

Abstract

Restitution according to the Land Act is a legal-economic process leading to returning the previously confiscated land to the entitled persons. In case the return is not possible, this Act sets the procedure for obtaining compensation for the land not returned accordingly. The restitution process is the result of a society-wide effort to alleviate certain historical grievances of the previous regime.

The Thesis provides a comprehensive description and analysis of the development of the institute of nationalisation (expropriation) from the after-White Mountain period until the end of the communist regime in 1989. The reasons leading to expropriation are explained in the Thesis, as well as the impacts of expropriation and subsequent social and legal reaction to the changes that occurred.

Within the period after 1989, the development of the restitution process, its individual phases and the state's overall approach to the issue are analysed and subjected to criticism. It is examined what effects the implementation of specific measures has had up to now and whether systemic or only parametric changes of the entire process continue to occur.

In the practical part of the work, the focus is on the transferability of replacement land as an attribute of immovable property, which is scrutinized by the judicial system. An interpretation is provided regarding legal barriers of transferability and regarding transferability barriers introduced by case law.

In the academic part of the Thesis, an answer is sought to the question whether the legislation in conjunction with case law provides guidance regarding the transferability or non-transferability of replacement land. It is also questioned whether all crucial aspects for assessing the suitability of the transfer of replacement land to an entitled person have already been examined, including *de lege ferenda* considerations.

The Thesis continuously discusses the particular issues of the restitution process according to the Land Act. In its conclusion, in addition to summarizing the relevant knowledge, an evaluation and reflection on the further direction of the restitution process is carried out.