

Public guards and their roles in nature protection

Summary

The purpose of my thesis is to analyze the position and roles of the public guard in the Czech Republic.

The thesis is composed of six chapters, each of them dealing with different aspects of the public guard. Chapter One is introductory and defines the institution of the public guard. Chapter Two is dealing with history of the public guard. Chapter Three and Four examine the position, the legislation and the role of public guard in the Czech Republic. Chapter Five illustrates the approach to the institution of the public guard in Slovak Republic, Poland and Hungary and compares legislation with each other. Conclusion are drawn in Chapter Six. The main aim of thesis is to analyze the position and roles of the public guard, compare it with legislation, roles and with the position of the public guard in Slovak Republic, Poland and in Hungary. Finally I try to suggest legislative changes, that will improve the functioning of the public guards.

The article 35 of the Basic Charter of rights and freedoms of the Czech Republic establishes the right of each person to the favourable environment and the obligation of each person to protect the environment. According to the Act, public guards are a kind of a voluntary service. Main obligation of public guards is to supervise compliance with the Act, generally binding regulations issued for its implementation and decision issued on their basis. To fulfill tasks is the member of public guard authorised especially to execute necessary investigation, require necessary comments, information and explanations with respect to the application of the Act, invite person to stop illegal action and restrict personal freedom of a person caught at committing a criminal action, identify him, and if not possible to bring such person to a Police station. As a member of the public guards, the guard is a public actor. Exceeding the duties of a member of the public guard constituted by the act may be determined as exceeding of a competence of

the public actor. On the other hand an attack to a member of the public guard during his duty may be determined as an attack to a public actor.

In the Czech Republic, there are four kinds of public guard, the nature guard, the forest guard, the hunting guard and the fishing guard. The thesis is focused especially on the nature guard, which is the youngest but very important and interesting institution. Voluntary nature guard consists of guards and reporters that are appointed and canceled by regional office, same as all other public guards, and their main purpose is to protect landscape and nature. Administration of national parks in the Czech Republic always have profesional guards of a park and their function is often cummulated with another one, mainly with a forester. Profesional guards perform mainly monitoring and inspection function focused on finding out, recording and solving negative effects. Main task of the nature guard is to follow a compliance with a relevant legal regulations, visiting rules and generally binding orders.

Finally the thesis contains legislation and roles of nature guards in Slovak Republic, Poland and in Hungary and compares their legislation with each other.

Key words: veřejná stráž - public guard; stráž přírody - nature guard;
myslivecká stráž – hunting guard; rybářská stráž – fishing guard;
životní prostředí - environment