

TABLE OF CONTENTS

Introduction (Małgorzata Materniak-Pawłowska)	IX
Acknowledgments	XI
Notes on Contributors	XII
CHAPTER 1	
The Public Prosecutor's Office in Germany in the interwar period (1918-1939) (Georg Jaster)	1
1.1. Introduction	1
1.2. The beginnings of the public prosecutor's office in Germany	3
1.3. The organization and remit of the public prosecutor's office in Germany in the Weimar Republic period between 1919 and 1933	7
1.4. The public prosecutor's office in Germany in the period of the Third Reich	15
1.5. Conclusions	23
CHAPTER 2	
The Public Prosecutor's Office in France between the two world wars (1918-1939) (Laura Andriamanjato)	27
2.1. The legal basis of the prosecution system	29
2.1.1. Constitutional regulations	29
2.1.2. Legal provisions	30
2.1.3. Acts of execution: regulations, decrees and others	31
2.1.4. Internal rules of procedure for public prosecutors' offices	32
2.2. The location of the public prosecutor's office in the system of state authorities (according to the tasks/competences imposed on the public prosecutor's office by the applicable legal regulations and the legal system in force)	32
2.3. Organizational principles of the Public Prosecutor's Office	35
2.3.1. Uniformity	35
2.3.2. Hierarchical subordination	35
2.4. The tasks and competences of the public prosecutor resulting from the adopted model of public prosecution	36

2.4.1. Within the framework of the investigation	36
2.4.2. In criminal proceedings	36
2.4.3. In civil proceedings	37
2.5. The status of prosecutor	37
2.5.1. Conditions of appointment (including the model of preparation for the profession of prosecutor - candidacy)	37
2.5.2. Rights and duties of the public prosecutor	38
2.5.3. Disciplinary responsibility	39
2.6. Evaluation of the model of the public prosecutor's office – theoretical as- sumptions, as well as its actual activity, degree of politicization of the pub- lic prosecutor's office	40
 CHAPTER 3	
Model of the Public Prosecution Office in the Czechoslovak republic between 1918 and 1938 (Marián Byszowiec, Vilém Knoll)	43
3.1. Constitutional establishment and status of the Public Prosecutor's Office in the system of state bodies	43
3.2. The Public Prosecutor 's Office for the Czech and Moravian-Silesian Re- gion – characteristics of the Public Prosecutor's Office	45
3.3. The system of the Public Prosecutor's Office	46
3.4. Powers of the Public Prosecutor's Office	48
3.5. Appointment and dismissal of Public Prosecutors, disciplinary proceed- ings	53
3.6. Principles of organization and functioning of the Public Prosecutor's Of- fice	56
3.7. The relationship of the Public Prosecutor to the court and other bodies .	58
3.7.1. The relationship of the Public Prosecutor to the court	58
3.7.2. The relationship of the Public Prosecutor to other bodies	59
3.7.3. Private plaintiffs	60
3.8. Exclusion of the Public Prosecutor	62
3.9. The position of the Public Prosecutor in the preparatory proceedings	62
3.9.1. Preparatory search	63
3.9.2. Preparatory investigation	66
3.9.3. Filing an indictment file (indictment)	68
3.10. The position of the Public Prosecutor in court proceedings	70
3.10.1. Indictment proceedings	70
3.10.2. Main trial	71
3.10.3. Corrective proceedings	73
3.10.4. Pardon	75
3.11. Execution of the sentence	75
3.12. The position of the Public Prosecutor in proceedings in civil matters	76
3.13. Public Prosecutor's Office in Slovakia and Carpathian Ruthenia	77
3.14. Military Prosecutor's Office	79
3.15. Financial Prosecutor's Office	80
3.16. Conclusion	83

CHAPTER 4

The Public Prosecutor's Office in the Second Polish Republic. The sources of law and system (Małgorzata Materniak-Pawłowska, Grzegorz Smyk)	89
4.1. The Public Prosecutor's Office in the Second Polish Republic – general remarks	89
4.2. The public prosecutor's office between 1918 and 1928	90
4.2.1. Introductory remarks	90
4.2.2. The legal basis and the system of the public prosecutor's office between 1918 and 1928	93
4.3. The public prosecutor's office between 1929 and 1939	107
4.3.1. Introductory remarks	107
4.3.2. The legal bases and the system of the public prosecutor's office between 1929 and 1939	108
Conclusions (Małgorzata Materniak-Pawłowska)	121