

## **Abstract**

In this thesis I broadly deal with an important institution of law - unjust enrichment. Despite its subsidiary application nature, it has an irreplaceable role in the legal order of the Czech Republic, especially in the Private Law. The thesis focuses on the interpretation of the legislation in the Civil Code as this is the source for the legislation that is further applied on legal relationships regulated in special legal regulations. The most extensive part of the text is devoted to the interpretation of the legislation according to the positive law. I try to concentrate on the current legislation mainly from the point of view of the application and interpretational practice of the Supreme Court. For the purpose of easier orientation in the issue, I divided the interpretation of special merits of a fact into particular interpretational areas according to the example of the general part. In these interpretational areas I emphasize the peculiarities that need to be taken into account before asserting a claim resulting from the merits of a particular case. The thesis analyses the legislation in the new Civil Code. A part of the text deals with the proposed legislation of unjust enrichment in the Book VII. of the Common Framework of Reference which could be the source for the European Civil Code elaboration.