

## **Abstract:**

### ***Offense embezzlement under § 248 of the Criminal Code***

The aim of the thesis is to provide a detailed analyzing of crimes against property with a focus on embezzlement. It is aimed at understanding the differences between individual crimes against property by using professional literature and judicature and at taking away at least the basic uncertainties of application practice which consists often in not understanding of the facts of the case. It seemed appropriate to focus on the issue of financial lease or leasing in connection with the crimes against property because of the growing popularity of this topic.

The thesis consists of introduction and four chapters. Each of the chapters deals with different aspects of embezzlement and its related issues. In my introduction, I outline the reason of my choice of this topic.

The first chapter deals with a historical development of legislation and a general analysis of the current legislation. Chapter 2 is divided into four subchapters where the attention is paid to a detailed analysis of obligatory characters of the facts of embezzlement. The first subchapter describes the object of embezzlement. Second deals with objective site of this crime. It is divided into detailed description of individual elements which are: conduct, legal effect and causal relationship. The third part explores the subject - offender of crimes in general and it also focuses on some specifics of offender of embezzlement. The fourth part is named as “subjective site” and deals with another important an element of embezzlement which is “fault”.

Chapter three summarizes the relation of embezzlement to other offences, especially crimes against property. It divided into five subchapters according to the individual offense: theft, unlawful enjoyment of a thing of another, fault, breach of trust and some other offences.

The name of the fourth chapter is “embezzlement and leasing” and the attention is paid in its three subchapters to detailed description of leasing, relations of leasing and embezzlement and the last subchapter deals with the determination of the damage caused by usurpation of lease.