

Summary

This diploma thesis deals with the current legal regulation in the field of compensation for damage caused by selected, specially protected animals, which is in the Czech legal system regulated by Act No. 115/2000 Coll. It belongs to one of the means adopted in order to protect nature and environment and its objective is to reduce the conflict that has arisen between human activities and selected, specially protected animals, which are known to cause damage on the property of people. In accordance with the above mentioned legislation, amongst these so called conflicting species are included the Brown Bear, Northern Lynx, European Elk, River Otter, European Beaver, the Wolf and also Great Cormorant that, however, is no longer in the field of activity of this Act. Such an objective should be reached through the provision of financial compensation for the damage caused by these animals to some predefined objects owned by individual entities.

The thesis is divided into three main chapters dealing mainly with the actual Act No. 115/2000 Coll. and some other related issues. The first chapter focuses on basic legal terms with relevance for the protection of animals. With a help of the relevant legislation, terms such as animal are introduced with emphasis on their legal status in the Czech legislative system. Further the chapter focuses more closely on the specification and protection of wildlife and its subgroup of specially protected animals, which need to be given special attention while protected.

The second chapter is the actual core of this thesis, since it concentrates mainly on the actual Act No. 115/2000 Coll. and its implementation in practice. The first part of this chapter is devoted to the grounds for adopting this legislation and objectives that have been set to achieve. Afterwards, an analysis of individual topics involved in this act is provided with emphasis on some problematic issues that need to be treated with special attention. The conclusion of this chapter evaluates the up to now use of the Act No. 115/2000 Coll. in practice based on the data and information obtained from all regional offices and the Prague City Hall.

The last chapter of this thesis presents some alternative options while dealing with the damage caused by specially protected animals, among which, both statutory and non statutory measures are mentioned. Example of such a solution is the possibility of granting exemptions from prohibitions enacted for specially protected animals by the Act No. 114/1992 Coll., on the protection of landscape and nature.