

## Abstract

Disposition with real estate falls within the scope of present diploma thesis.

The main goal of the thesis is the comparison of two legal orders which are, in many ways, similar; nevertheless, there might be found some differences which are described in textual matter. The thesis itself is divided into six chapters redundant, reflects a reform of Czech private law in progress and compares Czech doctrine with relevant case law. It is focused mainly on real estate disposition from the point of view of private law (however, some aspects of public law had to be taken into account) and lays emphasis on legal terms such as “thing”, “immovable”, “property”, “ownership”, “disposition” in their broader meaning, and “purchase agreement“ (and other topics related to them).

The introduction contains the outline of the structure, main goals of the thesis and a definition of the term “disposition”. Disposition is perceived, as mentioned above, in *largo sensu* meaning and includes not only the right to make a legal act concerning the thing but also the owner’s rights to use, possess, gain benefits and destroy the thing. Chapter two deals with the historical development of Finnish land law. General legal history is also taken into consideration.

The following chapter discusses various kinds of things which may be regarded as real estate (immovable) because an accurate definition of real estate is one of the elements necessary for validity of a contract. The exposition of this chapter reflects both Czech Civil Codes, the Code in effect and also the adopted one which will be in operation since January 1 2014.

Chapter four deals with the description of the aforementioned rights of the owner. It also studies, with respect to numerous case law, legal relations of co-owners, protection of possession, dereliction of property, disposition with lost thing and other topics. The European protection of the right to peaceful enjoyment of property, with a wide range of case law, is also covered.

Transfer of property to real estate by contract is one of the most common ways of succession of a title from one legal entity to another, which has a deep historical tradition dating back to Roman law or, in case of Finnish legal order, to Swedish roots; therefore, this topic is located in the penultimate chapter. The contractual transfer of property also correlates with the meaning of disposition in its narrow sense and also other topics such as double sale of the same real estate or purchase from a seller who is not the owner of a contract's object.

Finally, in chapter six, there is a brief summary of the knowledge acquired.

Text of diploma thesis is revised and completed up to April 9th 2013.