

Public law, Private law

Veřejné právo, Soukromé právo

Basics

- ▶ Continental law only!
- ▶ Originally from Ancient Rome law.
- ▶ Different courts for both law systems (in France).
- ▶ Some special tribunals for law systems.
 - ▶ Supreme administrative court of the Czech Republic

Public law

- ▶ Theory of law,
- ▶ governing the relationship between:
 - ▶ individuals (citizens, companies),
 - ▶ state.
- ▶ Sub-divisions:
 - ▶ constitutional law,
 - ▶ administrative law,
 - ▶ criminal law.
- ▶ Creation of a public body with special powers of investigation, decision-making and/or enforcement in relation to a particular problem.(Chromá, 2. dopl. vyd, 1998, p. 156)

Private law

- ▶ Theory of law as well,
- ▶ governing relationships between individuals.
- ▶ Including:
 - ▶ law of contracts (smluvní právo),
 - ▶ law of torts (právo občanskoprávních deliktů),
 - ▶ law of obligations (závazkové právo).
- ▶ It is not civil law, civil law is mainly part of PL.
- ▶ There are permissions, not restrictions.

Areas of Private law

- ▶ **Civil law (občanské právo):**
 - ▶ family law (rodinné právo),
 - ▶ property law (majetkové právo),
 - ▶ contract law (smluvní a závazkové právo),
 - ▶ inheritance law (dědické právo).
- ▶ **Labour law (pracovní právo).**
- ▶ **Commercial law (obchodní právo).**
- ▶ **Corporations law (právo obchodních společností).**
- ▶ **Competition law (soutěžní právo).**

Fundamentals of private law

- ▶ Equality of participants,
- ▶ individual autonomy,
- ▶ equity,
- ▶ „all is permitted when it is not prohibited“,
- ▶ prohibits abuse of subjective laws,
- ▶ certainty and stability in private law relationship,
- ▶ prevention.

Differences

- ▶ Private law rules are the protection of individual interests.
- ▶ Public law is the promotion of social objectives and the protection of collective rather than individual interests.
- ▶ Private – permits, public – prohibits.

Thanks and resources

- ▶ Thank you for listening!
- ▶ Public law [online], last edit October 8, 2010 [cit . October 24, 2010], Wikipedia: The Free Encyklopedia.
- ▶ Private law [online], last edit May 14, 2010 [cit . October 24, 2010], Wikipedia: The Free Encyklopedia.
- ▶ Súkromné právo [online], last edit July 1, 2010 [cit . October 24, 2010], Wikipédia: Slobodná encyklopédia.
- ▶ CHROMÁ, Marta. Introduction to legal English. Vol. 1. Praha : Karolinum, 1998, 368 s., ISBN: 80-7184-697-X

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