

## *ABSTRACT*

The dissertation called „Flaws of the legislative procedure and the legislation itself” aims to describe the main problems and flaws of the legislative procedure and the current condition of the legislature. It deals with the question of the cause of the current unintelligible and disorganized law. The paper analyses the situation in the Czech Republic, Germany and Austria.

The thesis deals with four main questions. First, what kind of law the legislator should create. The question is answered by the description of the formal attributes of the law. Subsequently, it is put into question how the legislator should create such law. The duties of the legislator are described as those which were deduced by the German Federal Constitutional Court. In the chapter which deals with the question of how the legislator creates such law in reality, the particular safety measures and particular flaws of the legislative procedure are described. Finally, the last question analyses what kind of law is created by the legislator in reality, i. e. it deals with the problems of the current legislature which are specifically caused by the so called flood of laws.

In conclusion, the thesis answers the question whether there is a connection between the particular flaws of the legislative procedure and the particular flaws of the legislation in general, i. e. the lack of comprehensibility and clarity of the legal system. At the same time, the question of whether these problems are specific to the Czech Republic only or whether Germany and Austria also have to deal with them is answered.