

This thesis is focusing on the legislative frame relevant for non-property loss. The purpose of my thesis is to characterize the various legal institutes which are connected with this matter. The damage in the Czech legal order should be comprehended as both - material injury and mental anguish. This conception of the damage dominates in most of the European countries. The non-property loss (for example emotional anguish) has often such a deep impact on the personality, that the moral satisfaction is not adequate and there is necessary to admit financial satisfaction.

This thesis is composed of six chapters, each of them dealing with different aspects of non-property loss. Chapter One is introductory. Chapter Two defines basic terminology and describes briefly the historical aspects. Chapter Three examines relevant Czech legislation considering non-property loss of natural persons and is subdivided into five parts. These five parts deal with the institute of smart-money (compensation of person who suffered the pain because of the wrongdoer's wrongful act), institute of the lump-sum compensation for the wrongful death (compensation of survivors in case of the death of the natural person, who died in consequence of a wrongdoer's wrongful act), analyse the provisions relating to the personal rights such as personal security, body, health, reputation or private and family life and investigate the brand new institutes of "loss of chance" or "loss of enjoyment of the holiday". Chapter Four deal with non-property loss caused in the exercise of public authority or by improper official procedure. Chapter Five investigates non-property loss de lege ferenda and Chapter Six is conclusive.

The main aim of the thesis is to examine relevant Czech legislation, provide an outline of relevant problems and look at the particularly chosen judicial decisions (especially judgements of the Supreme Court of the Czech Republic and the Constitutional Court of the Czech Republic). In case of necessity I recommend changes to be made in legislation. The new civil code seems to solve lot of actual problems but only time will tell. In any case, I am sure that the importance of non-property loss will increased in following years. The consequences of non-property loss are for every person evidently more expressive than the consequences of loss of the property.