

# **Sale per aversionem**

## **Abstract**

The aim of the diploma thesis is to carry out a thorough analysis of the legal institute of a bulk sale from the point of view of its diachronic development and the effects of the application of this legislation in the sphere of rights and obligations of the addressees of legal norms. In the first part of the thesis, with the help of historical legal sources, the development of the form of the institute is gradually reconstructed in the legal sources of ancient Rome, the region of Central Europe and finally in the borders of the territory of Czech statehood. The second part of the work is devoted to the current wording of the summary institute, its attributes, the applicability of the provisions on the summary and other related issues. In the introduction of the second part, emphasis is placed on the linguistic analysis of the current wording of the provision, which is subjected to grammatical, semantic and syntactic analysis. The linguistic analysis is followed by a legal analysis, which examines the conditions necessary to be able to use the provision on the transfer in aggregate in accordance with the legal regulations. The conclusions made about the conditions of use are followed by chapters on alternative and dissenting views on the issue in question. At the end of the second part, an alternative wording of the definition is presented, which deals with the problems in question, and a contemplative chapter on the teleological purpose of the institute. In the third part of the thesis, the domestic legislation of the institute is compared with its counterparts in the legal systems of third countries, while the purpose of these legally comparative sections is an effort to further deepen knowledge about the institute. In the very conclusion of the thesis, the author of the thesis will try to briefly recapitulate the conclusions reached and key ideas.

## **Key words**

Bulk sale, civil liability, en block, per aversionem