

The system of Public Prosecutor's Offices was enacted by the Act no. 283/1993 Coll., on Public Prosecutor's Office, effective as of January 1, 1994, in compliance with Article 109 of the Constitution, under which the function of the Public Prosecutor's Office (státní zastupitelství) was performed by the Prosecution Service of the Czech Republic (prokuratura) prior to the establishment of the Public Prosecutor's Office. Thus it replaced the former system of Prosecution Service, which based on the principles of unity, centralization, and monocracy. Public Prosecutor's Office is conceived as a component of the executive power. It is part of the Ministry of Justice, and it has no independent relations with constitutional authorities, such as the Parliament and the President of the Republic. The amendment effected by the Act no. 14/2002 Coll., effective as of March 1, 2002, emphasized the position of the Public Prosecutor's Office as a state authority ensuring the application of law in a specified area of justice to the benefit of the society and in public interest. Hence the Public Prosecutor's Office is to fulfill a significant role not only in the system of criminal justice but also in non-criminal are, while observing the need to protect human rights and prevent criminal activity. The amendment significantly extended the range of powers of the Prosecutor General with respect to the whole system of Public Prosecutor's Office, since before the amendment the control mechanism directed at the lowest levels of the system of Public Prosecutor's Office could be applied only in a very limited way.

In 2011 the Prosecutor General's Office in cooperation with the Ministry of Justice prepared a draft of the new Act on Public Prosecutor's Office that present a reform of the system of Public Prosecutor's Office. Its main goal is to strengthen the independence of Public Prosecutor's Office both within the sense of institution and of the public prosecutors themselves, from any external influence, enhance their impartiality and independence, and on the other hand also their expertise and responsibility. The prepared legal enactment does keep the external and internal supervision as a form of internal control within the system of Public Prosecutor's Office, however it envisages more significant changes in the contents of these control institutes aiming at enhancing the independence of individual public prosecutors, although their independence will not be of the same quality and contents as that of judges.

In 2013 the draft Act on Public Prosecutor's Office was submitted to the Chamber of Deputies of the Parliament of the Czech Republic. However, based on the resolution of the Government of the Czech Republic no. 555 of 24. 07. 2013 this draft Act on Public Prosecutor's Office was withdrawn from further discussion in the Parliament along with the proposed amendment of some other Acts in relation to passing the Act on Public Prosecutor's Office. The purpose of the withdrawal was amendment and supplementation of the draft Act, not complete waiver of its preparation. By withdrawing this Act the national Government strategy in the fight against corruption for the period 2013 and 2014 remained unfulfilled. Given the establishment of the new Government as a result of the early elections to the Chamber of Deputies of the Parliament of the Czech Republic it is still unclear how the new draft Act on Public Prosecutor's Office will be dealt with.