

Administration of a minor's assets – current issues

Abstract

The thesis deals with the administration of a minor's assets and the current problem associated with the indebtedness of minor children. The aim of the diploma thesis is to comprehensively analyze the currently valid and effective legislation regarding the administration of a minor's assets, whose changes were contributed by the recent amendment in the form of Act No. 192/2021 Coll. The thesis is divided into four parts. Each of these parts is further divided into individual chapters and sub-chapters that specify it. In the first part, basic terms will be defined, which are the basic building blocks for subsequent interpretation.

Initially, the thesis focuses on the definition of basic terms important for better understanding and orientation in the rest of the thesis. Furthermore, the criteria for the administration of a minor's assets are presented, which include the best interest of the child, the care of a proper householder, not taking unreasonable risks and control of the regularity of the administration. Attention is then focused on the persons who can perform the administration of minor's assets, with the greatest extent being paid to the parents, who are most often entrusted with the administration of a minor's assets and who are also given the most space in the legal regulation. The core part of the thesis is focused on the issue of minors' debts as a social problem, which resulted in a debate that contributed to the legislative changes in the area of "children's debts". The thesis analyzes in detail the reasons and changes brought about by Act No. 192/2021 Coll. and subsequently evaluates its contribution to legal regulation. At the same time, statistical data are also outlined, from which it is possible to determine the effect of the amendment on the issue of minors' debts in practice. Analytical and descriptive methods are used in the thesis, with the help of which not only the legal regulation, but also the jurisprudence of the Czech courts dealing with partial issues of administration of a minor's assets, as well as the existence of debts of minors, are approached.

Key words: administration of a minor's assets, assets, minor