

## **Disclosure of salaries of public authority employee - abstract**

This thesis is concerned with the issues of legal interpretation of key provision of Act No. 106/1999 Coll. on free access to information relating to disclosure of salaries of public authority employee.

The thesis introduction is focused on the constitutional aspects of the right to information and the right to privacy. It is also focused on the collision of these two fundamental rights. The following chapter examines the disclosure of salaries of public authority employee regulation and discovers and expounds the intended meaning of this regulation by the principles and rules of standard methods of interpretation, especially lingual interpretation, systematical interpretation, historical interpretation and teleological interpretation. This chapter provides the lingual meaning of key provision of Act No. 106/1999 Coll. on free access to information, presents brief look at relationship between the disclosure of salaries of public authority employee regulation and other norms and legal acts of the European Union and finally finds the content, sense and purpose of the regulation from both subjective (historical) and objective (teleological) point of view. This chapter also deals with case law analysis.

The focal discussion point of this thesis is presented in Chapter Three, which deals with a comparison of the right to information and the right to privacy. The comparison of these rights is analysed and reviewed by the principle of proportionality as a significant method of constitutional argumentation. In this chapter I concentrate on the structure and components of proportionality test. I prove the legitimacy of the disclosure of salaries of public authority employee regulation and the importance of making the information held by public authorities transparent and accesible to anyone who request it. In this chapter it is also shown a three-step test, with the sub-tests of suitability, necessity, and proportionality in the narrow sense. Finally it is determined what limitation of the fundamental right to privacy may still be considered as being in conformity with a constitution.

The procedural rights of the recipients of public funds are mentioned in the last part of the thesis.