

Abstract

This diploma thesis deals with the issue of binding opinions issued on the basis of individual component laws, i.e. laws that pursue the protection of individual environmental components. The aim of this diploma thesis is to provide a basic insight into the institution of binding opinions, in particular their use for the purpose of protecting individual environmental components, and a subsequent comparison with the legislation that will come into force on 1 January 2024. The first part of this thesis deals with the regulation of binding opinions in the Administrative Code, in particular their formalities, legal nature, as well as the process of issuance, including the possibility of appealing against the issued binding opinion or its subsequent review. In addition, the first part of the diploma thesis also deals with the authorities concerned, as the authorities competent to issue binding opinions. In the second part, the thesis focuses on the regulation of binding opinions in the individual component laws, with a focus on binding opinions in the Air Protection Act, the Water Act, the Agricultural Land Fund Protection Act, the Forest Act and the Nature and Landscape Protection Act. First, the current state of the legislation is discussed, then the author describes the state of the legislation after 1 January 2024. In addition to the legislation in the individual component laws, in the second part of this diploma thesis the author also deals with the legal regulation of binding opinions issued on the basis of the Environmental Impact Assessment Act, as a cross-cutting law, as well as the novelties brought by the legislation from 1 January 2024. In the last chapter of the diploma thesis, the author aims to present a new institute of the Czech legal system, which is also a binding opinion in terms of form, namely the institute of a single environmental opinion, which is brought by the Act on the Single Environmental Opinion, which comes into force on 1 January 2024.