

Abstract

This Master's Thesis is focused on the personality rights protection through monetary satisfaction, its legal basis and place among other instruments within civil law. It describes how personality rights protection works and what instruments civil code offers to protect these rights with closer attention to the institute of the monetary satisfaction. Main objective of this thesis is to provide comprehensive look on the monetary satisfaction of the immaterial loss relating personality rights.

Personality rights protection is a fundamental right, which is executed throughout legal environments of every democratic country. Czech Civil Code regulates personality rights protection in sections 11 to 16 and it grants four different types of the protection – the right of retention, the right to restitution and the right to adequate satisfaction that can take both moral and monetary form. The monetary satisfaction is expressly regulated in section 13 paragraph 2 and it can be used only in cases when moral satisfaction is insufficient or the interference is so intense, it seriously affects person's dignity or honor.

The expression of monetary satisfaction is pretty self-explanatory, but not only that it remedies the party that suffered, it should also prevent offenders from repeating their unlawful interference. In some cases of the most intense violation of personal rights, legal theory and judicial practice also conclude punitive function. The work contains other issues related to the monetary satisfaction such as criteria determining the amount of the monetary satisfaction or the issue of lapse of the monetary satisfaction's claim and related case law.

The scope of the thesis is relatively wide and it is also concerned with the liabilities of the public law persons during the execution of the public service.

The End of the thesis is provided with a little excursion to the planned recodification of the civil law and it compares the currently valid and effective civil code with the new one.