

Abstract

The main objective of the thesis is to focus on the institute of a non-competition clause within the Czech legal system. A special emphasis is put on the analysis of each of the aspects of a non-competition clause and the inclusion of a non-competition clause not only in the labour law, but also in the civil law as a whole.

The thesis is divided into four chapters. These chapters are the History of a non-competition clause, Basic terms, Current legislation of a non-competition clause in the labour law and the Legislation of other institutes that regulate competitive conduct. The chapters are further divided into subchapters.

Chapter One explains the historical development of a non-competition clause from the nineteenth century to the present day. The most important period was the 1990s, when a non-competition clause slowly began to return into the Czech legal system with the assistance of jurisprudence and legal literature.

Chapter Two enumerates the most important terms, which occur in connection with a non-competition clause. This chapter includes, for example, the definition of the labour law. The chapter concludes with defining the terms competition and non-competition clause.

Chapter Three focuses on the current legislation of a non-competition clause, which is based on linking the Labour and Civil Codes. This chapter discusses the various aspects of a non-competition clause. In connection with the adoption of the new Civil Code, the emphasis is put on linking the Labour and Civil Codes.

Chapter Four focuses on other institutes governing competition within the private law. This chapter is to express the effort to describe and to compare the institutes governing the competition and to find the inspiration to address some of the issues of the labour legislation of a non-competition clause.

In conclusion, the thesis evaluates the current legislation of a non-competition clause in labour law. The evaluation includes a proposal of several amendments, which could contribute to better usability of this institute.