

Abstract

Fishing ground and performance of fishing right

The topic of the thesis is the fishing ground and performance of fishing right. The thesis describes and analyses the current legal regulation of these institutes, identifies its shortages, and tries to present *de lege ferenda* proposals. In the case of some institutes, it also offers a comparison with the legislation, which is in force in Slovakia.

The thesis briefly summarises the historical development of the legal regulation of fisheries in the current territory of Czech Republic. It focuses on issues related to fishing grounds, such as the conditions for declaring, changing or withdrawal them, or the conditions for declaring a protected fishery area. For this purpose, it also pursues to the distinction between the different bodies of surface water envisaged by the legislation. Subsequently the thesis examines issues relating to the performance of the fishing right, it particular the conditions for its authorisation, amendment, or withdrawal, and also the regulation of the procedural practices of the authority of the state fisheries administration in authorising the performance of the fishing right. It also deals with its content, i. e. fisheries management in the fishing ground. In this context, it examines especially the rights and duties of the user of fishing ground. Significant attention of the thesis devoted to the conditions of angling by individual fishermen. In this sense, it examines the permitted and prohibited methods of fishing, the conditions for authorisation exemptions from the prohibited methods of fishing and issues related to the appropriation of the fish caught.

A related topic addressed in the thesis is the protection of the regular and undisturbed performance of the fishing right, where the attention is dedicated to the rights and duties of the user of the fishing ground and other persons. In this context, the issue of damage to fish and its compensation is also addressed, including damage caused by selected specially protected animals and the Great Cormorant. At the same time, however, attention is also dedicated to the supervisory authorities and their competences. Particular attention is dedicated to the institution of the fishing guard, which plays a key role in the supervision of fishing grounds. It also deals with the tort liability of persons, namely administrative and criminal liability for administrative infractions and criminal offences against the environment and, briefly, offences against public order. Finally, the thesis deals with the issue of institutional provision in the field of fisheries and related sectors.