

ABSTRACT

This thesis deals with the issues associated with the legal regulation of air quality protection. The main objective is to describe, analyse and evaluate the condition of the current legal regulation which is mainly represented by the Act no. 201/2012 Coll., on the protection of air. The introductory part of the thesis focuses on the historical development of the legal regulation, its primary milestones, as well as legal regulation according to International and European Law and its impact on the internal national legislation. Furthermore, the thesis also focuses on the currently valid legal regulation and its components and clarifies its basic terminology. The largest portion of the thesis focuses on the legal regulation of the individual instruments regulated primarily by the Act no. 201/2012 Coll., on the protection of air, with the primary focus being the stationary sources of pollution. These instruments are sorted into traditional groups, each respectively representing conceptual, administrative-legal and economic instruments. The chapter on conceptual instruments primarily focuses on the two fundamental instrumental programs, that is a) - The National Emission Reduction Program of the Czech Republic, and b) - programs aimed at improving air quality and their importance in legal regulation. The chapter on administrative-legal instruments contains the amendments of air quality standards, administrative acts issued by air quality protection authorities and the personal duties enforced by law. Regarding the economic instruments, this thesis primarily deals with the pollution charges and various subsidy programs. This chapter is followed by the chapter on delicts in the context of air quality protection, which is primarily directed at the regulation of delictual liability. The final chapter is dedicated to selected cases from the case law of Czech courts, which are to be considered as significant in the context of air quality protection. The pros and cons of the legal regulation, along with the summary of the gathered partial insights, are presented in the conclusion of the thesis. For the discovered shortcomings in the legal regulation, a possible practical solution is proposed. Then, in the final conclusion, the legal regulation is evaluated within the entirety of its context.