

PREFACE**I. INTRODUCTION TO THE CZECH CIVIL LAW** (BY JAN HURDÍK)

I.1	General description of the Czech Republic	10
I.2	Short history of Czech law and of Czech legal culture	11
I.3	Czech legislation and the Czech legal system as a part of continental legal system	11
I.4	The position of the judiciary	12
I.5	Public law and private law in Czech legal system	12
I.6	Definition of Czech private law	13
I.7	Civil Law and Commercial Law	13
I.8	Civil law and Family law	14
I.9	Civil law and Labour Law	14
I.10	Completing sources and literature	14
I.11	Questions	15

II. PERSONS IN THE LEGAL SENSE – PARTICIPANTS IN PRIVATE LAW RELATIONS

(BY KATEŘINA RONOVSKÁ)

II.1	Introduction	16
II.2	Legal capacity	16
II.3	Natural persons	17
	<i>II.3.1 Legal capacity to have rights and duties</i>	17
	<i>II.3.2 Legal capacity to acquire rights and assume duties</i>	18
	<i>II.3.3 Delictual capacity</i>	18
II.4	Protection of personal rights	18
	<i>II.4.1 Introduction</i>	18
	<i>II.4.2 Sources of law on protection of personal rights</i>	19
	<i>II.4.3 Subjects of law on protection of personal rights</i>	20
	<i>II.4.4 Object (subject matter) of law on protection of personal rights</i>	20
	<i>II.4.5 Limitation of the right to protection of personal rights</i>	21
	<i>II.4.6 Means of protection of personal rights</i>	21
II.5	Definition of “household” and “close person”	23
II.6	Legal persons	23
	<i>II.6.1 Introduction</i>	23
	<i>II.6.2 Categorisation – schematic outline</i>	24
	<i>II.6.3 Private law legal persons – related legal regulations (a selection)</i>	25
	<i>II.6.4 A general characterisation of legal persons</i>	25
	<i>II.6.5 The state as a party in private law relations</i>	28
	<i>II.6.6 European legal persons</i>	29
	<i>II.6.6 Non profit organisations – general information</i>	29

II.7	Cases for study	32
II.8	Questions	34
III.	OWNERSHIP OF REAL ESTATE (BY JOSEF FIALA)	35
III.1	Real estate	35
III.2	Ownership title	38
III.3	Acquisition of ownership	40
III.4	Acquisition on the basis of contract	41
	<i>III.4.1. Purchase contract</i>	41
III.5	Acquisition by inheritance	43
III.6	Acquisition by means of a decision of a state authority	43
III.7	Acquisition on the basis of other facts specified by law	43
III.8	Termination of ownership title	45
III.9	Protection of ownership title	47
III.10	Common property	48
III.11	Cases for study	51
III.12	Questions	51
IV.	SALE AND PURCHASE (BY PAVEL KOUKAL)	52
IV.1	General Definitions	52
	<i>IV.1.1 Legal Regulations</i>	53
	<i>IV.1.2 Contract Origination and Forms</i>	54
IV.2	Rights and Obligations of the Parties	54
	<i>IV.2.1 Obligations of the Seller</i>	54
	<i>IV.2.2 Obligations of the Buyer</i>	54
	<i>IV.2.3 Purchase Contract and Acquisition of Title</i>	55
	<i>IV.2.4 Other Applicable Provisions in Purchase Contracts</i>	56
	<i>IV.2.5 Default of the Seller</i>	57
	<i>IV.2.6 Default of the Buyer</i>	58
IV.3	Liability for Defects	58
	<i>IV.3.1 Factual Defects</i>	58
	<i>IV.3.2 Legal Defects</i>	60
	<i>IV.3.3 Transfer of Title</i>	60
	<i>IV.3.4 Liability for Defects</i>	60
	<i>IV.3.5 Lapse of rights</i>	60
IV.4	Termination of Purchase and Sale Agreement	62
IV.5	Cases for study	63
IV.6	Questions	63

V.	LEASE CONTRACTS (BY <i>MARKĚTA SELUCKÁ</i>)	63
	V.1 General Provisions	64
	V.2 Lease of Flats	64
	V.3 Lease of Non-Residential (Business) Premise (Space)	64
	V.4 Lease of an Enterprise	72
	V.5 Lease of a Means of Transport	74
	V.6 Cases for study	77
	V.7 Questions	78
VI.	LIABILITY FOR DAMAGES (BY <i>JIŘÍ HANDLAR</i>)	78
	VI.1 Legal Regulations	80
	VI.2 Functions of Liability for Damages	80
	VI.3 Basic Prerequisites of Liability for Damages	80
	VI.4 Parties Liable for Damages	81
	VI.5 Scope and Method of Compensation for Damages	83
	VI.6 Statutory Bar on the Right of Damages	84
	VI.7 General Liability for Damages	88
	VI.8 Special Cases of Liability for Damages	89
	VI.9 Cases for study	94
	VI.10 Questions	94