

# **Public administration in the Czech Republic**

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# EXAMINATION - CONDITIONS

- **Active participation** in lectures and seminars (taking part in discussion, preparation based on reading information available in [www.is.muni.cz](http://www.is.muni.cz)).
- **Written test.** The test is based on true/false questions and multiple-choice questions.
- **Discussion** aimed at one of the fifteen topics listed above in “Programme – topics”. The topic number will be randomly generated for each student at the beginning of the discussion.

# Term Administration

- Activity aimed to care for certain things.
- It pursues an activity that is targeted, that **follows an aim** whether its own or set by another entity, either of its own or as a duty.
- It **disposes of the means** necessary to achieve the set aim.
- Purposeful human activity aiming **to reach purposes**, targets.

# Term Management ≠ Term Administration

**Management** a purposeful activity leading to influence the managed entity in conformity with the set aim

## Administration

- ❖ administration in general is management of society
- ❖ specialized management
- ❖ shows sign of stability, institutionalisation and regulation
- ❖ applied in stabilized systems and normatively determined relations only

# Public And Private Administration

- *Interest theory*
- *Power theory*
- *Organic Theory*

# Public Administration

- social phenomenon
- public administration as the administration of **public affairs** is administration in **public interest** and is exercised as **a duty** set by law
- public administration has at its disposal **power** – an ability to force a certain way of behaving on somebody
- self-government sets its own targets
- public administration **as a service**
- legal element
- purposeful element
- realization of executive power

# Public administration

**Organizational (or institutional) way** – set of public administration bodies

**Functional (or material) way** – specific activity of public administration bodies

# Organizational Principles

Important terms

□ *Powers*

□ *Competence*

➤ **Decentralization**

➤ **Deconcentration**

▪ Territorial principle

▪ Departmental principle



# Organizational Principles

- Monocratic x collegial principle

- ❖ Appointing x electoral system

# Public administration in the Czech Republic

## Central state administration bodies

- ❖ *Ministries and other central state administration bodies*
- ❖ *Czech Republic Government*

## Territorial deconcentrated – specialized state administration bodies

## Territorial administration with general competence

- ❖ *Regions and communities*
- Independent competence (*self-governing*)
- Delegated competence

## Interest and professional self-government

# Administrative law

- **Independent branch of law (a branch of public law)**
- Legal basis for existence and performance of public administration
- Multiplicity and plurality of legal regulations
- **Subject of the regulation** – relations that are established within the performance of public administration
- **Regulation method** – „administrative law“ (power aspect of public administration)
- **Administrative law** – 1. **substantial**, 2. **procedural**, 3. **competence and organizational** (among these administrative offences)

# Administrative sciences

**Administrative sciences** are aimed at public administration as such.

**Administrative law** is aimed at legal regulation of public administration.

# European administrative law

1. European administrative law can be seen as part of EU law
2. EAL can be seen as the Common European Administrative Area - administrative cooperation, cross-border cooperation.
3. EAL can be seen as common Principles and Values - *ius commune* - interaction, managed / regulated by Council of Europe

# Europeanization

- Europeanization can be seen as perception and acceptance of common European requirements, values, trends, standards, case law and their transposition into national (s) legal systems
- Convergence, elimination of differences among the legal regulations of individual European states

# Europeanization

- Passive - to be influenced by the surrounding European legislation, to meet the requirements of EU law
- Active - to influence the surrounding legislation

States in Europe (1) offer principles, (2) then they are taken over at European level and (3) distributed in Europe.

# Europeanization

- Voluntary Europeanization – Council of Europe (non-legal aspects), similarity
- Forced Europeanization - EU (legal aspects - obligation), consistency to uniformity, "deepening Europeanization", EU influence on preparation and implementation by Member States

*Impact mainly on the so-called special part of administrative law.*



**Thank you for your attention.**