

# **Liability for environmental administrative offenses**

## **Abstract**

The subject of this diploma thesis is the institute of liability for environmental administrative offenses, which consists of two separate legal branches, namely environmental law and administrative law, which intertwine and form a comprehensive system of environmental protection and its components. The mechanisms of this protection include, in particular, prohibitions and orders for certain conduct, various forms of preventive action and, in particular, instruments of a sanction character. The concept of legal liability, which occurs in several types, is associated with sanction instruments, while in the protection of the environment the most widespread legal liability is tort legal liability, specifically administrative offence liability. This issue is still very topical, as on 1. July 2017 there was a new legal regulation of this type of liability and the anchoring of important institutes, which have so far been inferred only by analogy of law and court case law. The diploma thesis elaborates the theoretical basis of environmental protection and provides a comprehensive view of the fragmented legal regulation of legal liability in relation to environmental administrative offenses. Due to the considerable scope of the topic, the substantive legal regulation is analyzed, and due to the specificity of this issue, only the Czech national regulation is analyzed in detail. The basis is an analysis of the concept of administrative offence, its concept, characteristics and differentiation of this institute from another type of tort occurring in the field of environmental protection, namely the criminal offence. Furthermore, the identification of a specific responsible offender, including the simultaneous liability of several offenders, indirect administrative offence perpetration, complicity and participation. An essential part is the comparison of previous and current legislation of this issue, comparison of general legislation and special legislation contained in environmental law, application of administrative offence liability in decision-making practice of institutions, disputes and related inconsistencies of legal opinions.

**Key words:** environmental protection, legal liability, environmental administrative offenses.