

# **The civil jurisdiction of the public prosecutor's office**

## **Abstract**

This thesis deals with the civil jurisdiction of the public prosecutor's office in a narrower sense, i.e. the power of the public prosecutor's office to participate in civil proceedings. This issue is often neglected in addition to the criminal competence of the prosecutor's office, thus the aim of the thesis is to cover this issue as comprehensively as possible from the perspective of civil procedural law. The thesis is divided into two main parts and, except for the introduction and conclusion, it is divided into four chapters, where the individual chapters are logically connected to each other. The first major part is devoted to the participation of the prosecution in civil proceedings. The first chapter deals with the procedural standing and subjectivity of the public prosecutor, the capacity to sue and act for the public prosecutor, the subject matter and local jurisdiction of the public prosecutor, the key concept of public interest, the costs of civil proceedings and the authority of the public prosecutor to appeal. Chapter two examines the role of the prosecution in civil proceedings, focusing on the issue of evidence and the use of evidence obtained in criminal proceedings in civil proceedings. The third chapter then deals with the position of the public prosecutor's office in civil proceedings, where, after listing the proceedings that the public prosecutor's office may initiate by its own motion or in which it is entitled to intervene, it deals with the procedural powers and acts of the public prosecutor's office and their differences depending on whether the public prosecutor is the plaintiff in civil proceedings or whether it is a so-called special procedural subject by virtue of its intervention in the proceedings. A part of the thesis is also devoted to the requirements of the application to initiate proceedings and the declaration of intervention. The second substantial part of the thesis is devoted to sources of information for the exercise of the civil jurisdiction of the public prosecutor's office. In the fourth chapter, the thesis presents a demonstrative list of these sources, including information from criminal proceedings with a focus on the process of so-called extraction, files of courts and other public authorities and the so-called signalling obligation of courts, complaints of physical and legal persons, public registers and lists, public media and knowledge originating from the supervision of compliance with the law in places where personal freedom is restricted.

## **Klíčová slova**

Public prosecutor's office, civil proceeding, civil jurisdiction