

Persons Subject to Duty under Act. No. 106/1999 Coll.

Abstract

At the beginning of my thesis I set myself a goal to provide a comprehensive overview of Persons Subject to Duty under Act. No. 106/1999. Coll. During the reading of materials, I became acquainted with a number of court decisions, legislative documents and professional literature. I tried to incorporate these findings in the text of my work, comment them and so as to illustrate the tendencies in the individual controversial parts of this issue.

In the first chapter I provide an analysis of the term „*information*“ according to the Act. No 106/1999 Coll. In comparison with the term „*classified information*“ according to the draft amendment Act. No. 412/2005 Coll.

In the second chapter I outlined the international context of the right for information, especially from the perspective of the Universal Declaration of the Human Rights, the International Covenant on Civil and political Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms.

The third chapter provides the description of the constitutional definition of the right for information in the context of the Czech law., respectively on the context of the Charter of Fundamental Rights and Freedoms and its article 17, which forms the basis of constitutional Right for information in the Czech legal order.

In the fourth chapter I describe Act. No. 106/1999. Coll., which is an implementing of the constitutional basis of the right for information, specifically this chapter provides a description of the rules for providing information and the conditions of the right of free access to information.

The fifth chapter divides the Persons Subject to Duty under Act. No. 106/1999. Coll into four groups, and generally characterizes these groups according to whether they are entities with full informing obligations or partial obligations. In this chapter I have also provide an exemplary list of regulations which, regulate the right for information and, consequently,

special subjects of information law. I also approached the definition of obliged entities according to the rules of European law.

The following chapters describes the groups of Persons Subject to Duty under Act. No. 106/1999. Coll, which are state authorities, territorial self-governing units and their bodies, public institutions and entities to whom the law has entrusted the decision on rights, legally protected interests or obligations of natural or legal persons in the area of public administration. As I mentioned in the introduction, in my opinion the most interesting area of this issue is the interpretation of the vague legal concept of a public institution, so in the eighth chapter I deal in detail with the legislative development and the case-law interpretation of this concept.

In the tenth chapter I pay attention to the superior authorities, while briefly describing the new role of the Office for Personal Data Protection in the field of information law.

At the end of my work I analyze obstructive disruption of the process of providing information by obliged entities, abuse of the right to information by applicants and I also compare the general cooperation of administrative bodies in the exercise of public authority with the right to information of obliged entities as applicants according to information law.