

Abstract (English)

The purpose of my thesis is to analyse possibilities provided by current legislation to protect individuals against negative effects caused by excessive noise and vibration. The reason for my research is that at the beginning of the new century noise and vibration became one of the most dangerous sources able to threaten or even damage men's health and environment. The thesis is composed of six chapters, each of them dealing with different aspects of noise and vibration. There is always a short summary at the end of each chapter.

Chapter One is introductory and defines basic terminology used in the thesis: sound, noise and vibration. The chapter is subdivided into five parts. Part One explains the physical and legal meaning of noise and vibration. Part Two describes the main sources of excessive noise and vibration. Part Three analysis negative effects on human health. Part Four compares noise and vibration protection measures. Part Five mentions the mostly used environmental legal instruments.

Chapter Two examines international legislation concerning noise and vibration. The chapter consists of two parts. Part One focuses on documents issued by WHO. Part Two deals with activities of ILO.

Chapter Three is subdivided into six parts and provides an outline of European Union law. Part One describes the way how does European Union work after the Lisbon Treaty has entered into force. Part Two deals with the sources of primary law. Part Three analysis the development of concepts such as programmes of action of the European Communities on the environment and The Green Paper „Future Noise Policy“. Part Four concentrates on noise and vibration emissions standards concerning transport and the equipment for use outdoors (Directive 2000/14/EC). Part Five describes the legal protection against environmental noise (Directive 2002/49/EC) and noise and vibration at the workplace. Part Six looks at decisions issued by Court of Justice of the European Union.

Chapter Four characterises the legal protection provided by public law in the Czech Republic. The Chapter consists of five parts. Part One describes environmental planning instruments such as regional and spatial planning. Part Two compares SEA, EIA and IPPC. Part Three mentions noise and vibration emission standards in accordance with the EU law. Part Four as the most important part of the thesis focuses on the protection provided by Public Health Protection Act and another regulations. Part Five discusses the Bill of Noise Act currently being prepared.

Chapter Five is devoted to the private protection against noise and vibration in the Czech Republic. The Chapter is subdivided into six parts. Part One mentions The Civil Code and The „New“ Civil Code as the main (future) sources of law. Part Two deals with environmental nuisance claim. Part Three analysis legal means of protection of personal rights. Part Four is concerned with a legal action in case of threatening damage. Part Five includes damage claim. Part Six is about non-judicial protection against noise and vibration.