

Abstract

Trusts in Private International Law

The thesis is focused on comprehension of trusts and Czech trust-like *svěřenské fondy* created voluntarily by the settlors (*express trusts*) in private international law. The aim is to provide a comparative study of the provisions of the Czech Act No 89/2012 Coll., Civil Code, Act No 91/2012 Coll., on Private International Law, and the Hague Convention of the Law Applicable to Trusts and their Recognition.

The thesis is subdivided into three main chapters, introduction and summary.

The second chapter reflects on historical development of Roman fideicommisses, common law trusts, as well as continental family fideicommisses.

The third chapter sloce analyses the notion and characteristics of trusts and *svěřenské fondy* in the Czech Republic, provides the reasoning behind the understanding of express trusts from the perspective of the European Union and the European Free Trade Association. The thesis further reflects on the characteristics and understanding the trusts in the provisions of the Hague Convention of the Law Applicable to Trusts and their Recognition.

Fourth chapter is dealing with the conflict law provisions applicable with respect to trusts and their recognition in national, European and international level. The thesis analysis the provisions of the Act No 91/2012 Coll., on Private International Law, above mentioned Hague Convention and applicable regulations of the law of the European Union law. Special attention is paid to the Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession (Regulation on Succession).

KLÍČOVÁ SLOVA: svěřenské fondy, kolizní normy, použitelné právo, uznávání
KEYWORDS: trusts, conflict of laws, applicable law, recognition