

This master's degree thesis refers to legal regulation of the compensation of damage under civil law. The main purpose of my thesis is to analyze and evaluate current Czech legal regulation of the compensation of damage in civil law. The interpretation is based on regulation in the Civil Code, namely Act no. 40/1964. Coll., as amended, whereas deviations arising from commercial and employment compensation regulation are omitted.

The paper offers an overview of the opinions of the leading legal experts on fundamental issues of compensation. The interpretation includes analysis of relevant decision-making practice of courts and a comparison with the legislation in projects of European tort law. The thesis also contains an overview of the most significant changes brought by the forthcoming new Civil Code, in case it is adopted.

The thesis is composed of nine chapters, each of them dealing with different aspects of the matter. The first chapter is introductory. It is followed by the second chapter named "General characteristics of liability for damage" which includes definition of legal liability, outline of historical development of the legislation in our country, its current and future forms and functions of compensation. Chapter Three focuses on the analysis of general assumptions of the liability, including unlawful act, respectively, statutory qualified harmful event, damage, causal link and fault. The fourth chapter deals with potential entities of liability for damage, their delictual capacity, issues of multiplicity of tortfeasors and contributory conduct of victim. Chapter Five explains two basic manners of the compensation of damage. In the following sixth chapter it is described to which extent the tortfeasor is required to compensate the victim. The seventh chapter focuses on issues arising from the limitation of rights and the eighth chapter outlines trends in the development of the legal regulation with regard to the projects of European tort law. Conclusions are drawn in Chapter Nine.

I consider the existing legal regulation of the compensation of damage to be of a high quality. I would like to conclude with a suggestion that non-pecuniary damage would be included under the concept of damage.