

Abstract

The aim of this thesis is to compare legal regulations of real rights in Czech and French legal order. With respect to current situation, when starting the 1th january of 2014, the new civil code becomes effective, this thesis deals as well with the novelties in real rights' regulation established by the law n°89/2013 of Collection of Laws, civil code.

This thesis consists of seven chapters. In the first chapter, I mention the aim of the thesis, its brief content and elaboration process. In the second to sixth chapter, the thesis deals in concrete with the real rights and its institutes. In each of these chapters, the Czech legal regulation according to the current civil code is mentioned first. Then, a discourse about French regulation follows. If both regulations are same, similar or slightly or absolutely different. Finally, a comparison with the new civil code is attached to practically all chapters. If it holds the current regulation or if it establishes new notions, institutes or conception or regime of the current institutes. And provided it brings novelties if it tends by them towards the French regulation or if it choses absolutely new solutions.

The second chapter deals with real rights in general terms. With their conception and systematics. The thesis deals with the question how the real rights are defined or characterized and where we can find relevant legal regulation.

The third chapter deals with the notion of thing. Namely, it is explained what is thing in legal sense, and further, a division into different groups is provided.

In the fourth chapter, I compare the legal regulation concerning property. This chapter deals with the conception itself of property but also with its content and limitations. A part devoted to the possession, as an institute similar to the property, is also incorporated. At the end, different modes of acquisition of property, its protection and finally cases of its end are mentioned.

The fifth chapter, after the chapter devoted to the property, deals with its specific form – co-ownership. Several types of co-ownership and corresponding institutes of the other legal order are presented.

The sixth chapter disserts on the rights of using a thing of another and is divided into two large sections: easments and servitudes and pledge, where the relevant institutes of both legal orders are mentioned.

In the last, seventh chapter I summarize the results of my thesis. I mention here the most essential differences between the Czech and the French regulation and cases in which the new regulation leans to the French one.