

Abstract

The title of the thesis is “The data-boxes as a delivery method in civil proceedings“. The thesis describes the significance of data-boxes in civil proceedings and deals with electronization of the legal institute of delivery. Delivery constitutes one of the basic legal institutes of civil proceedings which has undergone many changes in recent years. The key source of law for the given topic is law No. 99/1963 Coll., the Civil Procedure Code, as amended, especially by the amending law No. 7/2009 Coll., which has introduced obligatory use of the data-box-system in civil proceedings, and law No. 300/2008 Coll., on the Electronic Acts and Authorized Document Conversion, as amended, which has incorporated data-boxes into our legal system. The aim of the thesis is the analysis and subsequent comparison of the advantages of delivery via data-boxes. The thesis compares and evaluates various methods of delivery - delivery by means of a delivering body and by means of the public data network, i.e. particularly by means of an e-mail with electronic signature and by means of a data-box.

The thesis is divided into seven chapters. The introductory chapter explains the term delivery within the framework of civil proceedings. The following chapters describe the development of delivery in civil proceedings since 1990 until today, with special emphasis on the changes in the area of electronization leading to mandatory introduction of the data-box-system to civil proceedings. The main part of the thesis concerns the regulation governing delivery by means of the data network, mainly the question of the operation of the data-boxes and the evaluation of the system after almost three years of its practical use. In order to achieve maximum clarity, the text is supplemented with diagrams graphically showing each delivery method.

The thesis further covers the practical aspect of the data-box use and, in connection therewith, the thesis provides basic statistical data. In conclusion, the thesis presents several court decisions of the Constitutional Court of the Czech Republic which are substantial for delivery via data-boxes in civil proceedings.