

Lease contract (Summary)

The subject of this thesis is the Lease contract. Lease is an important part of law of obligations and it is probably the most common legal title to enjoyment of a thing of another. Many of us come across legal regulations of lease, therefore everybody should know some basic information relating to this legal institute.

The purpose of my thesis is to give an overview of the existing legal regulations applicable to lease in Czech Republic. Regarding better understanding I will also deal with historical evolution, judicial decisions of Czech courts and the bill of the new Civil Code.

The thesis is composed of five chapters. Chapter One is only introductory and describes the main aim of this thesis and its structure.

Chapter Two gives a historical summary of developments in lease. The chapter consists of four subchapters. Subchapter One looks at legal regulation of lease in Roman law. Subchapters Two, Three and Four concentrate on problems of lease in civil codes formerly valid in our country.

The most important part of my thesis is Chapter Three which analyzes the currently valid legal regulation of lease. This chapter is subdivided into nine subchapters. Subchapter One enumerates legislation regulating lease. Subchapter Two defines the essential elements of lease. Subchapter Three deals with creation of lease contract. Subchapters Four and Five focus on contracting parties and rights and obligations of the lessor and the lessee. Subchapter Six investigates rent and Subchapter Seven sublease. Subchapter Eight concerns different ways a lease may be terminated. Finally Subchapter Nine relates to special types of lease, i. e. residential lease, non-residential lease, lease of residential premises and commercial lease of corporeal chattels.

Chapter Four focuses on possible changes that would apply to the lease if the new Civil Code were adopted in the existing form of the Civil Bill in an articulated arrangement.

Conclusions are drawn in Chapter Five. This chapter also makes recommendations for changes to be made in legislation.