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of my Master's degree thesis in English

TERM AND LEGAL CONSEQUENCES OF EXCEEDING THE PRIVATE DEFENCE AND EXIGENCY LIMITS (EXCESS)

The aim of the Work is to take a close look at the exigency and private defence issues, especially the conditions and limits of their exceeding and draw as complex conclusion as possible. That should direct us to the thought whether the legal regulations of these institutes in the Czech Republic can be considered sufficient or whether inconsistency or gaps in general whose existence can have any immense consequences for all of us can be found there.

There are many reasons to deal with this issue. The most fundamental one is perhaps the private defence or exigency institutes and matters concerning exceeding their limits can become much personal for everyone as the situation when they are solved can never be estimated in advance.

The thesis is composed of six chapters, each of them dealing with different aspects of exceeding the private defence and exigency limits.

Chapter One is consists of. a general introduction and basic general characteristics of both institutes, both exigency and private defence and their position within circumstances excluding illegality.

Chapter Two deals with a brief historic survey of development of exigency and private defence institutes. Attention is especially paid to the time from the validity of the Austrian Criminal Code from 1852 and regulations in individual criminal codices valid in our territory.

Chapter Tree looks at the specification of the exigency and private defence term, their substance and function within the society and it contains definition of differences and identical features of both institutes

Chapter Four concerns the exceeding of exigency limits. The first part includes general specification of exigency conditions while the second one defines when allowed acting limits are exceeded and in the third part there are some notes to the so-called assumed exigency and "de lege ferenda" consideration in the conclusion. Further in relation to the private defence in Chapter Five.

The last Chapter deals with legal consequences of the excess and its subjective aspect. The main aim of the thesis is to prove an amendment within the frame of exceeding the private defence and exigency limits should be passed.

Key words: The exceeding the private defence and exigency limits

Excess