

Summary

Šafka Václav, PhD thesis with theme:

Joint ownership and its termination, civil rights department, tutor doc. JUDr. Josef Salač Ph. D., University Karlova, Praha, 2012, 117 pages.

The thesis deals with a term „joint ownership“ as a form of ownership in its entire scope, with focus on legal viewpoints of its termination, and follows these terms from Roman times through particular historical periods of Czech law: feudalism, the Austro-Hungarian Empire, the first republic, after the World War II period until the present times.

In a separate chapter the thesis deals with the term, characteristics and categories of joint ownership and explains the term „joint ownership share“. It describes tenancy by entirety and housing ownership as special forms of joint ownership. The thesis briefly and marginally touches upon joint ownership regulations in neighbouring countries.

In a separate part of this thesis is described the institute of right of preemption and its use in joint ownership relations, it describes in detail particular phases of right of preemption execution in case of appropriation of joint ownership share. Further on are described different ways of joint ownership relationship termination, consequences of breaking this law and also its possible solutions using extensive judicature of civil courts and the Supreme court of the Czech republic. Finally, the thesis deals with a new civil code, and joint ownership and pre-emption provisions incorporated in it from the point of de lege ferenda.

Key words: joint ownership, ownership share, right of preemption.