

## **Notary – comparison in Czech and French legal system**

### **Abstract**

This thesis deals with the comparison of the notarial profession in the Czech and French legal system. The aim of the thesis is to compare selected legal institutes of the notarial profession from the perspective of Czech and French legislation. The institutes in question represent the basic parameters of the notarial profession and therefore the author also tries to reach a comprehensive view of notarial profession and to present it from the perspective of Czech and French legislation.

The author tries to achieve these aims primarily by means of descriptive and comparative methods.

The diploma thesis is divided into six parts, with each part dealing with a selected legal institute from the perspective of both Czech and French legislation. The first part deals with the general concept of notary public and its world concepts, which are the Latin-type notarial system and the Anglo-Saxon notarial system. The second part is devoted to the basic legal basis of the notarial profession. In both the Czech and French cases, it deals with the person of the notary and his/her office, the prerequisites for exercising notarial activities, the various ways of exercising notarial activities and the notary's staff. The third part of the thesis deals with the topic of notarial activities. The part dealing with the Czech legislation first deals with the general provisions on notarial activities and then elaborates on the special provisions. The French part deals with the general regulations concerning notarial activities and then elaborates on the topic of the French notarial act and its formalities. In both the Czech and the French part, the author discusses the topic of notarial deeds. He also mentions the role of the notary in inheritance proceedings. The fourth part deals with professional self-government and its activities. The author focuses on the regulation of regional notary chambers and the Notary Chamber of the Czech Republic. In the case of the French notarial self-government, he discusses the chambers of notaries, regional councils, the Supreme Council of Notaries, the Liaison Assembly, the Congress of French Notaries and Trade Unions and the Young Notaries Movement. The fifth part deals with the remuneration of notaries. The topic of the last, sixth, part is the disciplinary liability of notaries.

**Key words: Notary, Notarial activity, Notarial act**