

Abstract

The subject of this master's degree thesis is the anti-smoking legislation in the Czech Republic. The reason why I chose this subject for my research is the fact that this area of law has not been yet analyzed in any legal publication and that I find this topic really interesting. It has a huge impact on people, its recent development is most dynamic and it is highly controversial. The aim of this thesis is to describe the current situation and to propose improvement motions. I believe that the thesis can contribute to a more erudite society-wide discussion.

I have divided the anti-smoking legislation into five thematic areas: 1. production of tobacco products, 2. taxation of tobacco products, 3. promotion of tobacco products, 4. marketing of tobacco products, and 5. smoking bans. These topics form the outline of the thesis.

In the introduction I explain my attitude to the anti-smoking legislation. I find it impossible to pretend the impartiality in this issue. The first chapter defines a few crucial terms: smoking, tobacco products, tobacco accessories, and the Protection from Addictive Substances Act. The second chapter explores the significance of the Framework Convention on Tobacco Control. The analysis of its particular provisions follows in the next chapters.

The next five chapters focus on the thematic areas as stated above. The text examines the national legislation and compares it with the European Union's and international requirements. The third chapter deals with the production of tobacco products, especially with composition and packaging. The fourth chapter focuses on the taxation of tobacco products by both the consumption tax and the value added tax. The fifth chapter concerns with the promotion of tobacco products which includes the tobacco advertising, propagation, and sponsorship. The sixth chapter describes the marketing of tobacco products. Close attention is paid to selling places and age limits. The seventh chapter analyzes in detail the smoking bans in public places, schools and school facilities, health facilities, bars and restaurants and workplaces in general. The eighth chapter introduces the anti-smoking means in civil law and compares their advantages and disadvantages with the public law.

The conclusion of the thesis evaluates the acquired information and summarises the legislative proposals that should be passed.