

Abstract

The small-scale public contracts and their legal regulations in the Czech republic

The goal of this thesis is to make a brief characteristics of a legal insitut of the small-scale public contracts and its legal regulations in the Czech republic with regard to international law and law of the European Union. The tesis in their opening chapters approaches and explains a term and importance of the small-scale public contracts as applicable law recognizes them recently, whereas does not omit an importance of historical consequences of recent law with rules of the times of the Austria-Hungary. Then this thesis deals with the rules of public procurement in the form of the small-scale public contracts according to the legislation which was contained in a code No. 199/1994 C.I., of commission of public contracts and in a code No. 40/2004 C.I., of public contracts. The thesis analyses modern internal legislation – a code No. 137/2006 C.I., of public contracts and gives a focus on the changes which should be brought by the approval of the last amandement of this act by the Chamber of Deputies of the Czech republic and emphasises an effect of these changes on the small-scale public contracts. International law`s principles dominating to public procurement including the small-scale public contracts are mentioned in this thesis but a larger scope is applied to the law of EU because of its application preference from national law. Above all it is mentioned a funcion of the procurement directives especially of the directives No. 2004/18/ES and No. 2004/17/ES and their connection with the small-scale public contracts. The thesis emphasises the Interpretative communication of the European commission and the Resolution of the European parliament of a new development of public procurement. These documents bring together the approaches of the EU member states and define the new aims in the field of a procurement of small-scale public contracts, what will be required to fulfill for accomplishment the highest extent of harmonization in this range of the common market. In addition this diploma work try to complete a file of rules that using could develop a common approach of public procurement of small-scale public contracts by public submitters. It is shown by making an analyse of the exemplary internal regulations. The next possibility beside the regulations is using of public tenders that was regulated in the former law. Also, there

are treat of a review of the small-scale public contracts by the Office for the protection of competition in the end of this thesis where the reasoning of experts are sumarized.

Key words: small-scale public contract, public submitter, internal regulation, a review of the small-scale public contracts