

Abstract

This diploma thesis deals with the topic of reimbursement of costs in trial proceedings and enforcement proceedings. The main goal of this thesis is to provide a comprehensive overview of the topic and to explain fundamental aspects of costs in trial proceedings and enforcement proceedings as well. The diploma thesis focuses not only on the interpretation of legal provisions but also on the case law, which is cited throughout the text.

The diploma thesis consists of an introduction, two main chapters, and a conclusion.

The first chapter discusses reimbursement of costs in trial proceedings and is systematically segmented according to corresponding phases of a trial proceeding. The first part of this chapter describes costs in trial proceedings. The following subchapters discuss principles of cost reimbursement in contentious proceedings. The subchapter 1.3.3 focuses on legal conditions for awarding costs with an emphasis on the discretionary power of the courts and pretrial notice. The subchapter 1.4 deals with reimbursement of costs in non-contentious proceedings. The last part of this chapter discusses remedies directed against decisions regarding costs in trial proceedings, including the constitutional complaint.

Reimbursement of costs in enforcement proceedings under the Enforcement Regulations is the subject to the second chapter. The first part of this chapter describes enforcement proceedings in general and their differences from trial proceedings. The next subchapter defines costs in enforcement proceedings and is further divided into a part dealing with costs of execution and costs of a creditor. This chapter concludes with a part dedicated to deciding on reimbursement of costs in enforcement proceedings. The subject of the last part of this chapter is the issue of reimbursement of costs in case of termination of enforcement proceedings due to lack of property.

The conclusion of the diploma thesis then analyses author's findings attained during the elaboration of this diploma thesis together with his critical view on current legal regulations regarding reimbursement of costs in trial proceedings and enforcement proceedings.

Keywords

trial proceedings, enforcement proceedings, reimbursement of costs

Thesis title

Reimbursement of costs in trial proceedings and enforcement proceedings