

Liability for Defects in Civil Law

The goal of my thesis is to analyze the legal institute of liability for defects in the Czech Civil Law. The main focus is on the Civil Code, complemented by other relevant regulations in the area of liability for defective goods. Due to a major new private law codex that will replace the current Civil Code starting year 2014, thesis also includes new legislation overview and its comparison to the old one.

The goal of this paper is to both describe and analyze the issues regarding the liability for defect, its impact and practical aspects related to it. My work draws from current literature and for a better overview of the matter also presents some judicial cases dealing with liability for defects.

Thesis is divided into several parts, each dealing with different aspect of liability for defects. First part introduces a reader into civil liability in general and describes its systematics. Next part deals with a current legislation that regulates a civil liability. Third part already goes through the liability for defects and its different dimensions. Fourth part focuses on liability for defects in relation to consumers.

In the next section thesis describes different aspects of liability for defects. How the liability for defects is established is a content of the fifth part. The next part shows different forms of liability for defects. In part number seven, paper deals with legal consequences connected to general liability for defects and special regulation regarding sales contracts with consumers. Eight part describes how a liability is realized and the legal requirements. It also outlines the judicial solution and alternative dispute resolutions. Final last part shows the new Civil Code regulation of liability for defects and the main changes that it will bring.