

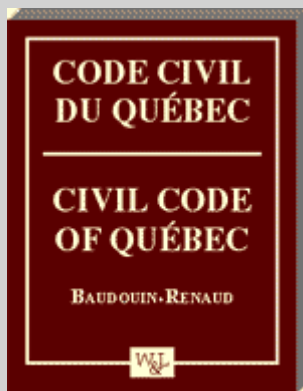
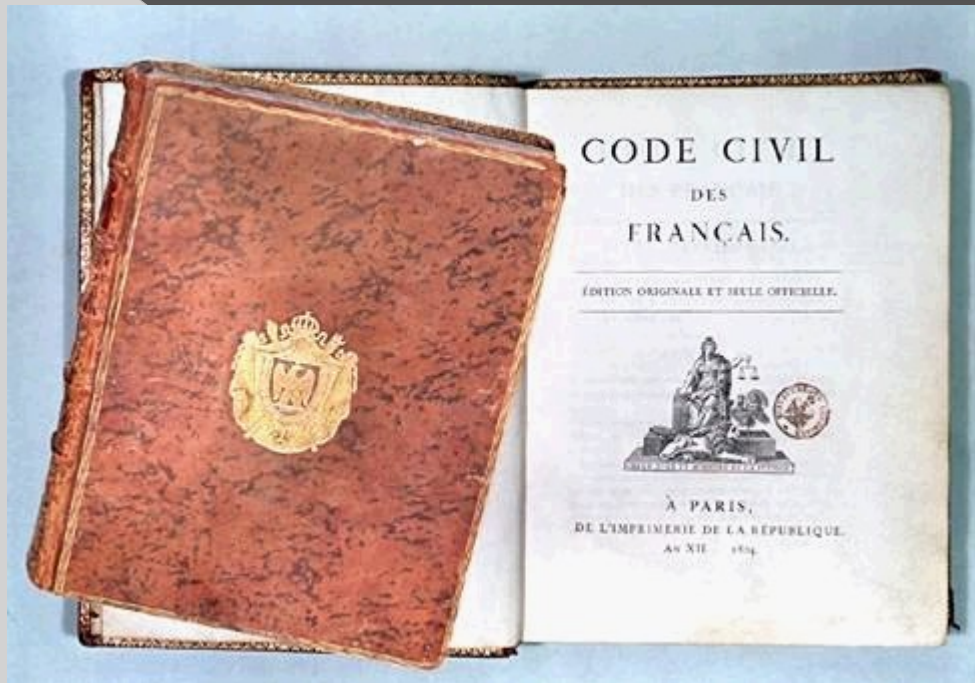
SUBSTANTIVE LAW
PROCEDURAL LAW

CRIMINAL PROCEDURE
CIVIL PROCEDURE

Substantive law

- ◉ Establishes rules of conduct and penalties
- ◉ Law which creates, defines, and regulates rights and obligations
- ◉ Defines the legal relationship of people with other people or between them and the state
- ◉ Stands in contrast to procedural law

Civil Code



715
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ŮZ
ŮPLNĚ ZNĚNÍ

OBČANSKÝ ZÁKONÍK A SOUVISEJÍCÍ PŘEDPISY

úrok a poplatky z prodání • oškodřování škodit • nájem
a podnájem nebytových prostor • vlastnictví letň • odpovědnost
za škodu • nevztáhnout právo • nález a soudní úkony
územní hospodářské společnosti • sdružení občany • veřejná
družstva • ochrana osobních údajů • stanovy • společnosti vlastníků
letň a nebytových prostor • spotřebitelský úvěr • církevní zákon
služby informační společnosti

