

Selected aspects of sharing economy with emphasis on Airbnb and Uber

Abstract

This paper focuses on the legal regulation of digital platforms which are used to arrange short-term accommodation (the most popular representative is Airbnb) and passenger transport (where Uber is the best-known platform). In the introduction the author explains why he considers it inappropriate to say these platforms are part of „sharing economy“, although this term is currently widely used. In addition, the author examines the benefits of Airbnb and Uber platforms in general, such as user comfort, a rating system that allows quality control of provided services, lower prices for the customer than with traditional service providers and a simple way to earn some extra money. At the same time, the author mentions negative aspects of these platforms, such as lower collection of taxes and fees, poor protection of employees and potentially also customers, or reduction of availability and quality of housing. In the next part of the paper the author focuses on each of the mentioned platforms and evaluates the regulation of these platforms, or rather service providers that use these platforms, in the light of both Czech and European case law. The author concludes that the use of apartments for the continuous provision of accommodation services is most likely in conflict with the law. At the same time, he concludes that the current legislation is too rigid and does not create a suitable space for occasional earnings from providing services through such platforms. The author suggests several legislative changes which would reduce bureaucracy for platform-based service providers, allow effective control of tax compliance, improve protection of consumers and other people affected by platform activity and straighten the market environment. At the same time the author presents these topics in the context of current broader discussions, for example in the area of taxation of digital companies and labour market changes.

Keywords: sharing economy, accommodation fees, digital platforms, passenger transport, provision of accommodation services