

Resumé (AJ)

Fraud, Insurance Fraud, Credit Fraud and Grant Fraud

The thesis elaborates on the crime of fraud under Section 209 of the Criminal Code (CC), one of three types of property crimes with enrichment. The author further analyzes three special forms of fraud: insurance fraud (Section 210 of the CC), credit fraud (Section 211 of the CC) and grant fraud (Section 212 of the CC).

After an introduction explaining the significance of the topic examined, the author proceeds in the first chapter to a broader interpretation of criminological and sociological context of property crimes and the crime of fraud in particular. In four subsequent chapters the author firstly discusses the general constituent elements of fraud under Section 209 of the CC and subsequently addresses the constituent elements of three special forms of fraud under Sections 210 to 212 of the CC. Analysis maintains the same structure in all chapters: determination of the object of the crime, interpretation of the objective aspect of the crime, discussion on possible offenders and on the subjective aspect of the crime. The author further elaborates on possibility of tougher sanctions for crimes involving aggravating elements and considers possible concurrence with other crimes.

In conclusion, the author summarizes the findings reached and proposes to repeal the provisions containing the elements of three special forms of fraud (insurance fraud, credit fraud and grant fraud) that do not require any damage to property. Further, the author considers whether it would not be sufficient to establish one general constituent elements of fraud involving all its special forms instead of providing three different casuistic elements for each special form of fraud. If this is not possible for criminological or political reasons, the author provides other proposals *de lege ferenda* to improve the current legislation.

The thesis is compiled on the basis of legal literature and jurisprudence of general courts and the Constitutional Court of the Czech Republic.

Keywords: property crimes, fraud, insurance fraud, credit fraud, grant fraud, subsidiarity of criminal repression.