

## **Abstract**

The subject of this paper is the civil law aspects of health protection. The aim of the thesis is to analyse the relevant law concerning the topic and compare it to regulation suggested in the new civil code.

Considering the breadth of the topic, the thesis does not deal with all aspects of this issue but just focuses on some of the most debatable questions. Not only the current law and related literature is considered, but a particular emphasis is also put on related case law. In some parts the paper also takes into consideration the fundamental masterpiece of European tort doctrine – *Principles of European Tort Law* (PETL).

The thesis is composed of five chapters, each of them dealing with different aspects of the topic. Chapter One provides an outline of relevant Czech and international law. Chapter Two analyses the concept of right to health protection as a part of personality protection and deals with its object, content and subjects. Chapter three is devoted to the unlawful infringement of the right to health protection and its consequences. Chapter Four focuses on civil law responsibility for unlawful infringement and on the circumstances which are necessary for the responsibility for injury to health to arise and also on the subjects to this responsibility. This chapter also includes problems of insufficient legal regulation of legal terms of damage and harm. The final part is concentrated on instruments that can be used in the case of infringement of right to health protection, including special instruments such as a dilatory claim, a restitution claim and a satisfaction claim and also the instrument of general character – a claim for damages. The large space in this chapter is devoted to the problems which arise from insufficient distinction of damage and personal harm, and problems connected with providing damages according to regulation n. 444/2001.