

Název disertační práce, abstrakt a 3 klíčová slova v anglickém jazyce

Title

Public service contracts for transport of passengers

Abstract

One of the fundamental tasks of the state and territorial self-government units is to ensure transport services in the territory through public passenger transport services, especially by rail and public line (bus) transport. Public service contracts for transport of passengers, which are concluded between public customers and public transport operators, play a key role in the public passenger transport system. The subject of these contracts is, on the one hand, the obligation of the carrier to operate public transport services in accordance with the requirements of the customer and, on the other hand, the obligation of the customer to pay financial remuneration to the carrier in the form of so-called compensation. From a legal point of view, a number of legal issues and problems arise in connection with public passenger transport contracts.

In the dissertation, I am analyzing the main shortcomings of the current legal regulation of public passenger service contracts and how they could be solved. To this end, in the dissertation I analyze individual aspects of the legal regulation of public passenger transport contracts in the light of theoretical knowledge and practical experience. An indispensable role in this respect is played by the decision-making practice of the Office for the Protection of Competition, courts and other public authorities, which within their competences have to deal with specific problems arising in practice.

On the basis of the above analysis, in my dissertation I identify the most significant problems of the existing legislation affecting public passenger transport contracts and at the same time I propose measures leading to the streamlining of the system of public passenger transport contracts, including in particular the proposal of *de lege ferenda* legislative amendments. The main shortcomings identified include in particular the dichotomy of the legal regimes that may govern the procedure of a public contracting authority when awarding a public passenger transport service contract by public line or tramway, the interpretative ambiguities concerning the obligation to publish a notice in the Official Journal of the European Union, and the wide possibility for public contracting authorities to operate public transport through so-called internal operators.

Keywords

public transport, public service contracts for transport of passengers, compensation