

## **Resumé**

The thesis deals with the exclusive powers of the European Union with a focus on legislative competencies. It is composed of four chapters; while deriving from Czech and foreign literature it contains theoretical view enriched by decisions of The European Court of Justice/The Court of Justice of The European Union. The first chapter focuses on the powers of the EU generally; it explains the term power and includes also the origin of the powers from historical and constitutional point of view. Corresponding with the principle of conferral explained in the chapter 1.3, the will of the member states could be considered as the basis for the powers of the EU. The thesis deals also with the theory of implied powers and the flexibility clause. These are the ways to avoid the rigidity which might be represented by strict obeying the principle of conferral. The following chapter offers an overview of other types of powers and hints to their particularities in comparison to the group of exclusive powers. We are finding out that in case of shared competencies the member states can take action unless the blocking effect of the European regulations is applied while in other cases the EU has only a supporting function. The last two chapters which could be considered as the most important ones focus specifically on the group of the exclusive powers. The third chapter deals with the exclusive powers before adopting the Lisbon Treaty when their catalogue was still missing in the founding treaties. At first it defines this group from the theoretical point of view which is flowingly complemented by the decisions of ECJ. The last chapter enlightens how the exclusive powers are defined after the adoption of the Lisbon Treaty when the list or areas falling into particular categories is to be found in the primary law. It provides us with the overview of the areas where the exclusive competencies will be applied and it also deals with the topic of the external competencies of the EU. Shortly, it also explains the position of the member states which cannot take action in this area except for some cases. Again, a selection of the decisions of the CJ EU follows that complements the above mentioned.