

## **Cizojazyčné resumé**

My diploma thesis deals with the issue of the administrative consideration and indeterminate legal terms. In first chapter are mentioned theoretical fundamentals of administrative consideration and analysis of application principles. There are also described main conceptual features – provision of law as a legal basis, freedom in decision making proces and possibility to choose an optimal solution of the issue, conclusion, that discretion is not an inherent attribute of decision making proces within public administration, limits of dicretion, which can be deduced from provision of law (concretised limits) and basic principles of public law (general limits) and finally legal requirements for reasoning for the decision, based on administrative consideration. Second chapter describes indeterminate legal terms. At first text clarifies process of interpretation and subsumption facts under such terms, explains reasons and consequences of using this terms in law regulations. Chapter three deals with very common phenomenon – coexistention of administrative consideration and indefinite legal terms in one legal provision. Author analyses relations between them and then reccomend, with respect to judicial conclusions, how to carry out the process of aplication properly. In chapter four author mentions a process of free evaluation of evidence as a principle, which is an integral part of each legal process and which is connected to chosen topic. Chapter five and six is about administrative consideration and indeterminate legal terms from the perspective of the process of creation of law. Chapter seven deals with occurrence of administrative consideration in different types of administrative procedures. Chapter eight is focused on administrative consideration and indeterminate legal terms in the context of administrative punishment. Author solves questions of selection and quantification of administrative punishments with application of consideration. In chapter nine author analyzes issues of review of administrative consideration and indeterminate legal terms. This chapter is splitted to the part, focused to review of administrative discretion, consists of review within public administration and review by judicial authorities, contains historical insight and current legislation, and to the part, deals with review of interpretation of indefinite concepts of law.