

ABSTRACT

The diploma thesis examines the property penalties in the Czech legislation and in terms of their legal provisions, but also the application of the practice. Its aim is to criminal penalties, which the perpetrators bring harm to their property interests, define, describe the conditions for their storage and performance and also to characterize development in their store, and even in terms of statistical data. Finally, the author aims to point out the options, which would in practice have brought a higher level of use of the property penalties. In the work are also included selected aspects of property records abroad with the intention to draw inspiration, where there are these kinds of punishments the normal alternative to unconditional imprisonment.

The work deals with the definition of punishment, its purpose, the position in the system of penalties, followed by a chapter on the historical punishment of offenders. The largest part of the work consists of an analysis of individual securities sentencing - confiscation of property, financial penalty, forfeiture of things – and the protective measures - detainer. For each of these institutes are described the conditions for their storage and performance. The following are the chapter on property sanctions for legal persons, the measures relating to assets for minors and also a chapter on the position of the injured party to save the property punishment offenders. The last third of the work is devoted to the analysis of statistical data relating to the storage of property records and the assessment of their practical impact on judicial practice. The author also tried through research to define the positives mentioned and negatives in the store these records in the Czech Republic. The last chapter of the work consists of selected aspects of the foreign legislation of property records with the intention of drawing attention to the possibility that they could for the Czech legal order to be the inspiration.

The thesis shows that property penalties are insufficiently used options and, in practice, it would be appropriate to emphasize the need for their use of higher, especially in terms of reducing the prison population. Statistics on the use of property punishments illustrates, unlike the foreign, that in the Czech judicial practice has so far failed to push through a greater amount of their store, at the expense of their potential.