

Abstract

The main aim of this diploma thesis is to analyze the legal regulation of contract of work in construction industry, especially the regulation contained in the Act No. 89/2012 Coll., the Civil Code. I also focused on main changes connected with passing the new Civil Code and I clarified the essence of some new legal institutions.

This thesis is divided into 9 chapters; some of them are further divided into minor sections. Besides that the thesis includes Content, Index of Abbreviations and Bibliography.

First chapter focuses on setting the aim of this thesis and then the historical context of contract of work, its development from the antiquity to concurrence. Contemporary regulation of contract for work is being compared to the contract of purchase and I describe the essentials of contract for work, in particular contracting parties, their rights and duties and the subject of work.

In the fourth chapter I focus on the finalization and disposition of the work, according to the Civil Code the work is finished only if it is proven that it can be used for its purpose.

Next I analyze the price of the work and options that can be agreed by the contract parties in terms of the price and the payments. Regarding the price I also describe retentive price, penalties and the institute of price cut in the next chapters.

Eighth chapter is dedicated to defects of the work. Legal regulation of defects of work refers to the regulation of contract of purchase. There are substantial defects, unsubstantial defects and legal defects. Farther in this chapter I describe the rights of the client arising from defective performance and joint liability of other subjects that are involved in the construction.

Last chapter is describes warranty of the work that is provided by the contractor.