

Abstract

This thesis is concentrated on the liability for damages caused by unlawful inactivity of the public administrative authority in the administrative process. The thesis is composed of five chapters, each of them dealing with different aspects of this matter.

Chapter One is introductory and discusses briefly the historical development of the liability for damages of public administration and describes the sources of law in the Czech law system.

Chapter two generally deals with the liability for damages according to Law no. 82/1998, characterizes the forms of the liability of the public administrative authority for damages during the performance of public administration and figured out of subjects of the liability relationship.

Chapter three tries to elucidate the tree basic preconditions of the liability for damages creation: the incorrect administrative proces, the material or immaterial damage formation and the casual nexus between them.

Chapter four examines the unlawful inactivity as one of the form of the incorrect administrative process. The chapter is subdivided into three parts. Part One describes the protraction in the administrative process. Part Two explains the question of inactivity of the initiating administrative proces ex officio. Part three deals with the influence of the using of institutes of the legal protection from that unlawful inactivity upon the liability for damages.

Conclusions are summarized in the Last chapter and tries to see the matter from „de lege ferenda“ point of view.