

## **Abstract**

The aim of the thesis was to analyse the institute of the choice of law in European context and to indicate related pros and cons. Because of the fact that roots for party autonomy are deepest in contractual obligations, special attention is paid to the choice of law in contractual obligations and differences between the adjustment of questions connected with choice of law in Rome Convention and Rome I regulation. The thesis itself is composed of seven chapters. Chapter One is introductory. Chapter Two is devoted to description of choice of law generally and determination of this legal institute. Chapter Three deals with adjustment of choice of law in legal resources and attention is given to their mutual relations and application. Chapter Four, which deals with contractual obligations, explores the basic principle for choice of law – party autonomy, range of this principle, limitations on choice of law, the opportunity of parties to choose non-state legal system or CISG, aspects connected with choice of law, possibilities to make explicit, implicit or hypothetical choice of law, aspects related to agreement of choice of law (such as form, validity and interpretation) and the relationship between choice of law and choice of court. Chapter Five concentrates on choice of law in noncontractual obligations with respect to adjustment of choice of law in national legislation of some European states and interpretation of particular provisions contained in Rome II regulation, which adjusts basic principle for choice of law, aspects connected with choice of law, relation between agreement and national law, explicit and implicit choice of law and consequences of choice of law on third parties. Chapter Six investigates the opportunity of spouses to make an agreement of choice of law in case of divorce or legal separation and introduces limitations on spouse's autonomy to choose the law. Conclusions are drawn in Chapter Seven.