

Name of the rigorosum thesis, abstract and keywords

Name of the rigorosum thesis: Forms of legal acts

This rigorosum thesis deals with the forms of legal acts. Main subjects of the research were interpretative challenges, French Code Civil and German BGB. Methodological approaches used while writing this thesis were mostly the analytical, synthetical, normative and comparative. In the beginning, the author has analyzed legislature, case law and opinions of the legal doctrine. Then, the ascertained facts were scientifically described in a scientific description using a synthetic method. Finally, these were normatively commented on and the Czech legislature was compared foreign ones.

The first chapter titled Legal acts and its forms is a general introduction into the subject matter and it presents traditional forms and new forms and elements. Attention is also paid to the fundamental question of changing the content of a legal act utilizing a form different from the original one.

In the first part of the thesis, attention was paid to traditional forms of legal acts. The first part consists mainly of chapters 2. Oral legal acts, 3. Written legal acts and 4. Implied legal acts. In all these chapters, the development of legal regulations, application practice and the comparison of the current domestic legislation with foreign regulations were carried out. In Chapter 3, attention was also paid to the forms of private and public deeds.

In its second part, the thesis deals with emerging forms of legal acts and new elements in legal acts. This part consists of chapters 5. Emerging forms of legal acts (where the author researches legal acts made by using e-mail, data boxes, web pages, and smart contracts); and 6. Legal acts with new elements (which concerns the e-signatures and dynamic biometric signatures).

Technological advances necessarily bring about the need for the law to react to them. These reactions are done both on the national and EU level. However, because the law is a predominantly conservative field, these reactions relate to many issues. The author comments upon opinions of the doctrine on dealing with those issues. The goal was mostly to contribute to unifying opinions and clarifying interpretative problems that were raised by this new legislation.

At the end of the thesis, the author has done a de lege ferenda analysis which mainly concerns the new forms of legal acts and the new elements. The legal doctrine does not pay as much attention as it should to these issues. The author's goal was to contribute to remedying that.

Keywords: legal acts, traditional forms of legal acts, emerging forms of legal acts, new aspects of legal acts