

Název disertační práce, abstrakt a klíčová slova v anglickém jazyce

Title:

State Supervision of Public Self-government

Abstract:

The thesis deals with the state supervision of public corporations in the performance of public administration. Public-law corporations include territorial self-governing units, professional and business chambers, and public higher education institutions. They are public entities different from the state. In order to ensure the legality of the public administration entrusted to them, they are subject to state supervision. This supervision is part of the control activities in public administration and falls within the remit of administrative control. In the remedial phase, it usually follows a judicial review consisting of a review of the lawfulness of abstract and concrete acts issued by the bodies of self-government.

Two introductory chapters are devoted to the theoretical basis of state supervision over self government. The first deals with the status of self-government in the structure of public power and public administration, the legal nature of self-government, and the relationship between self- government and the state. In the second, the author deals with the legal nature of control activities in public administration, their system, the stages of control and the legal relations arising from the exercise of control and their elements.

The focus of the thesis is found in the chapter devoted to state supervision of territorial self-governing units. The development of this supervision in the social and legal contexts has been captured from 1848 until 1989. The period after 1945, respectively 1948, when the self-government was posted and its integration into the state administration, is also included. The historical passage is followed by a description of the valid legal regulation of the state supervision over the territorial self-governing units based on its analysis according to the stages of state supervision and the elements of legal relations arising from the exercise of this supervision. In the same vein, the legal regulation of the review of the management of territorial self-governing units is also analysed.

The next chapter is devoted to state supervision of professional and business chambers. Firstly, their legal status and legal regulation of state supervision, which is quite diverse, ranging from the first very brief adjustments from the beginning of the 1990s to some relatively more elaborate changes from later period, is covered. Then, a general description of

the state supervision of the professional self-government is again followed by the supervision stages and the elements of legal relations arising from its performance, based on the generalization of the findings from the analysis of individual legal regulations. The last chapter deals with the state supervision of higher education, which is very elaborate and concise.

The analysis of the legal regulation of the state supervision over the self-government by the supervision stages and the elements of the legal relations arising from its implementation makes it possible to detect any systemic gaps and shortcomings in the validation that may adversely affect the practical application of the state supervision over the public self-government as a component of public administration. The lessons learned can also be used in case of any modifications of the applicable legislation.

Key words:

public power, state and self-government, territorial self-governing units, professional and business chambers, university self-government, state supervision, economic review