

Public procurement below the lowest threshold

This thesis describes and analyses the legal regulations and practice in the Czech public procurement below the lowest threshold. In particular, it focuses on the principles governing the procedures, i.e. transparency, proportionality, equality and non-discrimination.

The first chapter deals with the purpose of the Czech Public Procurement Act, the concept and development of the legal regulation of public procurement below the lowest threshold emphasising the financial limits of the contract's value, which separates these public contracts from other procedures.

The second chapter deals with the principles that apply to public procurement which represent the source for the regulation of public procurement below the lowest threshold. The law does not define their precise meaning, leaving it to the case law, decisions of the public authorities and opinions of the experts. These principles are necessarily connected to the principles of financial management known as the 3E.

The third chapter focuses on the procedure of contracting authorities during the public procurement. Since contracting authorities may, with certain restrictions, create their own rules for the procedure, the chapter contains examples and evaluation of these regulations of the individual contracting authorities.

The last chapter of this thesis deals with the issue of reviewing the public procurement below the lowest threshold. Particularly, it pays attention to the Czech competition authority, the Office for the Protection of Competition, whose role has changed over time according to caselaw.

The thesis is based on Czech legislation, case law, decisions of the Office for the Protection of Competition, literature, methodologies and internal regulations of the contracting authorities. It is methodologically based mainly on description and analysis resulting in a comprehensive information and analysis of the Public procurement below the lowest threshold, starting from the pre-contracting procedure and finishing at the subsequent review.

Key words:

public procurement below the lowest threshold, public procurement principles, internal regulation of the contracting authority, review of the public procurement below the lowest threshold