

ABSTRACT

Rigorous thesis mainly proposes a legal analysis of the circumstances excluding illegality contained in the penal code and other related issues. Thesis is especially about private defence, exigency, compliance, tolerable risk and lawful use of a weapon. The first part deals with the historical development of the circumstances excluding illegality, followed by a comprehensive analysis of current legislation and the work concludes fundamental analysis of German law.

In the crucial part of the thesis, which deals with applicable law, is noticeable emphasis on the fact that the interpretation links to relevant case law. This is especially true in the case of exigency and private defense as the two most frequently occurring circumstances excluding illegality. Rigorous thesis also includes an excursus into the realm of sports, because one of the chapters focuses more on application of individual facts in issue of the circumstances excluding illegality in sports law.