

Summary

Submitted thesis is titled “**Real Estate Expropriation**”. The thesis deals in particular with actual legal regulation of real estate expropriation in the Czech Republic from both, material and procedural point of view. It contains short perspective of historical evolution of this legal institute and it determines the sources of contemporary legal regulation. There is also attention being paid to legal grounds and definition of real estate ownership rights with emphasis on land property, relations and their legal constraints. Submitted thesis also deals with special regulations of real estate expropriation and gives a glance over principles of contemporary real estate legal regulations in selected member countries of European Union.

Real estate expropriation represents one of the special interferences of the state to the sphere of individuals and it is considered to be the most serious one. In various schemes it occurs in almost all contemporary law systems and in principle it can only be brought to effect upon fulfilling number of strict conditions (legal basis, public interest and compensation). Legal bounds of expropriation are subject to several international agreements such as The Universal Declaration of Human Rights adopted by the United Nations General Assembly (1948) or The European Convention on Human Rights adopted under the auspices of the Council of Europe (1950) etc.

As for Czech legal regulation of real estate expropriation, it conforms to above mentioned, moreover it constitutes the condition of necessary impossibility to achieve purposes in the public interest other way. The regulation is made by both, constitutional and law level rules. There are no limits set for which person can become a subject of expropriation; thus, real estate property of individuals, corporations and state can be affected. The beneficiary, also recruiting from aforesaid subjects, must be namely capable of achieving the public beneficial purpose of expropriation. Under sanction of revocation the beneficiary is bound to start with achieving the purpose, the same consequence comes after expropriated subject being not given the compensation.

The legal institute of real estate expropriation has nearly 200 year tradition within the historic area of the Czech Republic. Since its introduction it has been serving as an instrumental for achieving mainly public transportation-related purposes. Up to nowadays it has widely expanded and developed its possible usage for several other purposes, such as environment protection, mining, power supply and others.