

## **Discrimination against consumer in the provision of goods and services**

### **Abstract**

The topic of this thesis is the prohibition of discrimination of consumers in the provision of goods and services. Recently, this issue has been the object of interest thanks to the Constitutional Court's judgment from 17 April 2019, in which the Constitutional Court dealt with consumer discrimination directly. The aim of this thesis is to analyse the concept of discrimination in the area of provision of goods and services and to compare the principle of non-discrimination with other principles acting in conflict. For this reason, the thesis is divided into two main parts. The introduction is followed by the first part that is fully devoted to the analysis of the concept of consumer discrimination and other terms related to it. The second part of the work deals with the principles against which the principle of non-discrimination directly acts.

The first part, entitled Consumer Discrimination, is divided into five subchapters. The main introductory chapter deals in detail with the analysis of the concept of discrimination and deals with discriminatory criteria in individual subchapters. The second chapter mentions cases of different treatment, which by law are not and cannot be considered as discrimination of the consumer. The third chapter is devoted to the explanation of the concept of indirect discrimination. The fourth chapter summarizes the legal enshrining of the prohibition of discrimination of consumers under the Czech law, including European legislation.

In the second part, entitled Autonomy of Will, Freedom to Conduct a Business, Freedom of Expression, the author gradually deals with each of these principles or freedoms. The first chapter of the second part deals with the restrictions resulting from the non-discrimination principle, which affect the principle of the entrepreneur's autonomy of the will and his contractual freedom. From the same perspective, the second chapter examines the entrepreneur's constitutionally guaranteed right to conduct a business. In the last, third, chapter of the second part, the impact of the prohibition of discrimination on the freedom of expression of the entrepreneur is compared.

**Key words:** discrimination, consumer, freedom of expression.