

Summary

THE COLLATION A REGULATION OF FUNDAMENTAL INSTITUTES OF HOUSING COOPERATIVES IN POLAND AND THE CZECH REPUBLIC

This work aims to capture qualities and shortcomings of the legislation in one of the important sectors of housing, the cooperative sector, in the context of a comparison of the two national legislations – in the Czech Republic and Poland. In both compared legislations, cooperative has its special character and long-standing tradition, which was introduced immediately in the introductory sections. The cooperative sector is the merit of this work. The issue of housing is always up to date, moreover, in practice we many time encounter with the uncertainties associated with the housing issue. Cooperative law in the area of housing is interesting in particular, with regard to incompleteness, and, in some cases, to insufficiency of Czech legislation, distinguish it from, more or less, consistent realization of housing cooperatives in Poland.

Although both legislations have similar sources and traditions, and their characteristic developments, in the field of the law the willingness of legislators to adapt an important part of ensuring significantly differs from the housing requirements of the population. In the Czech legal system is a cooperative law captured only in a few provisions of the general Commercial Code, Cooperatives in the area of housing, which play an important role in addressing housing issues every man, standing, with minor exceptions, completely outside attention to the legislature. In contrast, the Polish legislation appears to be quite generous doubt. General cooperative law has since 1982 its own legal standard, which was after the fall of socialist regime substantially amended. In addition, housing cooperatives has been captured in a separate law since 2001, which is at the heart of regulation, in particular, the use of legal forms of cooperative apartments and non-residential premises. However, housing cooperatives in both compared jurisdictions, differs not only in quality and regulatory framework, we find differences in the various procedural matters housing cooperatives or individual use legal forms of cooperative ownership.