

ABSTRACT

The topic of the submitted paper is comparison of the Czech and Spanish legal regulations of judicial law enforcement on pecuniary consideration on the example of salary deduction. Further its scientific aim is by the use of the comparative law method to evaluate the legislation in question and based on such results to draw conclusions *de lege ferenda* in the field of judicial law enforcement on pecuniary consideration for the intended Czech recodification of civil procedure, incl. rules of judicial law enforcement. Salary deductions have been chosen as an illustrative example of rather conflicting rules (considerable extension of the Czech legislation compared to the very modest rules of Spanish salary deductions).

The author drew on the traditional three-element structure of comparative works, and chose the Czech legislation as a *comparatum*, the Spanish one as *comparandum*, and the "*tertium comparationis*" as the relator is the enforceable performance to pecuniary consideration by the courts attaching the salaries and other similar incomes. This corresponds to the division of work into three parts according to these basic elements of comparison. Regarding the description of the various institutes the author draws not only from the statutory text, the jurisprudence and literature, but also seeks to evaluate critically both regulations on the basis of practical experience (in particular, this applies to Czech law). Findings of this paper have inspirational nature for the Czech legislator.