

Abstract

This rigorous thesis deals with the fulfillment of qualification prerequisites from the perspective of Act No. 137/2006 Coll., on Public Contract, as amended (the "Act"). The aim was to analyze the various kinds of qualifications in terms of the practice of courts and the Office for Protection of Competition. The author also dealt with the legislative changes brought by Directive 2014/24/EU. Act distinguishes four basic types of qualification prerequisites. These are basic, professional and technical qualifications prerequisites and a solemn declaration of the economic and financial capacity to perform a public contract. The interpretation of the provisions of the Act serves the fundamental principles of the procurement procedure, i.e. the principle of equal treatment, non-discrimination and transparency.

Based on the analysis of different types of qualifications prerequisites author proposes *de lege ferenda* following changes: extension of the basic principles of the procurement procedure on the principles of reasonableness and objectivity. I also suggest unifying regulation of administrative and criminal punishment publication of the issue of dishonest suppliers in the black list of persons banned to participate in the performance of public contracts. In clarification qualification there is a dispersed approach by the contracting authorities and unnecessary elimination suppliers. Therefore, I recommend placing more emphasis on the principle of 3E.