

Expropriation, Abstract

Expropriation means withdrawal or limitation of someone's property. This represents major interference into the fundamental right to property, as it is incorporated into article 17 of the European Union Charter of fundamental rights, as well as into article 11 of the Charter of fundamental rights and freedoms, which is part of the Constitutional order of the Czech Republic. However, in the public interest, under the law and for compensation it is possible to initiate proceedings. Expropriation is permitted only in extreme cases where the public interest in the realization of a particular project outweighs private interest.

Law sets out strict conditions for expropriation. The legal basis is the Charter of fundamental rights and freedoms according to which expropriation is possible only in public interest, under the law and for compensation. A specific regulation governing the whole process of expropriation is Act No. 184/2006 Coll., on expropriation. The partial regulation is also in the Act No. 416/2009 Coll., on accelerating transport, water, energy and electronic communication infrastructure. Expropriation is possible only for certain purposes, which are defined in specific laws, especially in Act No. 183/2006 Coll., Building act, Water act, Energy act and other. The public interest shall always be proven in the expropriation proceedings.

If all the requirements for expropriation are met, the expropriation office decides on expropriation. In the expropriation decision, the expropriation office shall determine compensation for the expropriation. In the expropriation decision, the expropriation office either decides to limit the owner's rights to property or to withdraw his or her rights to property. The expropriation office may reject incomplete, inadmissible and inappropriate proposals. The expropriated may bring an action against the expropriation decision.

The dissertation deals with the issue of expropriation. Defines basic concepts related to expropriation. It also deals with the sources of law in which the conditions of expropriation can be found. The work also briefly describes the history of expropriation

in the Czech lands. The main focus of the work is devoted to the regulation of expropriation in the Czech legal system. The work also includes an analysis of the legislation of expropriation in the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany and the Slovak Republic, and compares it with the national legislation. The conclusion of the dissertation deals with *de lege ferenda* considerations and the expected development of legislation.

Keywords:

expropriation – public interest – compensation