

Summary

The thesis provides for a comprehensive legal overview of bid rigging and its manifestation in public procurement. Bid rigging is defined as coordination of competitors in tenders which is not necessary and which is executed when these competitors submit bids according to the conditions agreed among them. The thesis briefly sums up available information on occurrence of bid rigging with emphasis on the only two cases of bid rigging that have been identified, proved and sanctioned in the Czech Republic. This information suggests that despite the fact that the risk of bid rigging is higher at certain markets, notably markets with limited number of competitors present thereon, it may take place in any market.

Bid rigging is further analysed as a prohibited agreement distorting competition which always distorts or prevents competitions and as such is considered one of the most serious anti-competitive practices capable of causing immense economic damage. A separate chapter tackles bid rigging in public procurement. This chapter analyses legal basis of prohibition of bid rigging in public procurement, its impact on principles of efficiency, effectiveness and expediency, and points out factors that may support occurrence of bid rigging. With regards to this analysis, the thesis formulates several recommendations for prevention of bid rigging in public procurement and proposals *de lege ferenda*.

Finally, the thesis tackles consequences arising from violations of the prohibition of bid rigging, including both public and private law instruments and provides for a brief analysis of the potency of their applicability. The thesis finally concludes that despite the fact that applicable legal regulation provides for sufficient legal basis for both public and private enforcement of the prohibition of bid rigging, effectiveness of the private enforcement is significantly limited by the economic and factual obstacles which may be hard to overcome even in the future.