[Guardianship and guardianship council]
Abstract

The topic of this thesis is guardianship and the guardianship council. The aim of the thesis is to examine the legal regulation of guardianship and guardianship councils in the past and also to examine the current legal regulation. This thesis should provide information on where we place guardianship and the guardianship council and what their purpose is and how they function. In this thesis, the Czech legislation on guardianship is partly compared with the French legislation.

The first chapter deals with the family and parental responsibility. The rights and obligations that are the content of parental responsibility, who is the bearer and the executor of parental responsibility are listed and defined. And what protective measures exist when a parent does not exercise parental responsibility.

The second chapter of this thesis is devoted to a historical excursion from the times of the Roman Empire to the Family Law, describing how guardianship worked and to whom a guardian was appointed at each stage. Roman law provided an important basis for the development of private law, and the law of guardianship was no exception. Later legislation was inspired by Roman law.

The third chapter is devoted to the institution of guardianship itself, what are the grounds for the appointment of a guardian, what are the rights and duties of a guardian, who can be a guardian and when does this function cease in the light of the current legislation.

The fourth chapter is devoted to the guardianship council, when it was first established by law, and also describes the current legislation, specifically when it will be decided to establish it, the reasons for its establishment, who can be a member and how its function ceases.

The fifth chapter describes guardianship under French law, when and how a guardian is appointed in France. And a comparison with the Czech legislation.

The thesis concludes with an assessment of the findings. It also evaluates why the guardianship is not used today and what could be done to make it so.