

This diploma thesis describes the legal regime of the building land, which is regulated by the legislation of the private and public law, and focuses on the recent amendment of the building code as amended by the act no. 225/2017 Sb. The use of the legal regulations is displayed in the case study analysing the legal regime of the specific lands designated for the construction.

The main aim of this thesis is to characterize the process and the institutes of the public and the private law as having the crucial influence on the building land, to focus on their mutual connection and to demonstrate their application in the case study. According to the last amendment of the building code the aim of this thesis is to refer to the new or modified institutes influencing the legal regime of the building lands and to define the relevance of the amendment for the construction.

The diploma thesis consists of four chapters. The first chapter includes the introductory information. The general listing and the description of the legal sources, the fundamental legal terms connected with the building lands and the characterization of the case study of the shopping centre is described in this chapter. The second chapter deals with the civil law regime of the building lands and analysis the civil law institutes such as the proprietary right, the superficiary right, the legal servitudes as well as the easements in the public law regulations. Except the superficiary right all these institutes are described as used in the case study. The following two chapters are dedicated to the public law regulations primarily arising from the building code. The third chapter deals with the conceptual stage of the territorial planning where more attention is paid to the urban plan. The fourth chapter further characterizes the legal instruments of the implementing part of the territorial planning used for the realization of the construction on the specific land. The final part of this chapter considers the potential legal instruments such as joint permit (locates and permits the building) and public-law contract.