

Social Help Concerning People with Disabilities and Related Aspects

Abstract

This thesis discusses aspects of social help to persons with disabilities, specifically, mobility allowance, special utility allowance, care allowance, person with a disability's card, and aspects pertaining to these institutes. To write this thesis, I was led both by my long-term personal and work experiences with this issue and the fact that this topic has been covered by just a minimum of specialist literature and the majority of it is already of an older date and does not reflect key problems of contemporary times that relate to given institutes. Therefore, I believe that I have at least partially managed to fill in the vacuum and contribute with specialist knowledge to the field of law of social security.

In the first part of the thesis, there are definitions of the terms disability and person with a disability both from the etymological as well as from the points of view of the so-called models of disability, but also from the legal point of view, be it international, European, but also Czech law. The conclusion of the first part is dedicated to basic statistical data about persons with disabilities living in the Czech Republic.

The second part is dedicated to the mobility allowance, special utility allowance, and person with a disability's card, which are institutes defined by the act of providing persons with disabilities with allowances and of related legal norms. In this part, there is a short discussion of institutes that preceded current laws. Each institute is described in detail and I also focus on warning about problems that relate to individual institutes. Furthermore, I focus on interpretation of some enactments related to this issue. In this part, there are also descriptions of some cases that I have come across as part of my activities related to the issue of people with disabilities. Through the person with a disability's card, I get to related aspects, not only as benefits, but also as others. Although the legal regulation of the subject has been effective for almost ten years it is necessary to make specific changes that will help people with disabilities, which is the reason why the conclusion of this part discusses legal proposals *de lege ferenda* so that the legal regulation be in accordance with demands and trends of contemporary times.

The third part is dedicated to the care allowance. The institutes that preceded care allowance are shortly mentioned. In addition to this, this relatively new legal institute, including the course of the procedure, is described in detail. In this part, too, a significant attention is paid to disadvantages related to the care allowance, including proposals of suitable solutions. Social services that are directly related to the allowance care are shortly discussed. At the same time, attention is given to practical cases and interpretations of some regulations, especially the social services act.

Attached to this thesis are also appendices of some statistical data about the aforementioned institutes, decisions related to the application for a contribution for a special utility and a standpoint published by the Ministry of Transport of the Czech Republic which relates to the issue of passengers with a person with a disability's card.

Keywords: disability, benefits for persons with disabilities, care allowance, person with a disability's card