

Abstract

The law of railway transportation is a phenomenon affecting several other law branches in particular European Law, Commercial Law and Administrative Law. This thesis focuses on the last mentioned branch, i.e. Administrative Law. This thesis does not cover this issue comprehensively; however, it gives fundamental and comprehensive views on the issue. In addition to information on current legal situation and its background it provides information about the history of law of railway transportation and includes the topic of public transport services.

In last twenty years the initiator of changes in law of railway transportation is mainly the European Union, which gradually liberalizes the railway transportation. Both national legislation and public services reflect and adapt to these changes. After summarising the history of law railway transportation this thesis gives overview on the important European legislation which determines national legislation in the Czech Republic.

The main part of this thesis is about legislation issues in law of railway transportation in the Czech Republic. It focuses on the organisation of public administration according to the Railway Act and the jurisdiction of the Rail Administrative Authority including some aspects of the administrative proceedings there. It mentions other public bodies operating in the railway transportation such as the railway operator and the railway transport operator. At the end this chapter mentions particular administrative executors and most important persons of the railway operator and railway transportation provider to illustrate liberalization process in the Czech Republic.

The following chapter discusses the topic of public administration execution in relation to public passenger transport services, ordering of these services, tendering of their operator and structure of contracts regulating these services. This topic is closely related to the content of the previous chapters. Legislation and organisation of public administration in the branch of railways influences the extent of rights and obligations for ordering party to the tender who is responsible for providing of these public services.

The thesis concludes with an attempt to summarize the liberalization process of railway transportation and current legislation resulting thereof. Finally it gives an outline of the next expected development.