

## **Abstract in english**

This work deals with institute of things in a legal sense in new civil code (Act. n. 89/2012 civil code) recently issued on our territory. New conception of the things in a legal sense brings entirely new aspect in comparison with former conception in which things were not defined at all.

New definition of things returns to the conception being in effect on our territory at times of the so called „First Republic“ in which was conception receptioned from the Austria civil code.

After preface work proceed to the genesis of the term of the things in legal sense in ours civil codes being in effect in history of our country.

Following chapter deals with the new aspect of the definition and mainly analyses its conditions which concrete estate has to fulfil to be proclaimed as a thing in a legal sense by definition of the civil code (usefulness, difference from the person, manageability).

There is very often used as a source the doctrines and jurisprudence from the epoch of the first republic. It is logical because of the identical definition of the things in a legal sense.

Next subhead deals with condition of utility of the things where analytically finding conclusion about necessity or this condition and how this condition will affect some estate in a way being or not being things in a legal sense.

Next subhead deals with condition of manageability of the things, aimed particularly on the controllable force of nature upon which this condition mainly target.

Chapter IV. deals with negative definition of the things in a legal sense and its analysis. Chapter is mainly focused on a negative definition and on the estate which are standing on the edge of the conception and „no-things“ in a legal sense.

Chapter also deals with particular modifications of the definition established for a better use in a legal practice as more appropriate and pragmatic for treatment with this estates. Mostly because of falling this estate to a mode of „no-things“ in a legal sense with result of no possibility of transfer with this estate.

Chapter V. deals with the institute of public good. Especially with historical reflection of the institute and the question of the appropriateness of the incorporation of this institute into today's Code given today's separation of public and private law.

Final chapter is dedicated to consideration about the new definition, its consequences for legal practice and possibilities which could had been taken in account in legislative works.