

Cizojazyčné resumé

The aim of the thesis „*Evolution and Transformation of Acquisition from a Non-owner in the Czech countries*“ is to conduct a thorough analysis of the historical evolution of this legal institute in the Czech countries. At the beginning, the thesis pursues the general interpretation of this legal institute which is an exception of the principle „*nemo plus iuris*“. The thesis covers a legislation which was valid in a Roman law, and then the modern historical roots of Acquisition from a Non-owner in old German law. Legislation of the Middle Ages period in the Czech countries is covered as well. Further, the thesis is devoted to the problem of acquisition from a non-owner in adopted civil codes or their proposals in the territory of the Czech countries. More detailed description is included in the chapters pursuing the legislation in the Codex Theresianus and in the Allgemeines bürgerliches Gesetzbuch (ABGB). The legislation of the latter engages in prominent representatives of jurisprudence of that era as well as judiciary practice. Subsequently, the attention focuses on proposals which appeared in the inter-war period. A historical part of the thesis continues with the legislation in so called Middle Civil Code. Finally, the thesis encompasses the legal regulations of the studied institute in Socialistic Code of International Trade, and onward. Theoretical knowledge of representatives of the jurisprudence is covered in the thesis as well. Following text of the thesis deals with an explanation of the legislation which had been effective since the dissolution of Czechoslovakia in 1993 until January 1, 2014. These chapters deal with various approaches to acquisition from a non-owner under the regulation of Civil Code as well as special regulation of Commercial Code. To a larger extent, the acquisition institute of real estate, and special cases of acquisition of securities and bills of exchange are covered as well. This part of the thesis puts the accent on inferences of judiciary practice of The Supreme Court of the Czech Republic and The Constitutional Court of the Czech Republic. Last part of the thesis covers an explanation of the legislation included in the New Civil Code, effective from January 1, 2014. This chapter focuses especially on a legal analysis of reversion to history tradition discontinued during 1964-2014.