

ABSTRACT

This thesis deals with the position and proceedings of the Czech Trade Inspection (CTI). The introductory chapter discusses the theoretical and general bases associated with the role and activities of the CTI in public administration as a public authority, forms of administrative activities and administrative supervision. Afterwards, the work describes the history of consumer's protection legislation and freely moves in a special section dealing with on the above mentioned theoretical aspects in a practical context. First, it discusses the status of the CTI in public administration and organizational structure including the structure of the particular inspectorates and then powers and authority under applicable law. The following section is devoted to an inspection process systematically as the main activity of the CTI, including the description of the rights and duties of inspectors in its exercise. During the inspection inspectors determine the facts that are recorded in the inspection report, which serves as the main basis for eventual administrative proceedings. This section presents a number of my practical experiences, but also the decisions of administrative courts, which may provide some guidance on how to proceed when revising in ambiguous cases. Furthermore, specific remedies, including enforcement actions are cited as well as means of sanctions including types of procedures that can be launched with controlled entities. I analyzed factual instructions and enforcement actions which are awarded by an inspector (and in one case even by the director) and also the decision of the Director of the Inspectorate in administrative proceedings, including administrative proceedings in which penalties are awarded. Finally this section presents decisions issued in abbreviated administrative proceedings imposing penalties with a regard to the fact that punished violations are less serious. The final chapter deals with cooperation with other institutions and individuals at the internal level (i.e. between the central inspectorate and regional inspectorates, and between territorial inspectorates themselves) and also at the national level, thus the relationship between CTI and other state authorities and other persons which is performed on the basis of specific agreements or is purely in an informal way. The conclusion of this chapter discusses the growing international cooperation. The work points out on deficiencies in the legislation, organizational structure and activities of the CTI, including their possible solution.