Abstract:

Possession as a legal situation

The thesis subject could be divided into two interconnected parts. The first part analyzes the different aspects of possession as an element of the civil law. Possession is studied as both a factual and a legal state in relations to its possible objects. Especially the subjective right as an object of possession and the impact of good faith are taken into consideration. Also two basic factors of possession - corpus possessionis and animus possidendi - are characterised. The second part focuses on possession in concrete codes of law. Emphasis is placed on the study of possession in the new Czech Civil Code and reflections de lege ferenda.

Key words:

Possession
Right of ownership
Good faith
Corpus possessionis
Animus possidendi