

Summary

Some Aspects of Armed Forces regulations and Their Comparison Within The Czech Legal System

Klíčová slova (key words):

armed forces – ozbrojené síly

employment relationship - pracovní poměr

comparison - srovnání

The purpose of my thesis is to analyse the legal regulation of the service in the security forces of the Czech Republic and in the Czech Armed Forces and to show its differences from employment relationship and from civil service relationship in the Czech Republic. The reason for my research is to compare these legal adjustments and to demonstrate reasons for having a different legal regulation.

The thesis is composed of eight chapters, each of them dealing with different institutes of the regulation of the security and armed forces service and the regulations of employment relationship and civil service regulations respectively. The first introductory chapter examines relevant Czech law relating to the employment relationship and to the armed forces regulation.

Chapter Two describes specific features of the employment relationship that is established on the principle “Whatever is not forbidden is permitted”. On the contrary, the employment relationship in the armed and security forces is based on the principle “Whatever is not permitted is forbidden”.

Chapter Three is subdivided into five parts and it explains which person may participate in these relationships. The first part focuses on employers and employees, the second and third part examine issues relating to the members of the armed and security forces and the fourth part addresses relevant issues of employment of public servants.

Chapter Four concentrates on problems resulting from the entrance proceedings and analyzes their particular phases from the legal perspective.

Chapter Five identifies and describes relevant legal acts that are necessary to establish an employment relationship for all of the four above-mentioned areas of employment and service.

Chapter Six enumerates and analyses the rights and duties of all categories of employees in question. This chapter argues that certain rights of members of the armed (and security) forces are limited.

Chapter Seven recognizes the alternations of the terms of employment relationships.

Chapter Eight focuses on the circumstances in which and on ways how the employment relationships in question may be terminated.

The thesis ends with conclusion that the main aim of this thesis - to confirm my initial hypothesis – has been reached: “The specific relationship of the members of the armed and security forces to the Czech Republic necessitates a special legal regulations.”