

# **Bias of the Administrative Officials**

## **Abstract**

The subject of this thesis is an analysis of the bias of public officials, which is regulated in Section 14 of Act No. 500/2004 Coll., the Administrative Procedure Code, as amended, with a primary focus on the practical aspects of the application of the institute. Special focus is also placed on the phenomenon of so-called systemic bias, which receives considerable attention from both the professional community and the general public. The thesis also examines the development of the position of the Constitutional Court and the Supreme Administrative Court's jurisprudence on the subject in the last two decades.

The thesis is divided into four main chapters, which are further divided into subchapters, with selected subchapters further divided into sections. The first chapter analyses the fundamental principles of the institute of exclusion from hearing and decision-making and reviews the most significant milestones of administrative procedure codification, with a focus on the regulation of the institute of bias. The second chapter presents current legal regulation of bias in the Administrative Procedure Code as well as in special statutes and lays the theoretical groundwork necessary for a deeper insight into the issue. The third chapter focuses on the phenomenon of systemic bias, particularly from the perspective of relevant case law, the legislature, and the legal professional community. The fourth chapter is dedicated to a detailed analysis of the main stages of the application of objection to the bias in practice - raising bias objections, deciding on the objection to the bias, and means of defence.

**Key words: bias, exclusion from hearing and deciding a case, objection to the bias, administrative official**