

Abstract

The topic of this thesis is **“Protection of child labour – children’s performance in artistic, cultural, sports or advertising activities“**.

The first part of this thesis presents the historical excursion to the evolution of the legislation of the child labour in the Czech countries. The first rules on the protection of children at work were adopted already at the end of the 18th century, however the greatest development came during the 19th century and in the days of the “First Republic”. Since 1966, the regulation of the child labour was set in the Labour Code no. 65/1965 Coll., where endured (even after the adoption of the new Labour Code no. 262/2006 Coll.), until the adoption of the Civil Code no. 89/2012 Coll.

The second part is focused on the international aspect of the protection of the child labour. At the global level, the United Nations and its Specialized Agencies and Programmes, such as the International Labour Organization and the United Nations Children’s Fund (UNICEF) take the important part. Thanks to these institutions several key documents, such as The Convention on the Rights of the Child, 1989, ILO Convention No. 138 on the Minimum Age for Admission to Employment and Work, 1973, and ILO Convention No. 182 on the Worst Forms of Child Labour, 1999, have been adopted.

Beside the activities of the United Nations and its specialized agencies and programmes, the second part deals with the activity at the regional level, represented by the Council of Europe. The most important documents related to the discussed topic are indisputably The Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, and The European Social Charter, 1961.

At the present days, legislation of the European Union has certainly the most important influence on the Czech law. The third part of this thesis is dedicated only to the European law. Especially the Council Directive 94/33/EC of 22 June 1994, on the protection of young people at work is analyzed in detail.

In the fourth and the last part, there is discussed the current Czech legislation of the child labour. At the beginning of this part the influence of the Civil Code no. 89/2012 Coll. on the labour law is analyzed with emphasis on the subject concerned to our topic – on the

labour-law subjectivity. Subsequently, the Employment Act no. 435/2004 Coll. is dissected. The legislation of the children's performance in artistic, cultural, sports and advertising activities is contained in this Act from section 121 to 124. The analysis is mainly focused on the application for the prior authorization of children's performance in these activities, the application procedure, the content requirements of the authorization and the other aspects related to the performance in these activities, e. g. compensation for damage or safe working conditions. Finally, the comment of this part is completed with the control mechanism, which is included in the Labour Inspection Act no. 251/2005 Coll.

The evaluation of the current Czech legislation and its comparison with the international law and the European law is contained in conclusion. From the legal point of view, the legislation of the child labour in the Czech Republic is sufficient and relatively clear.