

ABSTRACT

The purpose of the thesis is to analyse the collective administration of copyright and neighbouring and relating rights, as the very title suggests. Based on the yearlong Erasmus stay in Paris, I decided to compare the Czech legislation with the legal system of France.

Following after the opening, the second chapter is meant to be informative and should provide an explanation of basic concepts which the reader encounters at work. Third chapter, by a relatively brief section, describes the legal anchoring of collective administration in both jurisdictions. The fourth chapter, which is structured thematically rather than chronologically, introduces readers to the historical development of the Institute of collective management. The concept of collective administrator and analysis of its origin and status of the legal system are to be found in the fifth chapter.

Chapters six and seven have an identical theme - control. The main focus is on the different types of external and internal statutory control of collective administrators. First of all, it is an external control exercised by the Ministry of Culture. The same principle of control is also applied in the French legislation, but there is a possibility of a much wider control mechanisms.

Chapter eight concentrates on the core object of collective administration and its division into mandatory, extended and voluntary (or contractual) collective administration in the eighth chapter.

Chapter nine contains the description of a widely used conclusion of mass and collective contracts, which found its utility in both systems. One of the last chapters approaches the final stage of collective administrators work and that is redistribution of collected fees and its pattern.

The conclusion is going to provide brief characteristics for the collective administrators operating in the Czech Republic. The list of collective administrators contains only the biggest and most important collective administrators considering their frequency in France.

The main aim of the thesis is to serve as an introduction to issues with copyright of collective administration of copyright and neighbouring and relating rights, delineate the basic principles of its functioning and highlight the differences between the two legislations – Czech and French.

Key words: copyright, collective administration