

## **Abstract**

This thesis focuses on the important private law institute of preliminary injunctions used for the provisional regulation of the circumstances of minors.

The fundamental legal principle on which the paper is based is the principle of the best interests of the child, largely based on Art. 3 of the Convention on the Rights of the Child, which states that the best interests of the child shall be a primary consideration in any decision-making concerning children. Emphasis is placed on the child's legal status as a party to the proceedings for a preliminary injunction and the consequent rights of the minor, focusing on the child's right to be heard.

The individual chapters are devoted to a detailed analysis of Czech legislation relating to the topic in question, both under the current wording of the law and current application in practice.

The first chapter offers a concise introduction to the addressed issue. The second chapter provides definitions of the key concepts related to the topic. The third chapter discusses the position of the child as a party to the proceedings for the issue of a preliminary injunction, their procedural personality and procedural capacity, representation of the child in the process itself and, last but not least, the interests of the child, and their fundamental rights to be heard and to receive the information they need. The fourth and fifth chapters are the core of the work, containing a detailed analysis of the legislation for both the so-called special preliminary injunction used for the immediate protection of the interests of a seriously endangered child, as well as legislation for general preliminary injunctions in civil law used mainly for the provisional regulation of the circumstances of the child in relation to their upbringing, the maintenance obligations towards the child, and also to regulate contact between the child and a parent or other person.

The conclusion of the paper contains a summary of the issue, including a reference to current problems in judicial practice that arise mainly due to the inconsistent interpretation of the relevant standards.

The objective of the thesis is to analyze whether existing private law legislation contained primarily in the Civil Code, the Civil Procedure Code, and the Act on Special Judicial Proceedings, fulfills its purpose, i.e. whether it adequately defines the conditions for issuing preliminary injunctions to protect the rights of a minor.