

The aim of my work is to highlight the significant changes to the pension insurance legislation, including the rules governing the procedure before administrative bodies and courts. Hereat, I try to lay most emphasis on the amended legislation effective as of January 1, 2010, which has brought the most far-reaching changes in the proceedings in pension insurance matters since 1991, when Act No. 582/1991 Coll., on Organization and Implementation of Social Security, came into force.

I have broken down the work into two main parts: Part I deal with the substantive aspect of pension insurance. Although the theme of my work is: “Proceedings in matters of pension insurance scheme“, I thought it important to integrate its creation, development, term definition, and description of social security law system, which comprises the pension insurance scheme. Then, in Part II, after review of the material enactment, I get to the principal theme of my work, where I first outline how the concept of proceedings is defined in the literature and then I define the rules under which the administrative authorities shall act in their decisions. The next part is devoted to the judicial review proceedings where I first describe the development of administrative justice in the selected European countries and also in our country. Then I try to compare the enactment of review of a decision under the Code of Civil Procedure and the Administrative Procedure Code. Here I characterize each stage of judicial proceedings and try to point out the differences from the general legislation, implied by the nature of these matters. The final chapter focuses on selected rulings of the Supreme Administrative Court, which undoubtedly affect and principally will affect the future practice of the Czech Social Security Administration in its decision making. Some other related judgments of regional courts, the Supreme Administrative Court, and the Constitutional Court are mentioned directly in the text.