

PROBLEMS RELATED TO INITIATION OF PROCEDURE FOR
APPRAISAL OF CONSTITUTIONALITY OF LAW

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Summary: Concrete constitutional dispute is a form of reviewing constitutionality of normative acts. It is specific, because it arises from the application of law in concrete cases. This form of constitutional review is an important legal institution, because the problem of constitutionality of legal norms is usually visible through the application of law. The jurisdiction of the regular courts does not make the role of Constitutional Court less important and it also does not change the general concept of its role in a centralized system of constitutional review. The regular courts only open litigious issue of law, but the last word will be given by the Constitutional Court. In practice, however, due to procedural defects of the regulations of this legal institute, the actual impact remains marginal. Insight into the procedural law shows that there is no special or similar legal institution that could be suitable in accordance with the nature of this kind of constitutional review. The lack of procedural assumptions is essential for making possible the exercise of this jurisdiction by the regular courts.