

The dissertation thesis is concerned with the investigative powers of the competition authorities, namely the European Commission and the Czech Office for the Protection of Competition. Essential investigative powers of competition authorities include requests for information, on-site inspections of business premises and other premises and sector inquiries. The competition authorities may use investigative powers in order to find evidence proving the violation of competition rules.

One of the main aims of this thesis is to thoroughly analyze the current EU and Czech legislation concerning investigative powers of the competition authorities, including the relevant case law of EU and Czech courts. The main goal of the thesis is to define basic principles associated with investigative powers. These principles determine not only the direction of the legislation but also guide the steps of the competition authorities in specific cases. Most of these principles, which are superior to legal regulation, stems from the fundamental rights of investigated entities. The important part of this thesis will be a detailed analysis of the possibilities of defense of the investigated entities against misuse of investigative powers by the competition authorities.

This thesis consists of eight chapters. Chapter One is introductory and describes the basic concepts associated with competition law and investigative powers of competition authorities. Chapter Two deals with EU and Czech legislation of investigative powers. In Chapter Three basic principles concerning investigative powers are defined and analyzed using relevant case law of European and Czech courts. This chapter deals in particular with the limits of the application of investigative powers, which are defined by the fundamental rights of the undertakings under investigation and which must be respected in particular cases. Chapter Four is concerned with the use of investigative powers in particular cases, focusing in detail on problematic issues currently addressed. The fifth chapter briefly discusses the sanctions that threaten the investigated entities for violating their duties during the application of investigative powers by the competition authorities. The sixth chapter analyzes the possibilities of defense of the investigated entities against misuse of investigative powers. Chapter Seven briefly deals with the cooperation of competition authorities within EU. The conclusions of the dissertation are summarized in Chapter Eight.