

Resumé

The rigorous work with the title – The Operation of The Public Prosecutor in The Civil Proceedings consists of, expect of introduction, six chapters. The first chapter deals with legitimacy of enters of public prosecution into civil proceedings, motions for opening civil proceedings, diference between contentious and non-contentious proceedings, characteristic of participation in the context with procedural position of public prosecution (public prosecutor) and with general characteristic of enters, motions and actions. The second, the third and the fourth chapter deal with competencies of public prosecution in non-criminal area at all levels of public prosecution without High Public Prosecutors'Office. The fifth chapter deals with non-criminal area of prosecution service of the Slovak Republic. The conclusion of this work deals with the importance of non-criminal competency of public prosecution and considerations de lege ferenda. The author points not only at laconic regulation in the Civil Procedure Code but also at actual lacks of current civil proceedings. There are charts and four supplements in the work containing development of section 35 of Civil Procedure Code and this section according the Slovak regulation.

The main aim of this work was the analysis of tasks of public prosecution in non-criminal area in the Czech Republic and in the Slovak Republic because the public prosecutors in the most member states of Council of Europe execute competencies in civil, family, commercial or administrative proceedings. On the other hand it is true that some states don't consider necessary to give non-criminal competencies to public prosecution. But this is a false opinion because the participation of public prosecutor - non-criminal specialist is irreplaceable. This activity is an integral part of legal system. Public prosecutor – non-criminal specialist has very important position in legal and democratic society and in protecting human rights which are often infringed by absence of the legal conscience and the lack of legal regulation.