

## **ABSTRACT**

The subject of this rigorous thesis is the consumer's position in the arbitration proceedings. The reason for choosing this topic is primarily based on my own work experience gained from involvement in arbitration proceedings from the consumer's perspective, and from the business perspective, and from the perspective of the Arbitration Court. I achieved my work experiences after finishing my master degree program in law. I began to work as a law clerk representing the consumer in the arbitration proceedings between the entrepreneur and the consumer. Then I moved on to work in the private sphere and I represented businesses against consumers in arbitration proceedings. Currently I also perform the function of an arbitrator at the Arbitration Court. I realized that arbitration proceedings in its relation to the consumer is not so black and white. Rather than abusive, as notoriously proclaimed by some populist parties and movements, and which some courts without further investigation conclude, the nature of arbitration depends on many aspects of the actual arbitration proceedings, on the arbitrator and the nature of the arbitration agreement itself.

The aim of this thesis is to focus on the issue of the consumer's position in the arbitration proceedings. I also analyze individual aspects of arbitration proceedings in relation to the entrepreneur from the business perspective and in relation to the consumer from the consumer perspective. I focus on the actual arbitration proceedings and on the arbitrator and on the character of arbitration agreement with regard to the regulations adopted just specially for increased consumer protection in the arbitration proceedings. In this context, I also focus on the consumer and on the consumer contract and the arbitration agreement. I emphasize the characteristics of arbitration proceeding and its specifics in disputes arising from consumer contracts. Finally, I highlight the specifics of the proceeding before the Permanent Court of Arbitration attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic. In addition to the above I touch on the topic of arbitration proceedings concerned with setting aside of an arbitral award. At the conclusion of my work I deal with the new modification of dispute arising out of a consumer contract in arbitration agreement. The basic aim of this thesis is to provide a comprehensive overview of the legal issues and highlight positives and negatives of legal issues especially in relation to the consumer.