

Abstract

This diploma thesis on the topic “Administrative supervision of advertising” deals with regulation of advertising with focus on specifics of the administrative supervision and provides a comprehensive description and analysis of current legislation (substantive law and procedural law). The thesis deals with general rules laid down by the legislator for the content and distribution of advertising as well as special rules related to specific products. These products are: alcohol, tobacco products, medicinal products for human use and food. Legal regulation of these products is highly complex, strict or otherwise legally interesting and also often appears in the decision-making of administrative courts. The description and analysis of current legislation shows its complexity which is based on the ambiguity of interpretation resulting from the vague legal concepts. This ambiguity and uncertainty has an impact on the practical application, which is demonstrated by a number of practical examples and selected case law of administrative courts.

Following the description and analysis of the rules of advertising, this thesis focuses on the specifics of administrative supervision with emphasis on deviations from the general rules. Attention is focused mainly on the definition of the powers of supervisory authorities and its fragmentation among a number of independent public bodies. This fragmentation in addition to the mentioned problematic applicability of the legislation as well as no respect to the substantive specialization of these authorities is another essential feature of this legal area. Moreover, this negative of the current regulation is reinforced by the absence of a joint appellate body which would help to unify the approach of individual supervisory bodies. This missing unifying element can only be found in the administrative justice.