

Title of thesis: Sport and labour law

Abstract

The subject of this thesis is to review the possibility and scope of the application of labour law regulations of the Czech legal order in the area of legal relations arising during the performance of professional sport activities in team sports. The topicality of this issue is due to the fact that the legal status of professional athletes in the Czech Republic differs from the practice applied in most other European countries, where it is common for professional athletes in team sports to enter into an employment contract with the sports club and thus receive employee status. By contrast, in the Czech Republic, in the vast majority of cases, professional athletes have the status of self-employed persons.

In the first and second part of the thesis there is given a general view on the definition of sport, overview and systematics of sources through which sport is regulated, as well as a basic overview of the organization of sports sectors. The main part of the thesis deals with the possible legal regimes of the status of professional athlete and is mainly focused on the assessment of the nature of professional athlete activity in the context of the definition of dependent work and application of the Labour Code regulation. In this part, the author of the thesis concludes that the characteristics of dependent work are fulfilled in the activity of a professional athlete and that his legal status should therefore be governed solely by labour law. However, there is also an analysis of the case law of the Supreme Administrative Court of the Czech Republic, which admits that due to insufficient legislative regulation of sport and the specificity of professional sport activity, the choice of the legal regime of the contract depends on the decision of the contracting parties. In the following part of the thesis the activities of player agents and players associations are described in the context of labour law. The content of the penultimate part of the thesis is a view to the legal regulation of professional sport abroad and the findings presented here are also applied in the final part of the thesis, in which the author attempts to present possible ways of legislative regulation of professional sports activities in the future.

Key words: sport, labour law, legal status of a professional athlete