

## **The applicability of criminal law statutes (abstract)**

The submitted thesis is focused on the applicability of criminal law statutes and aims to summarize the current legislation regarding the applicability of criminal law statutes, assess its current state, draw attention to any legislative gaps and propose possible *de lege ferenda* changes.

The usual focus of university textbooks might suggest the applicability of criminal legislation is a matter more or less brief, which does not require a special level of attention.

However, the opposite is true. The applicability of criminal legislation is a rather broad and diverse topic, its legal framework can be found both in substantive and procedural law, as well as in regular law, constitutional law and law of international treaties. A detailed theoretical research and the solution of individual cases uncovers a number of subquestions, not only in criminal law, but also in a number of other areas of law.

There are four basic aspects of applicability: temporal, territorial, personal and subject matter. Every single one of those has a rich history in theoretical, statutory and case law development. Despite such history, it remains an ongoing issue, both from the perspective of professional and general public alike.

The matter is also a part of the regular occupation of courts, prosecutors, police authorities, defence counsels and other persons. Whenever it is necessary to establish a criminal responsibility, it is also necessary to answer when (*temporal*), where (*territorial*), and by whom (*personal*) must a specific act, which violates or endangers a certain interest protected by the criminal law (*subject matter*), be committed in order to be considered a criminal offence and be prosecuted within Czech criminal law.

All aforementioned questions should be primarily examined by anyone who interprets or applies such laws when considering criminal liability of natural and legal persons.

The rules of applicability of criminal legislation are the basic guidelines to which anyone who applies the criminal legislation must adhere. Only the strict adherence to these rules by the state can lead to correct and just decisions in individual cases. At the same time, proper and careful appliance of the criminal legislation and respect to such legislation by its subjects is an important characteristic of a democratic state with a functioning rule of law.

**Klíčová slova: applicability, crime, time, immunity, territoriality, subject matter**