

Abstract

The purpose of my thesis is to analyse the taxation of ownership and the transfers of real estate property with regards to the ownership of flats. I will also examine the Austrian legal regulation through most of the taxes and I demonstrate differences between Czech and Austrian legal order. Paradoxically, both Czech and Austrian legal orders have historical and territorial connections.

The thesis is composed of eight main parts. Chapter I gives an overall comment on the legal situations in both countries. In Chapter II, the essential terms relevant to my thesis are outlined. This chapter is divided into two subchapters. The first subchapter analyses terms concerning real estate property and the second subchapter explores terms regarding taxes. Chapter III pays close attention to the bill of the new Civil Code which is currently being discussed in Parliament in the Czech Republic. Chapters IV to VII focus on particular taxes which refer to ownership and transfers of real estate property.

Chapter IV examines real estate tax and is subdivided into three parts. In the first subchapter, I explain Czech legal regulation and in the second subchapter Austrian legal regulation. The third subchapter includes a theoretical summary of both previous subchapters where I evaluate the differences of both legal regulations and propose some partial changes which could be applied to Czech legal order in the future.

Chapter V examines the transfer taxes which affect transfers of real estate property. For that reason the first three subparts look specifically at situations regarding real estate transfer tax, inheritance tax and gift tax. I also analyse the Austrian regulation of the transfer taxes by each subchapter. The last subchapter of this part contains a summary suggesting partial changes in Czech legal regulation which is based on the same method as the summary in the previous part.

Chapter VI concentrates on the problem of income tax referring to real estate property. I specifically discuss Czech legal regulation and consider just partial aspects regarding the real estate property. Finally, Chapter VII analyses VAT and is drawn up

in the same way. In the last part, I summarize my findings and refer to the most relevant lacks of the Czech legal regulation.