

# Resumé

## *Institutionalized Arbitration*

In my thesis I deal with current development of arbitration. I chose this topic due to increasing common interest to solve disputes through the arbitration proceedings. Arbitration itself represents one of the forms of alternative dispute resolution which is more and more applicable in practice. This trend sources from the fact that arbitration is faster and explicitly more flexible than the common civil proceedings. Arbitration offers an alternative to civil proceedings and it is popular tool for dispute resolution, especially as for the business law disputes.

Enactment of law No. 216/1994 Coll., Arbitration act, represented a significant shift in the applicability of arbitration comparing the previous legal regulation. Aforementioned act introduced applicability of arbitration even among the domestic subjects and broaden the possibility to resolve disputes outside the state court system which in fact contributed to stabilization of business environment.

Regarding the fact that proceedings in front of permanent arbitration courts in the Czech Republic, same as other foreign arbitration institutions brings the parties particular advantages, I focused on the institutionalized arbitration. My determination was also influenced by the fact that this thesis should have been focused on the matters which are closest to everyday legal practice in the respective area in the Czech Republic. The core of my work vests in the analysis of the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic and its proceedings regulations.

This thesis is divided into four basic chapters, which are deeply elaborated and described in subchapters. These are preceded by introduction and followed conclusion. Of course appendices are part of the work as well and involve e.g. recommended wording of the arbitration clauses in contracts.

In my work I briefly present and describe the differences between particular forms of arbitration, whereas I focus especially on institutionalized arbitration. I also deal with the up to date matters of so called “judicial centres” which are massively

criticized not only by professional lawyers.

Next part of the work is devoted to legal regulation of the arbitration in the legal system of the Czech Republic. In this regard I characterize individual permanent arbitration courts in the Czech Republic with precise reference to factual legal regulation.

Next, I deal with broadly discussed limits of arbitration. Basic presumption for realization of arbitration is valid arbitration contract/clause. Due its importance I try to define it in the following part of the work same as the position of arbitrators and permanent arbitration courts.

As mentioned above, the core of the thesis is discourse on the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic and its proceedings regulations. Analysis of the costs of arbitration is also included. Currently, it is the most respected and addressed arbitration court in the Czech Republic and that is the reason why it deserves exceptional attention.

At the close I mention the exceptions from the standard arbitration proceedings in front of the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic.