

Abstract

The focus of this thesis is to analyse the most questionable and presently very discussed points at issue of the arbitration in the Czech Republic. The subject of this thesis is rather extensive, therefore not all aspects of the arbitral proceedings can be concerned.

There has been a substantial advancement in arbitration, since Act No. 216/1994 Coll., On Arbitral Proceedings and On Execution of Arbitral Awards took effect. In this thesis I focused on the Czech legal framework of arbitration, its imperfections and influence of the judicature of the European Court of Justice on the interpretation of the Czech law.

Pursuant to the questionable facts mentioned above, and under the influence of the judicature of the European Court of Justice and Czech court's judicature, the Arbitration Act should be amended. There should be changes especially at the articles concerning arbitrator, arbitration at consumer disputes, and the arbitration contract requirements.

The arbitration is a means of final and binding dispute resolution which provides a suitable alternative for the judicial trial, especially at commercial disputes between undertakers – professionals.