

Abstract

As the title of the submitted thesis "The Act on Undertaking *de lege lata* and *de lege ferenda*" follows, this thesis deals first with the valid Czech law of undertaking. For the purpose of a comprehensive assessment of the legal status of specific legal institutes and selected legal regulations, comparative approaches and historical interpretation were undertaken in the work in numerous places. I have gradually paid attention to current problems or problems that may arise in the future. I therefore dealt with the question of the legality of the exhibition of dead human bodies from the point of view of the Czech legislation in force at the time of its realization, as well as the current legal regulations, when for several reasons I came to the conclusion that such exhibition contradicted a number of provisions of the current legislation and there certainly will be no changes in the future.

I continued to pay attention to the lawful forms of burial of human mortal remains. Here, as in other places of work, I have pointed out the possibility of conflict of two or more existing legal norms, according to which the participants in legal relations can interpret their rights and obligations differently. The chapter on the preserving of human mortal remains before the funeral addressed some of the illogicalities of the current legal regulations in relation to the funeral service obligations, which *de lege lata* persist or were further amended by the Act on Undertaking. The missing deadline for burial of the human body was analyzed at the end of this chapter more extensively in connection with the non-existent legal regulation of cryonics in the Czech legal order.

A detailed legal analysis in terms of both the former and the current legislation, and the *de lege ferenda*, was made in particular with the concept of other human remains, the final coffin and the death certificate. In separate chapters devoted to these institutes, I have drafted and properly substantiated the changes that the future legislation could bring.

The conclusion of the thesis is devoted to the supervision of the observance of the law by individual administrative bodies and to the extended catalog of administrative delicts, which was introduced by the amendment to the Act on Undertaking. At the same time, I dealt with possibilities of reducing the number of supervising administrative bodies and rationalizing the exercise of supervisory powers.