

Abstract – Legal actions

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Legal actions are generally classified as legal facts, which have effect on the creation, modification and termination of legal actions. Legal actions occur in the sphere of civil law. Legislation of legal actions is included in the current Civil Code, which also provides what conditions must be satisfied to make a legal act valid and vice versa, which is an invalid legal act, either absolutely or relatively. To be valid, a legal act must be a manifestation of the will, which is directed specifically to the creation, modification or termination of a legal relationship and the law must connect such a manifestation of the will with legal consequences. This legal specification is in the Civil Code. In the current draft of the new Civil Code, however, such a definition of legal actions is missing, and are specified only the consequences of legal actions. You can expand, that the validity of any legal action depends on the expression of the will of the acting person, which must be capable of acquiring rights and duties. The validity of the legal action is necessary for the expression of the will of the person to be free, serious, specific and comprehensive enough. It must not be done in distress or under apparently disadvantageous conditions, as well as be free of error. Current legislation is based on the informality of legal actions, but if the law or the parties' agreement provides that the act must be fulfilled in a specific form, is the fulfillment of such a condition essential to this action.

Legal actions are very important elements of everyday life for everyone, so their assessment, formulation and interpretation are a frequent elements of the legal practice, most often of courts and lawyers. Responsibilities and resources of these legal professionals are different. The court cannot substitute or form the will of individual actions, on the other hand, it can provide an authoritative assessment of such legal actions. On the other hand, lawyers are involved in the formation and creation of legal actions, but the interpretation of these actions is not binding. The interpretation of legal actions is a very important legal discipline, that is basically defined in § 35 of the present Civil Code.