

Abstract

This doctoral thesis is divided into ten chapters in which, together with the introduction and conclusion, it aims to describe and analyse the current development of legal regulation of personal data protection, especially from a substantive law perspective. The thesis analyses the existing legal regulations of the European Union, implemented in the legal frame of the Czech Republic compared to the new General Data Protection Regulation, which unifies the legal framework for the personal data protection in the whole European Union.

The first chapter of the thesis describes in brief the development of the personal data protection legal framework, from the establishment of the right to personal data protection in human rights declarations to the gaining its independence from the right to privacy. Furthermore, the relevant OECD Guidelines and Convention 108, which plays a crucial role in the field of personal data protection, are described. The development of the legal regulation of personal data protection in the European Union, together with the development of legislation in the Czech Republic, which also meant the necessary implementation of EU regulations into the Czech legal order with the accession of the Czech Republic to the European Union, are described.

The second chapter describes in detail and compares the scope of relevant legislation in the field of personal data protection - the Personal Data Protection Directive, the General Data Protection Regulation and the Personal Data Protection Act.

The fourth to eighth chapters deal with the various aspects that need to be taken into account in the personal data protection, taking into account basic principles, concepts and data protection subjects. In addition, the individual rights of data subjects are described, together with practical considerations on certain rights-related issues. The questions of the responsibility of the controller and the processor of personal data and the basic principles of the transfer of personal data to third countries are discussed. Within these chapters, there are highlighted those places in which the legal regulation goes forward or changes, or those parts of the legislation, that remain unchanged.

The last tenth chapter draws attention to certain new institutes which, compared to the current legal regulations, are brought by the General Data Protection Regulation.