

## RESUMÉ

The topic of this work is “*Selected questions of the European civil procedural law.*”

The European judicial area is regarded as the most progressive area of private law in the European Union. Since the entry into force of the Treaty of Amsterdam unification of regulation in this area has undergone remarkable development.

The Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (regulation Brussels I) is the center of this work. The regulation Brussels I is the successor of the Convention on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (Brussels Convention). Brussels Convention was the first general multilateral instrument on the recognition of judgements which directly regulated the jurisdiction of the Contracting states.

The first part of this work concerns the object of the European civil procedural law, the origin of the Brussels Convention and the role of the Court of Justice of the European Communities. In the whole work is emphasis the importance of relevant decisions of the Court of Justice of the European Communities, particularly in the part about jurisdiction.

After the general description of the regulation Brussels I, the second part of the work deals with the scope of the regulation. The regulation lays down rules governing the jurisdiction of courts in civil and commercial matters. The basic principle is that jurisdiction is to be exercised by the Member State in which the defendant is domiciled, regardless of his/her nationality. Apart from the basic principle on jurisdiction, in certain circumstances a defendant may be sued in the courts of another Member State. The regulation lists areas of jurisdiction where this is so: special or exclusive jurisdiction, as well as jurisdiction on matters relating to insurance, consumer contracts and individual contracts of employment.

A judgment given in a Member State is to be recognised without special proceedings, unless the recognition is contested. A declaration that a foreign

judgment is enforceable is to be issued following purely formal checks of the documents supplied. The regulation lists grounds for non-enforcement; however, courts are not to raise these of their own motion. The regulation does not cover revenue, customs or administrative matters.

The third part of this work is dedicated to short description of the selected regulations of the scope of the European civil procedural law:

- Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims;
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure;
- Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European small claims procedure.