

ABSTRACT THE THESIS IN ENGLISH

The aim of the Thesis is to take a close look at the exigency and private defence issues, especially their conditions as well as limits of their exceeding and draw as complex conclusion as possible. The main aim of the thesis is to prove an amendment within the frame of exceeding the private defence and exigency limits should be passed.

The thesis is composed of eleven (11) chapters, each of them dealing with different aspects of exceeding the private defence and exigency limits. Chapter One is consists of a general introduction and basic general characteristics of both institutes, both exigency and private defence and their position within circumstances excluding illegality. Chapter Two deals with a brief historic survey of development of exigency and private defence institutes. Attention is especially paid to the time from the validity of the Austrian Criminal Code from 1852 and regulations in individual criminal codices valid in our territory. Chapter Tree looks at the position of these institutes in Czech set of rules. Chapter Four deals with the specification of the exigency and private defence term, their substance and function within the society and it contains definition of differences and identical features of both institutes. Chapter Five and Six concern the exceeding of private defence and exigency limits. The Chapter Seven deals with legal consequences of the excess and its subjective aspect. The Chapter Eight looks shortly at the automatic defensive devices. The Chapter Nine compares Czech and Slovak legislation connected with private defence and exigency limits.

The thesis is based on the legal regulation effective to April 2012.