

Status and role of public guards in environmental protection

Abstract

The thesis deals with the status of public guards within the legal system of the CZE and the role of public guards in environmental protection.

The aim of this thesis is to provide a relatively comprehensive analysis of the current legal regulation of individual public guards operating in the relevant sections of environmental protection, and to make *de lege ferenda* proposals leading to the improvement of the effectiveness of public guards, based on the confrontation of the current legal regulation with the shortcomings that public guards face in the performance of their activities in practice.

According to the current legislation, there are four types of public guards. Public guards are divided into hunting guards, fishing guards, forest guards and nature guards, which are further divided into wardens and correspondents. Furthermore, the public guards themselves can be either voluntary, who perform their duties on a voluntary and honest basis, i.e. in their own time and without remuneration, or professional, who perform their duties in the context of an employment relationship. As a point of interest, inspectors of the Czech Environmental Inspectorate are also forest guards. Only a natural person, not a legal person, may be appointed as a public guard, and public guards act in their official capacity.

The thesis as such is divided into eight chapters. The first chapter deals with public guards in general. The following four chapters of the thesis then deal in more detail with individual public guards, in terms of their current legal regulation, conditions for their establishment, circumstances conditioning the abolition of their establishment, authorisations, duties, the status of public guards and finally the history of their legal development. The following chapter deals with the regulation of liability for damages of public guards, the following chapter deals with the concept of criminal protection and liability of public guards as official persons and the last chapter describes the shortcomings that public guards face in practice in the exercise of their competences and also identifies the competences that are burdensome or missing. The conclusion of the thesis should summarize the role of public guards in environmental protection and suggest possible *de lege ferenda* solutions.

Key words:

public guard, nature guard, forest guard, fishing guard, hunting guard, environmental protection