

Abstrakt v anglickém jazyce

Legal aspects of electronic communication in administrative procedures

The dissertation thesis has two basic parts, the first and largest part offers a comprehensive view on electronic communication with public authorities in the Czech Republic and the possibilities of electronic identification. The second part of the dissertation thesis is focused on legal aspect of personal data protection in electronic communication with abovementioned authorities. In both of these parts, the current EU legislation (e.g. eIDAS and GDPR) is taken into account. The first chapter contains an analysis of basic legal terms and institutes in the area of electronic communication and identification as well as in the field of personal data protection (e.g. data message, electronic signature, authentication, personal data and invalidity of delivery). Detailed analysis of legislative development in the area of electronic communication follows. Particular attention is paid to a launch and operation of the data box information system and legal effects of electronically signed (or sealed) documents. The fourth chapter deals in detail with specific legal issues related to communication through the data box information system (in particular to legal effects of service which suffers from a legal defect caused by a public authority). This chapter also offers a brief outline of legislation concerning a beA mailbox in the Germany, a description of an implementation and operation of the beA mailbox and its comparison with data boxes in the Czech Republic. A separate chapter is devoted to a mixing of both forms of communication (paper and electronic), which is represented by hybrid post offered by the Czech Post. The chapter describing hybrid post includes also legal analysis of current case law of the Supreme Administrative Court. The last chapter of the dissertation thesis focuses on legal aspects of personal data protection. Due attention is paid to the GDPR and also to the Czech legal regulations (especially to a new Act on Personal Data Processing). In addition to the description of the processing principles, data subject's rights and controller's duties, the sixth chapter of the dissertation thesis analyses processing of personal data by public authorities and adaptation of the GDPR in public sector (e.g. reflection of the GDPR principles into the "ORG information system" and coordination of methodological activities of public authorities in the area of data protection). Finally, the specific cases of how the public authorities deal with the new data protection legislation brought by GDPR are described.

Key words: electronic signature, data box, eIDAS