

## **Abstract - Transplantation Act: ethical and legal aspects. Theory and practice in the Czech Republic in comparison to the legal regulation in Germany**

Transplantations and related issues form an important part of medical law which is constantly developing. Currently it is a widely debated topic because there is lack of organs for donation, thus current supply can't satisfy all the demanding donees. It is a problem where the ethic, legal, medical and economic factors meet so there is no easy solution for majority of difficulties associated with transplantations.

This diploma thesis focuses on contemporary legislation of organ and tissue donation and transplantations in Czech Republic which is mainly based on transplantation law and several legally binding international agreements. The aim of the thesis is a comprehensive evaluation of the current legislation and its comparison with the same legal branch in Germany. The work will also point out some of the shortcomings associated with the transplantation law and proposal of possible solution.

Thanks to the comparison the thesis comes to a conclusion that the Czech transplantation law is relatively of high quality, but there are still imperfections which haven't been erased even by the approved amendatory act. However with relation to the German transplantation law it is a more modern arrangement with fewer paternalistic attributes caused by state intervention and with more respect to the autonomy of every human being. Nevertheless the question of possible financial gain from the organ donation has been neglected in both German and Czech laws while this issue has been discussed only by experts in theoretical level.

### **Keywords:**

Transplantation, autonomy, medical law