

Abstract

In my work, which comprises three basic chapters, I have focused on providing an overview of cybernetic criminality with a stress laid on contemporary criminal offences defined in the current Penal Code (Act No. 40/2009 Coll.). I make use of the fact these are new issues that – in some moments – afford an opportunity to formulate one's views even to a non-erudite student of faculty of law.

In the introduction to the first chapter, I have indicated the fundamental concepts relating to cybercrime, inclusive of an attempt at the proper (narrower) definition of the cybernetic criminal offence. I have also mentioned international legal context of criminal sanctions for cybercrime and their impact upon the penal legislation in the Czech Republic. The first chapter is finalized by an overview of specific ways and techniques of attacks by cybercrime offenders.

In the second chapter I have tried to outline the possible division of the cybernetic criminal offences into individual groups according to various different criteria – according to the manner of utilising of information and communication technologies by the perpetrator, to the subject of protected interest defined in the international Convention on Cybercrime, to the subject of protected interest applied in the Czech Penal Code, and to the significance of the cybernetic element stated in the body of the crime.

The third chapter is principal; it comprises the interpretation of the individual cybercriminal acts defined in the current Penal Code, with a focus on the relevant judicial issues. Offences are divided into three groups according to the significance of the cybernetic element characteristic of their bodies. A more detailed construction is provided with cybercrimes containing a cybernetic element (utilisation or affecting of information-communication technologies) in the fundamental body. The rest of offences that contain cybernetic element only as especially aggravating circumstance, are listed in brief.

The end contains *de lege ferenda* deliberation.