

## **Abstract**

The topic of this thesis is the analysis of criminal activities related to public procurement, the analysis of individual crimes that affect public procurement, the analysis and analysis of individual means of evidence used by law enforcement agencies to detect and prove criminal activities. At the same time, the thesis deals with and analysis of selected criminal offences that are imposed in connection with criminal activities related to public procurement. The aim of the thesis is then to evaluate the possible shortcomings in the legal regulation and the proposal for modification of the legal regulation. To this end, the thesis also deals with a comparison with foreign legislation in order to possibly inspire *de lege ferenda* proposals.

The thesis is divided into five thematic chapters. The first chapter analyses the existing regulation of public procurement with the definition of concepts crucial for the criminal law regulation of public procurement. The author also briefly makes a comparison with the previous legal regulation, taking into account the fact that the terms mentioned in the criminal regulation refer precisely to the previous legal regulation of the Public Procurement Act. For this reason, the author also compares the concepts of both the Public Procurement Act and the Public Procurement Act in relation to the relevant concepts. This chapter provides an introduction to the terms of public procurement, the definition of which is necessary for the subsequent analysis of the criminal law aspects of public procurement.

In the second chapter, the author analyses the individual facts of criminal offences related to public procurement, in particular the facts of the criminal offence according to the provisions of Section 256 of the Criminal Code, Section 257 of the Criminal Code and Section 248(2)(2) of the Criminal Code. At the same time, in the second chapter, the author analyses the offences related to public procurement and possible concurrences between these offences. As a separate part of the subchapter of the said chapter, the author then analyses the criminal liability of legal persons and the specifics of the possible imputability of criminal liability of a legal person in connection with crimes related to public procurement. The author considers the role of legal persons and the imputability of liability in this sector of criminal activity to be crucial. Also in this chapter, the author presents proposals for supplementing, amending or updating the legal regulation.

In the third chapter the author deals with the relevant means of evidence that are most often used by law enforcement authorities in criminal proceedings. Public procurement crime is a very sophisticated crime even within the economic activity sector. Detecting and prosecuting offenders is a major challenge for law enforcement authorities. In this context, the author draws on available case law describing the procedure followed by law enforcement authorities and the decisive evidence and means of proof used that led to the conviction of the perpetrator. Also within the framework of this chapter, the author proposes additions to the legislation that would contribute to the detection of the crime in question.

In the fourth chapter, the author analyses the development of crime related to public procurement using statistical data. It can be stated that in recent years there has been a significant increase in the number of criminal proceedings initiated in this area. The question is, of course, whether there has been a general increase in crime in this area or whether law enforcement authorities are succeeding in detecting and prosecuting crime more effectively. Nevertheless, static data show that there has been an order of magnitude increase over the past 10 years.

The last chapter of this thesis deals with a comparison of the legal regulation related to public procurement and its criminal aspects in the Czech Republic and the Slovak Republic