

Coordinated decisions in public administration

Abstract

This dissertation thesis "*Coordinated decisions in public administration*" deals with a specific category of coordinated administrative acts as a result of the manifestation of will of more deciding authorities in public administration. A concept of coordinated decisions with subsumed binding opinions is one of the possible solutions to the issue of complex decision-making processes in the Czech legal order and extending over the competence of several administrative authorities. The aim of the dissertation is to answer the question whether the legislative solution of coordination of individual decision-making activities in the form of binding opinions, at the general procedural level in Czech administrative law adopted in the act no. 500/2004 Coll., general administrative code with effect from 1st January 2006, a sustainable and eligible concept that stands as a basis for coordinating administrative decisions now and in the future. The thesis first introduces the concept of subsumption in a broader context and from a historical perspective (1st part), the basis of the thesis is the analysis of definitive features of binding opinions in recent legislation (2nd part), all the features are subjected to detailed analysis, the principles and mechanisms of coordinated decision-making are explained with references to special laws and based on the case-law conclusions, other parts of the thesis (3rd and 4th part) explain the essentials, content and validity of binding opinions, as well as the typology and consequences of defects of binding opinions, next part (5th part) deals with the procedural context of binding opinions, including the issue of conflict resolution (6th part) and some secondary relations (7th part), and equally important is the last part (8th part) containing an analysis of the principles of administrative review (integrated review within appeal procedure, supervisory instruments, renewal of administrative proceedings) and judicial review of binding opinions. The conclusion of the thesis is a justification of the concept of binding opinions, which has its undisputable place in current legal reality and in its current legislative form represents a core and functional concept of coordinated decision-making process, which ensures legal protection of individual public interests, and also guarantees legal protection of concerned persons.

Key words

Administrative decision, binding opinion, coordination principle