

## **Abstract**

The thesis is focused on the legal concept of unjust enrichment specifically in relation to the area of business law. Although the basic legal regulation relevant also for the area of business law was, and even after the adoption of the new private law codes, still remains in the civil code, the thesis endeavors to focus on certain specifics related particularly to the business relations. For these purposes it deals, in less or more detailed manner, also with other legal concepts, which are significant for the topic and closely related (such as limitation of claims resulting from the unjust enrichment, good faith of legal entities, invalidity of legal acts etc.).

The thesis analyses legal acts regulating the institution of unjust enrichment for the area of private law, eventually specifically for the business relations. Especially in the areas where the legal text itself is not exhaustive, it supplies also analysis of relatively extensive case law (available so far only in respect of the previous legislation), eventually also the analysis of expert opinions. It draws attention to certain conflicts in interpretation of individual legal provisions. Considering the recent essential change of the private law basis (new private law codes) the thesis provides to a considerable extent comparison of the legal status according to legislation effective as of 1<sup>st</sup> January 2014 and the preceding one, which however remains, based on the transitional provisions, still applicable for a considerable period of time.

The paper is composed of five chapters. First chapter summarizes basic characteristics of the institution of unjust enrichment. Second chapter focuses on certain general aspects of the regulation of unjust enrichment in Czech law, which have been subject to significant changes with the new legislation, and tries to outline the impact of these changes into the area of business law. Chapter three, by comparison of the old and new regulation, deals with particular cases of unjust enrichment, which are most relevant for the business law area, and focuses to considerable extent on the analysis of existing case law. Chapter four outlines the rules in an important related legal area – the limitation of claims from unjust enrichment. The last chapter explores closely analogous legal concept of enrichment related to promissory notes.