Abstract – Administrative penalties and protection measures

Description of all administrative penalties and protection measures is the primary goal of this thesis. Due to wide extent of chosen subject, this work aims to individual categories of administrative penalties and protection measures, examines every single condition for its imposition a notices possible contradiction within legislation. The thesis does not include the criteria for imposing penalties, noticed set from section 37 till section 44 Contraventions Act which serve as instruments for determination and length of penalties. Concurrence of contraventions is also not included.

In the opening chapter the definition and description of an administrative liability is described as well as basic issues of administrative penalization, considered to be a part of administrative authority's activity. The resemblance of principles of criminal and contravention law is described, that leads to using the same principles either in criminal and contravention law. There's explored what basic sources of administrative penalization are.

Each of following chapters describes one of the penalties set in section 35 Contravention Act. Every chapter begins with general description of the penalty and then depicts its main purpose for which it is imposed. Then particular conditions and their alternatives and modifications are described.

A separate chapter is devoted to an issue of protection measure. Therefore, we do not describe it in the opening chapter of the text. This chapter notices the difference between administrative penalization and protection measure, and also its purpose within contravention law system. Then the chapters about individual protection measures are put.

In every chapter there's referred to common attributes of penalizations (protection measures) and punishments in Penal code. Most of criminal law institutes have the same meaning and can be used in contravention law as well. However, the text also points out to exceptions that confirm the rule written.

This thesis is based on the monographies available, related to present Contraventions Act, and also on commentaries on Contravention law. This thesis also focuses on careful research of case law of administrative and criminal tribunals. The case law conclusions are used to make a mind in this text. This work comes out from the state of legislation which existed on 30 June 2019.