

## **SUMMARY OF THE THESIS - compensation for damage in civil law**

This thesis is focused on the theme of compensation for damage according to the Civil Code, act. No. 40/1964 Coll. This work closely acquaints with the issue of compensation for damage according to the current legislation together with proposing new rules of compensation for damage in Civil Code. The thesis also deals with many jurisprudence cases because it is the jurisprudence that quite pretty finishing the legislation contained in legal enactments.

The thesis is composed of 10 chapters, each of them dealing with different aspects of the individual elements of this institute. The most important chapter is chapter about the method and the extent of damage.

The first chapter presents the theme of general liability for damage and its basic function.

The second chapter deals with the liability for damage according to the civil law. It is divided into the issue of general liability and some special types of liability for damage.

The third chapter considers the prevention of damages in civil law. The prevention is very important and this chapter is divided into the general prevention and the special prevention.

The fourth chapter deals with general assumptions of liability for damage according to the Civil Code. The relevant conditions are (a) unlawful act, (b) suffered damage, (c) causal link and (d) fault. These chapter includes circumstances excluding the illegality, which are (a) legal duty, (b) enforcement of laws, (c) acting in self-defence, (d) acting in necessity, (e) consent of oblige (the injured) and (f) self-help.

The fifth chapter presents the potential liability entities. This entities are (a) the individuals (b) the legal entities and (c) the state.

The sixth chapter deals with the joint liability in the case where damage is caused by more obligors and contributory negligence in the case where damage is caused by oblige too.

The seventh chapter deals with the scope and manner of compensation. The damage can be divided into damage to property or damage to health. The damage to

property is compensated by (a) liquidated damages and (b) profit loss. The compensation for damage to health is divided into (a) costs of treatment, (b) loss of earnings during incapacity for work, (c) loss of earnings after incapacity for work, (d) loss of pension, (e) smart-money, (f) loss of social function, (g) lump sum indemnity for survivors, (h) costs of funeral and (i) costs of alimony for survivors.

The eighth chapter points out the problem of limitation of damages.

The ninth chapter deals with the mitigation of damages in relation to reasonable reasons and circumstances.

The last tenth chapter deals with the application in court.

Nowadays, the issue of the compensation for damage is taking great importance in civil law and it is one of its basic pillars. It is really the current topic because every day we are facing the question of liability in our lives whether we are victims or pests. And that's why I chose this theme for my dissertation.

## **Seznam klíčových slov**

Náhrada škody	-	Compensation for damage
Odpovědnost za škodu	-	Liability for damage
Občanské právo	-	Civil law