

Abstract

This rigorous thesis deals with the delict law sector which concerns prerequisites under which the infringer has the obligation to compensate the damage to the aggrieved. The damage must occur under the causal relation with the illegal act of the infringer which must usually be also based on fault. Main chapters copy these basic prerequisites of this thesis. The basis of this content can be found in the civil code.

As wrongful is regarded such act that contradicts the law and order norms. In the civil code context it applies mainly to the breach of good manners, absolute right infringement, protective rules violation, as well as breach of contract.

The mutual relation between act and consequence must be connected with a causal link. This prerequisite splits into two relatively independent parts, thus factual (causality) and legal (imputability). Causality stems from natural patterns of existence and tries to describe them. The condition theory (*conditio sine qua non*) is dominant here and according to it, causal connection is present between a particular act and consequence when the consequence would not have arisen but for the act.

Imputability deals with a concrete case by the method of justice and political consideration. The means which help to find out imputability, are the adequacy theory and the protective purpose of the norm.

Damage in its legal meaning arises through the intervention in the estate (damage) or without property value. Damage can be differentiated as real damage and lost profits, as well as a pure economic loss. Interventions on a person's life, health and freedom are immaterial damage; these are usually harder to quantify, however *de lege lata* the civil code is fairly open to the compensation.

The infringer's fault is usually necessary for the constitution of the damage compensation liability, thus infringer's act which can be reproached to him. For civil law purposes, gross negligence, plain negligence and intention are distinguished.