

Abstract

The main object of this thesis is to summarize legal regulation about package tour in czech legal order, define and describe subject of this contractual relationship, define contracting parties and individual rights and duties that are being established at the beginning or during this contractual relationship. Basic concepts linked to the package tour contract as well as the role of travel agency in the whole process are being analysed in this thesis. I also focused on the most important changes connected with passing of the New Civil Code when individual provisions are examined and their significance is explained. Similarly as a legal ground of this contractual type the directive 90/314 EEC is also being examined. Finally, this thesis evaluates whether implementation of this directive to czech legal order has been done correctly and whether czech laws comply with the basic rules this directive is based on.

The thesis is composed of nine chapters, each of them dedicated to individual issue. In the introduction I define basic objective of this thesis. The following chapter focuses on the basic definition, purpose, basic concepts and character of this contractual relationship.

In the third most comprehensive chapter I analyse concrete requirements of package tour contract, individual rights and duties of contracting parties.

Chapter four focuses on individual changes of this contractual obligation and under what conditions these changes are possible and when not. In this chapter I describe changes as contract assignment, withdrawal from contract, change in the price of a package tour or cancellation of the package tour.

Following two chapters are dedicated to defects of package tour, primarily meaning the situation when package tour does not correspond with the requirements in contract. In this chapter the compensation for material and non-material loss is also examined.

Chapter seven is describing the exchange student stay which is an innovation in czech legal order and whose main reason is increased protection of a student as a customer.

Penultimate chapter is dedicated to a revision of above mentioned directive which is going to replace current directive dealing with package tour. I compared both directives and mentioned the main differences and reasons for accepting new directive.

In the last chapter, I compare legal regulation of package tour in german Civil Code (BGB) with czech legal regulation. There is a comparison of individual sections with czech legal regulation relating to package tour contract and description of their differences.