effect of New Civil Code on assessed relations again.

In fourth chapter I compare chosen problematic institutes of Labour Code with the practice in performance of sport activity. I tried to find appropriate form of application of these institutes on condition that specific features of sport activity do not exclude them at all.

Result of this thesis is in my opinion the need of special act which would explicitly state the legal status of professional sportsmen in law and sport in general.