

Abstract

This rigorous thesis, entitled “*Arbitration before the Arbitration Court Attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic*”, deals primarily with the legal regulation of arbitration proceedings before the Arbitration court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic (hereinafter referred to as the “Arbitration Court”). The main focus of this work is on the ongoing debate in respect of the regulation contained in the Arbitration Rules issued by Arbitration Court, which contains a rather complex regulation of the rules for the arbitration proceedings before the Arbitration court, as well as on the legal regulation contained in Act No. 216/1994 Coll., on arbitration and the enforcement of arbitral awards, as amended. While preparing this thesis on the issue of arbitration before the Arbitration Court, I paid close attention to both the extensive body of case law and the ideas put forth in professional literature.

The aim of this rigorous work was not only to describe arbitration proceedings before the Arbitration Court, but also to address issues currently being discussed that are related to this procedure and current legislation; at the same time, another goal was to offer an opinion on problematic issues and, where possible, to offer possible solutions. This thesis provides a summary of the information concerning the institution of arbitration proceedings in the Czech Republic, the types of available arbitration, the history of the Arbitration Court, its bodies and how it functions. In addition, it considers the arbitrator's function, i.e. questions on the performance of the arbiter's duties, the obligations and rights of the arbitrator, and at the same time the objection to arbitrariness. This thesis also deals with some ethical issues that are connected with the performance of the function of the arbitrator. In addition, this thesis introduces arbitration proceedings as being complex proceedings, including the principles on which arbitration proceedings are based and connected procedures. This thesis offers its readers a comprehensive overview of the various types of arbitration procedures that are available in the Czech Republic and the most common issues that are subject to arbitration proceedings in the Czech Republic. This work also deals with the question of the termination of an arbitration procedure, while chapter 12 deals briefly with the question of the annulment and review of an arbitration award. Other special kinds of arbitration (such as on-line arbitration) are also briefly presented.

I believe that this thesis may offer its potential readers a comprehensive overview of the issues connected with arbitration proceedings brought before the Czech Arbitration Courts; however, if there are any questions for which this thesis does not provide its readers a comprehensive answer, this work will undoubtedly provide them with a strong foundation from which they may conduct their further research. This is because this work was compiled from a large number of professional pieces of literature and articles which are often quoted in this thesis and such literature may thus be referenced for the readers' own purpose.