

ABSTRACT

“Taxation of real property and their transfers”

The topic of the submitted thesis is a survey of historical and mainly current situation of legal regulation of property taxes in the Czech Republic, except the vehicle excise duty. Ownership, usage and transfers of real property are affected not only by real estate tax, gift tax, succession duty, real estate-transfer tax, but also by income taxes and VAT. Considering the extent of this topic, I decided to focus on the real estate tax primarily. Attention will be paid mainly to the transfer taxes (gift tax, succession duty, real estate-transfer tax) also, but limited to the extent necessary for determination of rights and duties of the taxpayers.

The purpose of my thesis is to describe current legal regulation of the real estate tax and then to evaluate it. Partial aim of this thesis is firstly to point out the importance of the real estate tax revenues for the municipalities' budgets incomes. Secondly I would like to pick up the main advantages of the real estate tax and thirdly to suggest changes which might lead to optimization of the legal regulations of the real estate tax.

The thesis consist of introduction, five chapters and conclusion.

Chapter 1 defines basic concepts of taxes and functions of taxes in general. The chapter is subdivided into three subchapters. First subchapter defines taxes and subscribes their characters. Second subchapter describes constructional elements of taxes. Last subchapter familiarize us with functions of taxes.

Chapter 2 provides short excursion to the historical evolution of taxation in the world and in Czech countries.

First part of chapter 3 presents the tax system of the Czech Republic and shows the place of the real estate tax in this system. Second part deals with property taxes, especially concentrates on problems resulting from unsatisfactory and obsolete legal regulation. It also refers to reasons for maintenance of those taxes.

The crux of the thesis is presented by chapter 4 consisting of four subchapters. It provides information about valid legal regulation of the real estate tax. The list of legal rules related to the real estate tax is given in the first subchapter. Second defines basic terminology used in the acts governing both real estate and transfer taxes, in the Act no. 338/1992 Coll., on the Real Estate Tax especially. Following the two subchapters, there is a detailed description of legal regulation and fundamental of the real estate tax, its constructional elements, rights and duties of tax subjects resulting from the Act on the Real Estate Tax and Act no. 337/1992 Coll., on the Administration of Taxes and Fees. Special attention is dedicated to the novelty in legal regulation of real estate tax – the municipal coefficient.

Chapter 5 shifts the focus on the transfer taxes. Content of this chapter is analogical as in the previous case, but less detailed. The goal of this part of the thesis is just to introduce those three taxes briefly.

At the end of the thesis the conclusion is drawn. The aim of it is to summarize main hypothesis that has been reached. I also suggested several steps by which the alternation of the current real estate tax legal regulation would be possible. Realization of stated adjustments might, according to my opinion, bring needed improvement in real estate tax legal regulation and to succeed in protecting protect this tax against its cancellation.