

## **Abstract**

This thesis focuses on the effective regulation of the application for an appeal review reflecting it from the point of its value background, historical development and the relevant case-law. With an intention to point out the necessary backing for the critical assessment of specific elements and the present form of the application for an appeal review in a civil procedure as a whole, the thesis deals with the theoretical basis of the legal remedies in the civil procedure and with the role of the application for an appeal review in their effective regulation.

In the thesis, particular attention is paid to the purposes of the application for an appeal review, i.e. to the unification of the case-law and the protection of the rights of an individual in a particular case, as far as to their relation to the legal certainty resulting from the final decisions, which the use of the application for an appeal review undermines. The thesis contains the general conclusions on the relationship between these values and the conclusions on the appropriateness of the regulation of the particular elements of the application for an appeal review, which are connected with these values.

A special chapter of this thesis deals with the history of the appeals focusing only on that facts and legal constructs, which are important regarding the application for an appeal review. An increased attention is paid to the development of the application for an appeal review and to the development of its most important elements.

Major part of the thesis deals with the legal regulation of the application for an appeal review accompanied by the conclusions of the case-law. An increased attention is even in this part paid to the admissibility of the application for an appeal review as the essential and likely the most problematic part of its regulation with a close connection to the fundamental conflict of the values covered by the application for an appeal review. With regard to the previous general chapters of the thesis, this part contains even the original opinions and assessment of the present effective regulation.

The particular assessments included in the third chapter, which deals with the present regulation, are accompanied by several recommendations *de lege ferenda* relating to the admissibility of the application for an appeal review in the fourth chapter. The end of

the thesis, it tries to promote debate, which accompanies the present efforts to recodify the civil procedural law.