

The purpose of this theses is to analyze whether a contractual limitation of liability for damage resp. compensation for damage is acceptable in the Czech law, what are the limits of limitation and what they should be. The main focus is given on the issue of the prior limitation.

The thesis is composed of an introduction, ten chapters and a conclusion. First four chapters cover the background information and terminology needed for the remaining part of the work, such as liability for damage, its division, prerequisites and scope. The many ways of limitation and basic prevailing principals of limitation are given in chapter five. Chapters six, seven and eight deal with the very possibility of compensation for damage limitation in three spheres that are: contemporary civil and commercial law and the united civil law under the law No. 89/2012, so called The New Civil Code. Chapter nine provides a short view into the German regulation before there are given the conclusions on possible practical regulation in Czech law in chapter ten.

The chapter six dealing with contemporary commercial law summarizes the development of the issue and deals with the restrictions in this matter. In the chapter seven the importance and meaning of Section 574 of the Civil Code is deeply analyzed and conclusion made that the compensation for damage can be also previously limited under The Civil Code. The chapter eight deals with The New Civil Code, analyses the interpretation difficulties and comes out with conclusions on how to understand the limits of the issue. Chapter nine shows the approach of Germany's law in this issue. The last chapter suggests possible wording of the crucial provision. The conclusion summarizes the partial conclusions of chapters six to ten.