

Abstract

ASSISTANCE TO PERSONS IN MATERIAL NEED

At the present time in the Czech Republic the assistance to persons in material need is provided by nongovernmental organisations (Salvation Army, Naděje, Diakonie and others).

However, the state has the bigger role to play in this area as according to Art. 30/2 of the Charter of Fundamental Rights and Freedoms it is obliged to provide anyone in material need the assistance in securing basic living conditions. The state does so through the Material Need Assistance Bodies.

As the previous legal regulation of assistance to persons in social need had not been fully sufficient, a new Act on Assistance in Material Need was adopted, coming into force on 1 January 2007. This Act introduced several crucial changes.

The Material Need Assistance Body is obliged to provide social consultation to anyone in material need. Timely and professional consultation very often leads to resolving the difficult situation of the client, and regularly there is no longer any need to grant and disburse the relevant benefits and allowances.

In case the social consultation is insufficient to resolve the situation of the client the Act allows for disbursing material need assistance benefits and allowances. These are envisioned to resolve certain situation of the client. If the client lacks enough resources to cater for the diet and other basic personal needs he or she is entitled, under the conditions stipulated by the law, to an allowance for living. Insufficiency of money for payment of housing-related costs gives rise to entitlement to a supplement for housing, also an obligatory benefit.

In response to the great variability of life the legislator introduced extraordinary immediate assistance. This benefit is facultative. It can even be provided to persons who are not in material need, or to persons with income above the subsistence minimum, however, due to their overall social and material status it is important to help them.

The Act on Assistance in Material Need introduced some motivational aspects for applicants and/or beneficiaries of material need assistance allowances and benefits. To

persons in material need it pays off to actively deal with their situation and eventually even to accept a poorly paid job or a temporary one.

The newly structured Act on Subsistence and Existence Minimum introduced new groups of jointly considered persons. It also introduced economies of scale and, overall, also raised the responsibility of family for its members.

Save some minor reservations, such as protection of seniors, abolition of interest-free credits, etc., the current legal regulation is a complex and modern one. It is a basis that allows for assistance to persons in difficult life situations and hence helps to prevent their social exclusion.

Keywords:

Assistance in Material Need

Social Need

Subsistence Minimum

Livelihood