

## ABSTRACT

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This thesis deals with an issue of public procurement in the Czech Republic from a legal perspective which is a sui generis legal area falling within the scope of public and private law. In case of public procurement it is always important to consider not only the public interest, inter alia on economical and efficient use of public resources (finances), but also aspect of financial or time expenditures or an interest to minimize the administrative burden of procurement procedures. Finding a compromise between various - often conflicting – interests, falls on the legislators and relevant decision-making practice of tribunals or the Office for Protection of Competition.

The purpose of this thesis is to provide a comprehensive analysis of the public procurement legislation with regard to its historical and legal development, national decision-making practices, impacts of an European aspect (including relevant European case law), as well as to diversities in procurement law at the European Union level or in the European Union member states.

This thesis is divided into three parts. First part is devoted to the theoretical context of the public procurement. Second part focuses on the procurement as a process decaying into sub-phases in summary aiming to select the best supplier for a performance of a contract. The third part contains the comparison of public procurement rules in the Czech Republic and in selected foreign countries (Slovakia, Germany, Austria and Poland).

This thesis is divided into three parts. First part is devoted to a theoretical context of public procurement in terms of its terminology and historical development. Second part focuses on the procurement as a process decaying into sub-phases in summary aiming to select the best supplier for a performance of a contract. Also basic principles, as well as operations of contracting authorities previous to procurement procedure, are being discussed in this part. The third part contains the comparison rules of public procurement rules in the Czech Republic and in selected foreign countries (Slovakia, Germany, Austria and Poland).

Although the thesis is based on legislative status effective in the Czech Republic on September 22th, 2014, it also does not ignore newly proposed changeover of public procurement, which is currently in form of an Intention of the Ministry of Regional Development CZ.