

Protection of immovable cultural monuments

Abstract

There have been preserved many cultural monuments in the Czech Republic to the present day, and this thesis named "*Protection of immovable cultural monuments*" deals with their legal protection. The aim of this thesis is to describe and evaluate current legislation on this topic, and afterwards point out problematic areas and legislative gaps. The thesis works mainly with Act on State Monument Care, its commentary literature and case law related to it. The thesis is composed of an introduction, five parts and a conclusion.

The first part of the thesis introduces the topic by describing historical development of monument care. It begins from the oldest medieval period and continues over Habsburg Empire after 1848 until the 1950s when a first law on monument care was enacted in the Czech territory.

The following part focuses on sources of law. A new Act on State Monument Care, which has been being prepared for a long period of time, was briefly mentioned here too. The third part explains organizational structure of state monument care in the Czech Republic. The next part is about protected objects and territories. It explains legal terms such as a cultural monument, a national cultural monument, a monument reservation and a monument zone, and it also includes their proclamation. The case law on this issue is mentioned here, too.

The last fifth part named instruments of protection deals with individual instruments and ways in which immovable cultural monuments can be protected. For example it consists of restrictions of property rights, setting obligations for renewal of cultural monuments, pre-emptive right of the state to purchase cultural monuments or defining protective zones. The fifth part also describes measures to ensure care of cultural monuments including expropriation of cultural monuments.

The conclusion contains a summary of the findings of the previous parts of the thesis, and there are summarized problems of current legislation, which were outlined in the individual parts of the thesis.

Keywords: monument care, protection of immovable cultural monuments, Act on State Monument Care