

Other central administrative authorities

Abstract

The Diploma thesis focuses on some administrative authorities of the Czech Republic which do not have a superior administrative body, and which are not led by a member of the government as in the case of ministries. These authorities are defined by the Act on the competence of central authorities as “other central administrative authorities”.

In the introduction to the thesis, these bodies are defined in more detail and the establishment of some of them is linked to the requirement for the independent exercise of their functions. This is followed by a chapter focusing on their history from the proclamation of an independent Czechoslovakia, covering the period after the communist takeover in 1948 to the present day. The thesis then focuses on the sources of the aforementioned requirement for independent functioning and, in this context, also on the international overview of the existence of these bodies and, above all, on the consistency of their status with the constitutional framework of the Czech Republic and with the principle of democracy in general.

Some of these bodies are deliberately excluded from being bound to the government decisions, and their position *"outside the hierarchical structure of public administration"* creates a separation of powers within the executive, which in a parliamentary system is under the control of the elected Parliament.

In the same way, the independent status of the Czech National Bank and the Supreme Audit Office has been guaranteed in the Constitution in the past. The thesis here examines the case law of the Court of Justice of the European Union and the Constitutional Court of the Czech Republic.

The main chapters of the thesis are an analysis of the legal provisions governing certain features of the functioning of these bodies, starting with the appointment and dismissal of their directors, qualification criteria, conflicts of interest, etc. This is followed by a definition of their competences and, above all, a comparison of their real powers and the requirements for their independence.

On the basis of the analysis, an attempt was made to compare them and divide them into four categories according to their competence, prevailing powers and tasks, but also according to the period of their establishment. The final chapter contains an assessment of their functioning and organisation within the Czech public administration, which is very inconsistent.

Key words:

Other central administrative authorities

Independent administrative authorities

Organization of the executive branch

Administrative law