



MASARYKOVA UNIVERZITA PRÁVNICKÁ FAKULTA

Introduction to the Czech civil Law 1st lesson *Jan Hurdík*

Zápatí prezentace



Introduction to the course I

- Aim of the course:
 - Description of history, contemporary situation and its crucial crossroads and probable future development of Czech civil law
- Methods of course:
 - Genetic-procedural
 - Comparison
 - Description
- Content of course
 - Civil law (6 lessons)
 - Civil procedure law incl. structure and org. of justice (6 lessons)
 - Termination of the course (1 lesson)



Introduction to the course II

■ Sources and literature:

- Textbook Introduction.. - to buy in the bookshop or to borrow from the library or to copy in the library (+ on IS)
- Czech civil Code (eng.) - on IS or to borrow or to copy
- Czech commercial Code (eng.) - on IS or to borrow or to copy

Completing literature:

- Hurdík-Fiala: Contracts. Czech Republic. IEL. Kluwer Int. 2009
- Hurdík-Polčák-Smejkalová: Czech law in European regulatory context, Wien-München 2009
- Poplawski-Šramková: Legal sanctions..Brno 3008



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Introduction..

Czech civil Law



Czech civil Law I - from past to future

- 1811 - austrian Allgemeines bürgerliches Gesetzbuch
- 1950 - 1st czechoslovak civil Code (141/1950 Sb.-Coll.)
- 1964 - „socialist“ czechoslovak civil Code (40/1964 Sb.) - changed by Act 509/1991 Sb.
- 2000 -today´s project of new czech civil code (currently in parliament)



Czech civil Law II - System of private Law

- 1811 - private Law = civil Law
- In the course of 19th century, and especially in the 2nd half of the 20th century the labor Law, family Law and commercial Law were established
- Now, the parts of czech private Law are:
 - Civil law (Civil Code - Act 40/1964 Sb., Authors act 121/2000)
 - Commercial Law (Commercial Code - Act 513/1991 Sb.)
 - Family Law (Family Act - Act 94/1963 Sb.)
 - Labor Law (Labour Code - Act 262/2006 Sb.)
- Recodification of czech civil law is going to change the whole system of czech private Law:
 - The part of civil code should be: family law, labor contract (only private labor law), main part of commercial law (excl. Act of commercial societies)



Czech civil law III - project of Czech Civil Code

Structure of the text:

- 5 parties:
 - Part One : General Part
 - Part Two: Family Law
 - Part Three: Absolute property Rights (incl. Inheritance)
 - Part Four: Relative property Rights (Contract and Tort Law)
 - Part Five: Final, Transitory and Repealing Provisions
- Approximately 3.000 of paragraphs.