podle stavu k 19. 1. 2009

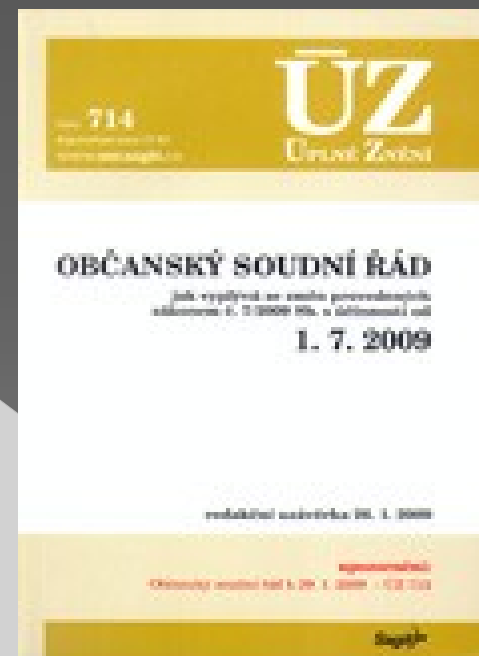
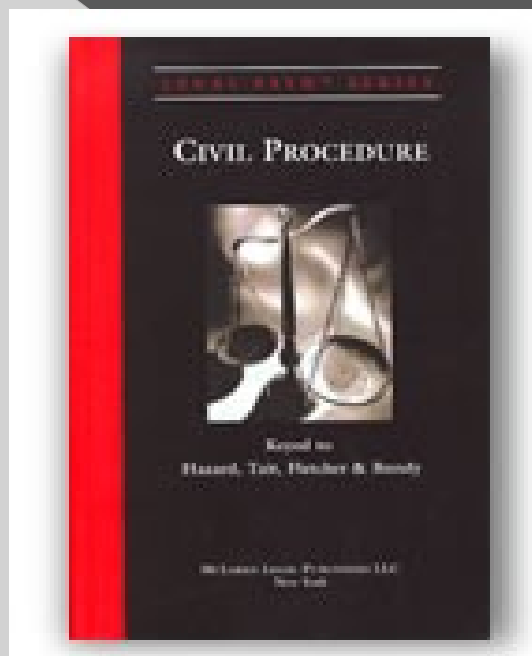
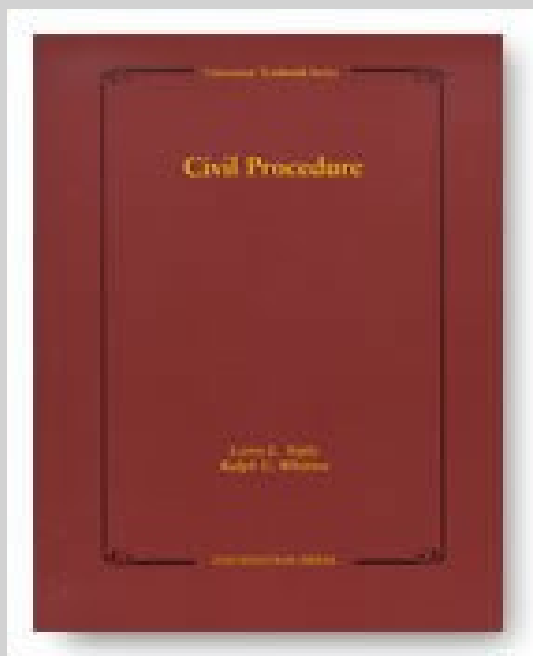
upozornění:
Obchodní zákoník – ŮZ 672
Zákoník práce – ŮZ 659
Rodinné právo – ŮZ 691
Občanský soudní řád – ŮZ 718, 714
Tržní předpisy – ŮZ 716

Sagit

Procedural law

- ⦿ = adjective or remedial law
- ⦿ Prescribes the method of enforcing rights or obtaining redress
- ⦿ Prescribes how to proceed in court

Civil procedure Code



CRIMINAL PROCEDURE

- ◉ Procedure by which are detected crimes and their perpetrators, and ensure their fair punishment
- ◉ Public Law
- ◉ Parties
- ◉ Stages
- ◉ Principles
- ◉ Punishments

Parties of criminal procedure

- ◉ Bodies active in criminal proceedings
 - 1) court
 - 2) prosecuting authority
 - 3) investigators (police)
- ◉ Accused → defendant → convicted
- ◉ Injured
- ◉ Or other participant

Stages of criminal procedure

- ◉ Preliminary proceedings
- ◉ Preliminary hearing of the indictment
- ◉ Trial
- ◉ Appeal
- ◉ Enforcement of judgment

Principles of criminal procedure

- ◉ Principle of a prosecution on legal grounds
- ◉ Principle of officiality
- ◉ Principle of legality
- ◉ Principle of public hearing
- ◉ Principle of oral proceedings
- ◉ The presumption of innocence
- ◉ Etc.

Punishment

- Conditional ✕ Unconditional sentence
- Imprisonment
- Loss of honorary degrees and awards
- Community service
- Loss of military rank
- Ban on work
- Forfeiture of property
- Fine
- Deportation
- Ban on residence

Protective measure

◉ Protective treatment

- offender is not criminally responsible due to insanity

◉ Protective education

- offender younger than 15 years old

- Head of the state has a right to grant a pardon or amnesty (general pardon) during the criminal procedure.

CIVIL PROCEDURE

- ◉ One of three basic types of procedure (with criminal and administrative procedure)
- ◉ Procedure of decision-making authority (court), parties and other participant in discussing and deciding private disputes and other legal matters
- ◉ Private Law
- ◉ Kinds of civil procedure
- ◉ Principles

Kinds of civil procedure

- ◉ Discover proceedings
- ◉ Enforcement proceedings
- ◉ Insolvency proceedings
- ◉ Arbitration
- ◉ Hedging proceedings

Principles of civil procedure

- ◉ Disposition principle
- ◉ Principle of public hearing
- ◉ Principle of equality before the court
- ◉ Principle of oral proceedings
- ◉ Principle of free evaluation of evidence
- ◉ Etc.

Can you tell me
some examples
of criminal and
civil procedures?

Civil procedure

- The debtor and the creditor
- Divorce
- Property disputes
- Etc.

Criminal procedure

- Murder
- Robbery
- Selling drugs
- Etc.

Sources:

- ◉ New Introduction to Legal English, Marta Chromá
- ◉ Teorie práva, Jaromír Harvánek a kolektiv
- ◉ Websites
- ◉ My notes from lessons

Thank you for
your attention
and have a nice
evening! 😊