

Final inspection approval of construction programme de lege lata, de lege ferenda

Abstract

This master thesis aims on providing a comprehensive overview of an issue regarding the final inspection approval of construction programme and identification of errors associated with the current legal regulation of final inspection approval by Act No. 225/2017 Coll., and providing de lege ferenda proposals and answering question, whether the process is actually being simplified and accelerated, as declared the explanatory memorandum to the amendment to the Building Act No. 225/2017 Coll. compared to the state before.

The master's thesis is composed of six chapters. Chapter one aims on legal sources governing the issue of construction law. The most important legislation concerning the issue is listed. Second chapter determines basic concepts contained in the Building Act associated with final inspection approval, which are necessary for understanding of this master thesis content. These concepts are structure, developer, part of the structure, temporary structure, change of the finished structure, or general conditions for construction. Chapter three contains an analysis of the organization of building offices and selected issues as an authorized inspector and the respective authorities. Fourth chapter, which is main theme of this master's thesis, is dealing with final inspection approval. This chapter is focused on occupancy of structures based on final inspection approval and final inspection proceedings and legal protection against final inspection disapproval according to NSS. Chapter four further contains institutions as premature structure utilization, test operation, additional permit proceedings of illegal structure. Fifth chapter offers comparison between the old Building Act and the new Building Act draft with the current Building Act. Sixth chapter based on the previous chapters points to the identified errors and in some cases propose a de lege ferenda solutions.

Keywords: final inspection approval, final inspection proceedings, occupancy of buildings, structure, the building act