

The research project “*Free movement of services in the collaborative economy model - regulatory challenges in the European Union internal market*” aims to answer the question whether the existing EU law framework ensures an effective provision and reception of services in the internal market in the context of the recently developing new business model of collaborative economy or rather – the challenges and risks connected with collaborative economy model need to be addressed with a new regulatory approach at the European Union level.

The provision of services in the collaborative economy model grows in social and economic importance, globally and in the European Union and its Member States. There are already many examples of such collaborative business model, the most known being Uber in the transport sector and Airbnb in the accommodation sector, but the market of services covers also other professional services such as maintenance/cleaning services and high-skilled services such as legal assistance, translation, etc.

This model of business engages service providers service providers who share assets, resources, time and/or skills (these can be private individuals offering services on an occasional basis or service providers acting in their professional capacity); services recipients and intermediaries that connect — via an online platform — providers with users and that facilitate transactions between them. When a service is provided for a remuneration in the transnational context of the EU internal market, it falls under the scope of the European Union law, namely the freedom to provide and receive services (art. 56 TFEU). All three categories of actors benefit from the free movement of services, but also – depending on the context they are also subjected to rights and obligations stemming from other EU secondary law.

We decided to undertake research in this field, taking into account, on the one hand the dynamically growing market of services provided in the collaborative economy model and on the other – that the free movement of such services may be significantly restricted by the national provisions of Member States or some provisions of EU law.

The main research project objective is to verify whether the identified needs of the collaborative economy actors (protection of their rights, legal security of the economic activities) are sufficiently answered in the existing EU legal framework or rather – there is the need for the EU legislator to act.

We expect that the research will enable to draw conclusions on the optimal model of regulating provision of services in the collaborative economy. Combination of the analysis of the existing EU law (applicable to provision and reception of transnational services in the collaborative economy model) on one hand and the analysis of conformity of national practice of Member States with the existing EU legislation in this field will enable the answer whether the autonomy of Member States (as it stems now from the EU law) should be preserved or rather a legislative intervention of the EU should be undertaken (and in which fields).