

Viniculture and wine production from the legal point of view

Abstract

This thesis focuses on the existing legal regulation of viticulture and winemaking in the Czech Republic and aims to provide a comprehensive overview of the related legal norms. As the legal regulation of viticulture and winemaking is part of environmental law, the thesis focuses both on the relation of this activity to the environment, and on its relation to other relevant areas of law. A particular focus is put on Act No. 321/2004 Coll. on viticulture and winemaking, the main legal regulation in this area of interest, but also on other laws, which provide subsections of viticulture and winemaking activities.

The thesis is subdivided into 7 chapters. The first chapter focuses on the historical development of the legal regulation of viticulture and winemaking in the Czech Republic since its beginnings until the 1990s. The second chapter deals with the position of viticulture and winemaking within the Law of the Czech Republic. Due to the nature of viticulture and winemaking, this activity can be considered part of agricultural law, which consists of legal regulations from multiple areas including both private and public law legal regulations. The third chapter is devoted to the sources of the law regulation of viticulture and winemaking within the international context, EU context and within the Czech law context.

The fourth and focal chapter of the thesis focuses on the currently effective legal regulation of viticulture and winemaking in the Czech Republic, and analyzes the respective parts of Act No. 321/2004 Coll. on viticulture and winemaking. The chapter furthermore focuses on the alterations to some related laws and also considers the recent amendments, which brought significant changes both to viticulture and winemaking. The fifth chapter briefly summarizes the possible financial aid for viticulture and winemaking available from the financial resources of the EU and the Czech Republic. The sixth chapter focuses on the private and public law organizations of the viticulture and winemaking field. The final seventh chapter draws a comparison between the Czech legal regulation and the Austrian legal regulation.