

Resumé

This thesis is dedicated to the consumer protection. My reason for the choice of this topic was following. A field of consumer protection is being continually developed. It is complicated for a layman to be well informed about all his rights and duties not only because the Czech legal regulation suffers from a immense fragmentation. Moreover, the implementation of EC directives (as a source of many provisions protecting a consumer in the Civil Code) into our legal system was carried out with considerable imperfections and without links to existing institutes in private law.

The aim of my article was to outline crucial provisions of consumer law with an accent on consumer protection in private law and to point out some mistakes caused by too general definitions of key notions. Furthermore, I tried to sum up the valid legal regulation and to compare it to european directives.

This article is divided into 9 independent chapters.

Chapter 1 provides a brief view on the historical developement of the legal regulation of consumer protection.

Chapter 2 defines basic notions important for consumer law, such as consumer, supplier and consumer protection.

Chapter 3 covers the sources of the legal regulation of consumer protection including both Czech and European legislation.

Chapter 4 focuses on a clarification of the notion of consumer contracts in general.

Chapter 5 deals with particular kinds of consumer contracts (namely distance contracts, contracts negotiated away from business premises, contracts relating to the purchase of the right to use immovable properties on a timeshare basis) regulated in the Civil Code which I tried to compare to the wording in EU directives. Finally I mention also the regulation of unfair terms in consumer contracts.

Chapter 6 discusses selected types of contract which a consumer enters most often. Specifically contract of purchase, contract for work and travel contract.

Chapter 7 deals with the liability for a damage caused by a defective product.

Chapter 8 brings a look at results of the review of the consumer acquis and at the new proposal for a directive on consumer rights.

Chapter 9 concentrates on the recent proposal for the new Civil Code with respect to consumer protection.