

Name of the thesis in English: The real property acquisitions by the non-residents in the Czech Republic.

This thesis tries to resume the development of the legal regulation of real property acquisitions by non-residents in Czech Republic because this topic became very important by the 1st of May 2009, when the first transition period of exemption from the free movement of capital within EU has ended in Czech Republic.

At the beginning of the thesis I am trying to set up the topic from the view of the theory of International Private Law. In this part the thesis explains aspects of imperative law regulations which have to be applied every time, no matter which law rules the contract. Then the thesis explains the difference between obligation statute of the contract and effects of the contract on property rights, especially on the ownership transfer with respect to the regulations included in the Act on international private law.

In next chapter the thesis summarizes the development of the legal regulation of real property acquisitions by non-residents before the Czech Republic enters in EU. This part simply describes and explains single Acts and other regulations which were in force in the past.

In the following chapter the thesis summarizes the present legal regulation included in the Act 219/1995 Coll., foreign exchange Act with respect to changes resulting from the fact that Czech Republic has joined the European Union. Then the thesis compares Czech legal regulation of acquisitions of real property by non-residents with the law of European Union and shows disharmonies between Czech law and European law concerning the topic. Then I try to explain which regulation applies for the real property acquisitions by non-residents and I set up the reasons of the result.

Before the conclusion the thesis considers with the acquisitions of agricultural lands and forests by non-residents because these lands has the own regulation in the Act 219/1995 Coll., foreign exchange Act and other Acts concerning agricultural lands.

The conclusion of thesis simply summarizes all facts considered in whole text and also considers with the de lege ferenda resolution resulting from the present situation of disharmony between Czech law and European law which results from the lack of transposition of the regulation of European law to Czech law.