

THESIS SUMMARY: ARTICLES OF APARTMENT OWNERS ASSOCIATION

The thesis deals with the regulation of apartment owners associations in the Czech Republic, in particular, with the articles of association of such legal entity.

The paper is divided into three parts. The first part focuses on the Czech statutory regulation (especially The Act on Ownership of Apartments No. 72/1994 of Collection of Laws, and The Government Order No. 371/2004 Coll.) of the apartment owners association in general. There has been provided a short survey of the historical evolution of the ownership of apartments in the world as well as in the Czech Republic and a short depiction of the approaches on apartment ownership models – Anglo-Saxon-French and German Models. Greater attention in the first part is given then to the legal entity of apartment owners association. It examines the foundation and dismissal of the association, its legal capacity (and limits given by law), the membership in such association, and its bodies – assembly, statutory body, and other optional bodies.

The second part is devoted to the articles. It is always necessary to examine the articles in light of the current legislation, which greatly affects the content of the articles. In the beginning of the second part, short characteristics of the articles is given, which is then followed by analysis of obligatory provisions of the articles, i.e. the provisions that are demanded by law, and that shall be a part of the articles. The obligatory provisions are the name and the residence of the association, subject of its activity, its bodies and its competences, the rights and duties of the association members, dealing with costs of the building administration, and eventually dealing with the property of the association. Greater consideration has been given to the relation of the individual articles and the above mentioned Government Order, which introduces generally applicable articles of association

for those apartment owners associations that have not approved their own articles or for those associations, articles of which are lacking any of the obligatory provisions.

Finally, the third part has focused on the regulation provided by new codification of Civil Law, which has not yet come into force.