

The aim of this thesis is to clarify the problematics of the creation of a right to the payment of insurance claim in range of personal insurance. The thesis is divided into six chapters in accordance with the topics.

In order to introduce the problematics, there are historical roots of insurance in the world as well as of insurance in the area of Bohemia and Moravia stated. The second chapter deals with current legal regulation of personal insurance, with the focus on two-legal regime of the insurance contract.

The crucial part of this thesis are chapters three, four and five, where conditions, presumptions and factors, which affect the creation of a right to the payment of insurance claim, are thoroughly dealt with.

In the third chapter, there are basic conditions of the creation of a right to the payment of insurance claim, such as the existence of insurance contract, the occurrence of insurance event and the absence of exclusions analyzed. The fourth chapter mentions factors that influence the creation of a right to the payment of insurance claim itself, and these are common with all kinds of insurance, such as for instance the inception of insurance, inception of insurance protection, insurance payment, exclusion, demand of a right to insurance claim by the authorised person, reasons for rejection of the insurer to comply and the run of time. In addition to these factors, there are such factors in the fifth chapter stated, which are typical only for some kinds of insurance, such as the death of insured person for means of life assurance, demand of the right to insurance claim by a beneficiary person, suicide within two years, accident of the insured person in case of accident insurance, etc. The attention is drawn on the factors that affect the amount of insurance claim as well, such as type and range of insurance, type and range of compensational event, capital assured, waiting period, breach of information duty stated by the act, announcement of compensational event, cooperation and document presentation, breach of liabilities agreed in the contract and reasons for decrease of insurance claim.