

## Abstract

The thesis deals with the nature of the decision-making of the Office for the Protection of Competition (hereinafter “**the OPP**”) in the area of public procurement. The theoretical part describes the various methods used, the legislative framework for the decision-making processes of the OPP (from the point of view of the currently effective legislation and the new Act on public procurement), and summarizes theoretical assumptions. In the analytical part, selected decisions of the OPP from the years 2005-2015 are analysed, using descriptive and inferential statistical methods. In terms of the subject matter, the OPP most often conducts proceedings in relation to complaints against alleged violation of the prohibition of discriminatory practices. Decisions of the OPP are challenged before administrative courts in only 4% of cases, in spite of the fact that contracting authorities are found guilty of committing an administrative offense in almost 80% of the cases. Commonly imposed penalties are fines. The trend of decisions on guilt, as well as the imposition of fines, is growing, however, the level of fines remains unchanged. A contracting authority which awards a public works contract is more likely to be found guilty than a contracting authority awarding other public contracts. It is also more probable that in the case of an alleged fault or offence, the contracting authority will be found guilty at the beginning of the public procurement procedure. The analysis also shows that the decisions of the OPP are extremely consistent –the Chairman of the OPP changed or cancelled the first-instance decision in only 6% of cases, however, they were mostly cases that had been reviewed by administrative courts and the OPP was, therefore, bound by the opinion of the court in the matter.