

Persons subject to duty under Act. No. 106/1999 Sb., on a free access to information

Abstract

This thesis Persons subject to duty under Act. No.106/1999 Sb., on a free access to information, which aim is to uncover the particular groups of the obliged persons and to point out to the most frequent problems, that during the application of the mentioned legal regulation around this groups occur, consists of the eleven parts in total.

The first part deals with the right to information in its wide connection – as a constitutionally embodied right, that on the one hand helps to fulfil partial principle of transparency of the public administration, which is a subset and a component of the democratic state of law principle, and on the other hand is means of effective utilization of the another rights, especially the political ones.

The second chapter gives the definition of the term „information“ and pursues to its typical attributes. This part of the text also points out the potential non-standard handling with information and its legal consequences following from the various legal regulations.

The third part summarizes the previous historical evolution of the embodying of right to information and the access to it in the worldwide and european context.

The fourth chapter gives the Czech republic current legal adjustement overview. It orients to the basic special law of this area – Act No.106/1999 Sb., on a free access to information and The Charter of the basic rights and freedoms and their reciprocal relationship. In the end the legal adjustement of the sectional right to the enviromental information is mentioned.

The fifth part is dedicated to the general view to the obliged persons, its division to the groups and the character of the informational duty, that they must fulfil.

The sixth chapter analyses the group of the state bodls, especially within the division to the legislative, executive and judicial power. The other, special bodies, situated out of this divisions are also stated.

The seventh chapter occupies with the duty of the municipalities and treats the informing about their activity, both in the sphere of own force and delegated force.

The public institutions, their judiciary definition, as well as the particular examples of the subjects, that belongs to the third groups of the obliged persons, are the topic of the eight chapter.

The ninth chapter concerns the persons, to whom the decision-making about rights and duties of the natural and artificial persons, was conferred.

The tenth chapter brings the brief summary of the suggested changes of Act. No.106/1999 Sb. amendment.

The final part recapitulates the categorization of the obliged persons and notices certain real differences during the enforce of the right to the access to information, existing among the particular groups. In the end the global evaluation of the current czech legal adjustment is mentioned.