

## **ABSTRAKT**

The issue of public procurement is one that is extremely closely followed, particularly due to the redistribution of public resources. The current Czech legal regulations are based on the so-called European Procurement Directives. These Directives also comprise the origin of the provisions regulating proof of qualifications through a third party (a subcontractor).

For a reliable interpretation of this provision, a thorough analysis of the European legal regulations, ECJ case law, and decision-making practice in the Czech Republic was therefore necessary. Technical books and articles also proved to be a helpful backup.

The analysis indicated that decision-making practice in the Czech Republic is disunited and cannot be relied upon for an interpretation. The key guide was therefore EU-compliant interpretation, as well as patient and detailed analysis of the individual possible issues in respect of proof of qualifying prerequisites through a subcontractor with emphasis on the legislator's intentions and on logic.

The result is, then, a relatively safe guide on how to proceed in the case of individual problematic qualifying prerequisites and how to comply reliably with problematic legal provisions.