

Páté číslo časopisu Státní zastupitelství přináší opět spoustu zajímavých článků. Jejich anglické anotace můžete nalézt zde.

Selected Aspects of Substantive Criminal Liability

of Legal Persons in the Slovak Republic

(Jozef Čentéš)

The author pays attention to the development of legal adjustments criminal liability of legal persons in the Slovak Republic, which was crowned by the adoption of the Special Act on criminal liability of legal persons. Attention focuses on selected substantive aspects of this bill, which highlights the shortcomings in the law. The article expresses some suggestions for the futuro.

Penalties for Unpaid Social Insurance,

Penalties for Unpaid Health Insurance Premiums and the Application of the Principle of *n e bis in idem* in Criminal Proceedings

(Renata Letková)

In present contribution has resolved very topical theme relating to the application of principle of double jeopardy [„Ne bis in idem“] in the criminal proceedings, as response to the judgment of the Extensive Senat of the Supreme Administrative Court, from 24th November 2015, file sign 4 Afs 210/2014. On the basis submitted arguments the author has made conclusion consisting in non-application of the principle double jeopardy [„Ne bis in idem“] because these penals have different character against the Tax Penale, e. g. there are not criminal accusations.

Problems and Limits Based Recognition of the

Principle of "*Nemo se ipsum tenetur accusare*"

(Veronika Pochylá)

The article discusses a different approach (in theory and in practice) to problems that occur in the case of a lineup. The author focuses on the cooperation of the accused at this action and on its borders arising out of "*Nemo tenetur se ipsum accusare*". The author also offers her opinion on that principle *„Nemo tenetur se ipsum accusare“* that should not be overestimated because it is necessary to increase the efficiency of the criminal proceedings as well as to avoid unwanted obstructions of the defense, if we want to achieve a more effective criminal justice.

Legality and Opportunity in the Light

of the Forthcoming Revision of the Penal Process

(Michal Jílovec – Vítězslav Kozák)

The article discusses the two fundamental principles of criminal proceedings, the principle of legality and principle and opportunity. Attention is paid to each of these principles separately, focusing on their different meaning and application, so their comparison. This paper aims to answer the question whether it is for Opportunity in the Czech Criminal Procedure place and if so, whether they can legality Opportunity in the Czech Criminal Procedure Code.

The Form and Content Requiring Legal Assistance in a Foreign Country

(Miroslav Petrák)

Theory of criminal law in the field of international judicial cooperation distinguishes legal aid in a broader sense and in the strict sense (legal assistance). In the first case it is a form of international judicial cooperation including (a) legal assistance in the narrower sense, (b) extradition, surrender and acceptance of criminal proceedings, the recognition and enforcement

of judgments in relation to a foreign state, and (finally) the transit of persons. The article discusses the general (but also selected, from the perspective of the author and not marginal) particulars of a written document, which is addressed (sent) foreign judicial (central) authority, which is the based for the settlement of legal aid in the strict sense, ie the measure of proof (burden agent) in a foreign country for the purpose of criminal proceedings.