

The theme of this Rigorous Thesis is the position of a region within organisation structure of public administration in the Czech Republic. According to historical knowledge, self-government in the Czech Republic has been developing since 1848. At that time, higher self-government was represented by countries and districts; regions did not exist. The public administration of the Slovak Republic has been used for comparison. Generally, the self-government of regions varies a lot across Europe. For this Rigorous Thesis it was important to specify regional self-government law and its origin. European standardization based on the European Charter of Local Self-government is of great importance as well.

The Constitution of the Czech Republic laid down the establishment of regions as higher self-governing territorial units. Owing to that legal fact, the Act of Higher Self-governing Territorial Units Establishment was adopted and 14 regions were established as higher self-governing territorial units where the self-governing function and the part of state administration functions are carried on. On the 12th of April, 2000, the Act of Regions, that defined the position of regions and their organisations, was adopted.

The position of regions in public administration structure is given mainly by its typical features, its field of activity and relations to other subjects of public administration. A region is a territorial citizen community which has the right for self-government. Its typical features are legal personality, its area and population, its own administration and property, the right for self-government, organisation structure that enables a region to realise its will.

Regions are public corporations and can act in legal relationships with its own name and have the status of legal entities. The area of regions consists of districts. The area of self-governing regions does not correspond to the area of regions with respect to the Act about Territorial Segmentation nor regions with respect to statistical units NUTS II. The citizen of a region is a natural person who is the state citizen of the Czech Republic, and is registered for permanent residence in any municipality of the region. No regional referendum is possible.

Regions are administrated by their assemblies that are elected by citizens in regular elections. The assemblies of newly established upper self-governing

territorial units arose from the election in November, 2000. The elections shall be governed by special legislation. Any member of any regional assembly shall perform his/her mandate personally and in compliance with his/her oath, and shall not be bound by any commands. The office of a regional assembly Member is a public function. Consent of a majority of all regional assembly members shall be necessary for a resolution of the regional assembly so that its decision or voting is to be valid. Regional assembly sessions are public. The number of members is determined according to the number of inhabitants in the region. Regional assemblies elect the president of a region, vice-presidents and members of a regional council. The other bodies of a region are a regional council, the president of a region, the regional authority, and special bodies of a region. The regional council is an executive organization of a region in the sphere of independent power and power delegated by regional assembly. The president represents the region outwardly. The regional authority in the sphere of its own authority fulfil tasks assigned them by their regional council or regional assembly, exercises delegated power with the exception of those that fall into the power of a different region body. The director of a regional authority is responsible for the implementation of tasks of the regional authority in its own authority as well as those delegated by the region president.

The region is a public corporation with its own property. The region is entitled to have its own property and separate property management in statutory restrictions. The property of regions must be used expediently and economically in compliance with its interests and tasks ensuing from power delineated by law.

Regions look after all-round development of their territory and needs of their citizens. While meeting their tasks, regions protect public interests. Regions administer their matters autonomously in their own authority. State authorities may interfere into regions' authority only due to law protection and solely in a manner laid down by law. The scope of regional authority may be limited only by law. State administration whose execution is entrusted by law to the body of a region shall be performed by that particular body as its delegated authority. The Ministry of the Interior shall control the performance of its own authority.

If a special act governs the power of a region, and does not stipulate that this is the delegated authority of a region, it shall hold that this is invariably region's own authority. To distinguish delegated and region's own authority is a common problem

in practice. A region in its own authority may impose duties in a generally binding ordinance when laid down by a special act. If a region is thus empowered by law, the region may issue its regulations pursuant to and within the limits of law in its delegated authority. Matters which are falling into region's own authority are those in the interest of the region and its citizenry, unless those are delegated power exercised by bodies of the region or power entrusted by special legislation to an administrative authority as the performance of state administration, and also matters entrusted by law to the region in its own authority.

While exercising its own authority, region can find and establish its legal entities and organizational components, unless stipulated otherwise by law. Cooperation of a region with another region or a municipality shall be fostered primarily on the basis of a contract that shall have been concluded for the completion of a specific task by establishing legal entities pursuant to a special act.

Regions were established under the terms of public administration reformation. Regions as higher area self-governances and executers of state-governance became an undeputizable part of public administration system. However, they have a long and demanding consolidation process ahead.