

Supervision in notarial self-government

Abstract

The diploma thesis deals with the topic of supervision in notary self-government. The aim of this work is to develop a comprehensive overview of supervision, its types and course in the notarial state. This overview also includes the sanction phase of supervision, in which corrective measures for identified errors are examined. In addition, the work aims to examine the functionality of the current form of supervision, draw attention to its shortcomings and outline possible solutions. All this on the basis of available literature, professional articles, legal regulations and especially the case law of higher courts.

This work is divided into six chapters, which logically follow each other. The introductory chapter, which deals with the institute of self-government, is focused mainly on the self-government of professional, public corporations and professional chambers for a better anchoring of the institute of supervision in notarial self-government.

The second chapter deals with the notary self-government, its internal division, methods of management and functioning. The development of the notarial state is briefly described here. This chapter serves to understand the hierarchy within this self-government, which is necessary for the examination of notarial supervision activities.

The next two chapters deal with supervision. First, the general principles of supervision, administrative supervision and control are described, and their differences, phases and principles are mapped. Subsequently, these are applied in the next chapter, which deals with supervision in the notary self-government. This chapter focuses on individual types of supervision in this self-government, their course, supervisory bodies and reproach.

The fifth chapter is devoted to the sanction phase of supervision, as it deals with disciplinary proceedings, its principles, course, decisions and remedies. In this chapter, important court decisions are highlighted, which often complete the overall form of disciplinary proceedings.

The last, ie the sixth chapter of the thesis points out the identified shortcomings and problematic aspects of supervision in the notary self-government, to which the thesis responds with *de lege ferenda* considerations, in which it tries to outline their possible solutions.

The conclusion of the thesis summarizes the work itself, presents partial conclusions that were reached during the work, especially draws attention to considerations that could contribute to a greater degree of objectivity of supervisory activities in the notary self-government.