

Course description

Course abbreviation:	KTP/ZL	Page:	1 / 3
Course name:	Fundamentals of Legislation		
Academic Year:	2023/2024	Printed:	03.06.2024 07:48

Department/Unit /	KTP / ZL			Academic Year	2023/2024
Title	Fundamentals of Legislation			Type of completion	Exam
Accredited/Credits	Yes, 4 Cred.			Type of completion	Combined
Number of hours	Lecture 2 [Hours/Week] Seminar 1 [Hours/Week]			Course credit prior to	YES
Occ/max	Status A	Status B	Status C	Counted into average	YES
Summer semester	0 / -	0 / -	0 / -	Min. (B+C) students	10
Winter semester	240 / -	0 / -	0 / -	Repeated registration	NO
Timetable	Yes			Semester taught	Winter, Summer
Language of instruction				Internship duration	0
Optional course	No			Ev. sc. – cred.	S/N
Evaluation scale	1 2 3 4				
No. of hours of on-premise					
Auto acc. of credit	Yes in the case of a previous evaluation 4 nebo nic.				
Periodicity	K				
Substituted course	None				
Preclusive courses	N/A				
Prerequisite courses	N/A				
Informally recommended courses	N/A				
Courses depending on this Course	N/A				

Course objectives:

The goal of the course is to teach students the process of preparation of legislation in Czech Republic in confrontation with the West European countries. The course will enable students to gain overview of the making of legal Acts and other regulations in Czech Republic from the point of view of experienced legislative experts, but also from the perspective of actual empirical and analytic researches of our legal order. The aim is not to "make" legislative practitioner, but to show the problems and possible solutions that are already known and tested by the long practice of countries of continental legal culture.

Requirements on student

written exam

Content

1. Description of Czech legal order and comparison with European standards
2. Conception of legal regulation (acts of Parliament and other regulations), principles and re-formulation of political demand to legal form
3. Structure of legal regulation (form and content)
4. Derogation and modification - the art of legislation
5. Legal language
6. Legal definitions
7. Sections - what lawyers know, how to do
8. Process of preparation of legislative proposal - rules of legislation
9. Parliamentary destruction - how to save the conception
10. Promulgation of legislation - Collection of Laws, administrative procedure, consolidated versions of legislation, informatics approach to legislation in force
11. Critics of actual state from the perspective of legislative practitioners
12. Theoretical reflection, law on the law-making, depuration and European experience

Fields of study

Guarantors and lecturers

- **Guarantors:** Doc. JUDr. František Cvrček, CSc. (100%)
- **Lecturer:** Doc. JUDr. František Cvrček, CSc. (60%)
- **Seminar lecturer:** JUDr. et Bc. Peter Brezina, Ph.D. (100%), Doc. JUDr. František Cvrček, CSc. (100%), Mgr. Daniel Hajšman (100%), JUDr. Ing. Patrik Kurz, Ph.D. (100%)

Literature

- **Recommended:** Cvrček, František; Novák, František. *Legislativa : teoretická východiska a problémy*. 2017. ISBN 978-80-7380-698-9.
- **Recommended:** Cvrček, František. *Právní informatika*. Praha : Ústav státu a práva AV ČR ve spolupráci s Vydavatelstvím a nakladatelstvím Aleš Čen, 2010. ISBN 978-80-87439-00-5.
- **Recommended:** Svák, Ján; Kukliš, Peter. *Teória a prax legislatívy*. Žilina : Poradca podnikateľa, 2007. ISBN 80-88931-58-4.
- **Recommended:** Gerloch, Aleš. *Teorie a praxe tvorby práva*. Vyd. 1. Praha : ASPI, 2008. ISBN 978-80-7357-362-1.
- **Recommended:** Gerloch, Aleš.; Kysela, Jan. *Tvorba práva v České republice po vstupu do Evropské unie*. Vyd. 1. Praha : ASPI, 2007. ISBN 978-80-7357-287-7.

Time requirements

All forms of study

Activities	Time requirements for activity [h]
Contact hours	39
Preparation for formative assessments (2-20)	13
Preparation for an examination (30-60)	52
Total:	104

assessment methods

Knowledge - knowledge achieved by taking this course are verified by the following means:

Written exam

Skills - skills achieved by taking this course are verified by the following means:

Practical exam

prerequisite

Knowledge - students are expected to possess the following knowledge before the course commences to finish it successfully:

Not specified

orientace v procesu přípravy návrhů předpisů v ČR

Skills - students are expected to possess the following skills before the course commences to finish it successfully:

pochopení procesu přípravy návrhů právních předpisů v ČR v konfrontaci s vyspělými zeměmi staré Evropy

Competences - students are expected to possess the following competences before the course commences to finish it successfully:

N/A

teaching methods

Knowledge - the following training methods are used to achieve the required knowledge:

Interactive lecture

Seminar

learning outcomes**Knowledge - knowledge resulting from the course:**

Student gains knowledge of fundamental theoretical problems of legislation, i.e. the conception and structure of legal Acts and other regulations, problems of their modification and derogation, problems of legal language and its use in legislation, stages of legislative process and of their promulgation. Inseparable part of student's knowledge is also theoretical reflection of actual problems of legislation in our and European context.

orientace v základních problémech legislativy, stádia legislativního procesu

Skills - skills resulting from the course:

orientace ve struktuře legislativního procesu, problémy vyhlášení předpisů, teoretická reflexe současného stavu legislativy v ČR

Competences - competences resulting from the course:

N/A

Course is included in study programmes:

Study Programme	Type of	Form of	Branch	Stage	St. plan v.	Year	Block	Status	R.year	R.
Law and Legal Science	Undergraduate Master	Full-time	Law	1	19	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	15	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	13	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	18	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	17	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	16	2023	Obligatory subjects - 5th grade	A	5	ZS
Law and Legal Science	Undergraduate Master	Full-time	Law	1	14	2023	Obligatory subjects - 5th grade	A	5	ZS