

Resumé

The purpose of my thesis is to analyse product liability in Czech republic and compare its legal form with legal forms in European union and United states of america.

The thesis is composed of seven chapters, each of them dealing with different aspects of product liability. Chapter one is subdivided into two parts. Part one describes product liability in United states of america. Section one describes history of product liability, section two describes product liability based on negligence, section three deals with breach of warranty and section four describes strict liability. Second part of first chapter shift the focus on European union and is divided into three sections. First one explains Convention on products liability in regard to personal injury and death. Second one deals with Directive of 25 July 1985 on the approximation of the law, regulations and administrative provisions of the Member States concerning liability for defective products no. 85/374/EEC. And section three describes others important directives.

Chapter two shortly explains relation of product liability to general liability for damage.

Chapter three focuses on reasons of creation of Act no. 59/1998 Coll., on product liability.

Chapter four is subdivided into eight parts and provides an outline of Act no. 59/1998 Coll. Part one concentrates conditions of claiming damages from product liability. Second part deals with exculpation of producer. Third part illustrates amount of compenstaion. Part four describes participation of third person. Part five point out solidarity in product liability of producers. Part six mentions prohibition of elimination or limitation of compensation for damage in advance. Part seven includes prescription of a right and its preclusion. And part eight characterises applying of Civil code, exclusion of application of Act no.59/1998 Coll. and force of legislation.

Chapter five is an analysis of procedural regulations. Chapter six refers to insurance of producers and chapter seven deals with product liability as is in bill of new civil code.

Název práce v anglickém jazyce a klíčová slova

PRODUCT LIABILITY

Product – výrobek
Defective – vadný
Liability - odpovědnost