

Abstract

Class actions

In the thesis on the topic of "Class actions", the author first deals with general issues of class actions, their division or individual systems of collective proceedings. In the second chapter, the author focuses on European legislation, specifically the Commission Recommendation of 11 June 2013 on common principles for injunctive and compensatory collective redress mechanisms in the Member States concerning violations of rights granted under Union Law and Proposal for a directive of the European parliament and of the council on representative actions for the protection of the collective interests of consumers, and repealing Directive 2009/22/EC of 11 April 2009. Institutes, which in the current Czech legislation to some extent show signs of collective proceedings, are included and described in detail in the third chapter. The last chapter is a key chapter of the thesis, in which the author deals with the proposed Czech legislation on collective proceedings and compares it with the already adopted German legislation "Musterfeststellungsklage". In the individual subchapters, the proposed Czech legislation is not only compared with the already adopted German legislation, but within the Czech legislation itself, amendments are pointed out that have been implemented within the current legislative process. The individual subchapters first deal with the circumstances of the adoption of individual legal regulations, the legislative process, the objectives of legal regulations, as well as the relationship between individual and collective proceedings. The following subchapters deal not only with issues known in general civil proceedings, such as jurisdiction, substantive and territorial jurisdiction, procedural conditions, costs of proceedings, decisions and appeals, but also with completely new unknown topics such as collective proceedings, the register of collective proceedings and the collective proceedings themselves.

Keywords:

- Class action
- Model declaratory action
- Collective proceedings
- Certification procedure
- Opt-in
- Opt-out