

## **Abstract**

### **Protection against improper conduct of a contracting authority in a public tender**

The aim of this thesis is to analyze the system of protection against improper conduct of a contracting authority in a public tender in the Czech Republic. This is a hot topic since the public eye at present focuses on corruption in public administration and public procurement is often mentioned in this context.

The work consists of four chapters. The first chapter discusses the basic principles of public procurement, and highlights their importance for protection against improper conduct of a contracting authority. The second chapter of the thesis deals with the sources of legislation of protection against improper conduct and defines the term review procedures as a generic term. The third chapter provides an introduction of the authorities providing protection against improper conduct of contracting authorities and their responsibilities in overseeing public procurement. The fourth chapter contains individual means of protection, which can be used by a supplier to correct errors of the contracting authority. These means of protection are objections against the conduct of the contracting authority, the administrative procedure before the Office for Protection of Competition and an action against the decision of the administrative authority.

Attention is paid to the legislation contained in Part V of the Public Procurement Act, first of all, objections against the conduct of the contracting authority and the subsequent review of actions of the contracting authority by the Office for Protection of Competition. In addition, legislation in an action against the decision of the administrative authority in the administrative justice system is analyzed as another means of protecting the rights of the suppliers.

Not only laws of national legislation are analysed, but also the directives of the European Parliament and the Council. The entire work often refers to previous decisions of the Office for Protection of Competition, that are used to explain the individual institutes and concepts contained in the legislation dealt with. Jurisprudence of administrative courts, which serves as a unifying element in the interpretation of issues that arise in public procurement, was also taken into account.

**Key words:** public procurement, review procedure, objections