

Summary

The legal institution of settlement of property

The aim of my thesis is to analyze the legal institution of settlement of property and the impact of the new civil code and its principles.

The legal institution of settlement of property forms an essential part of the legal order and as such is an institution which is very important in a day to day life.

My research seeks to characterize several types of this institution, to describe the different aspects of each of them and to compare the code civil in force and the new one, i.e. the civil code no. 40/1964 and civil code no. 89/2012.

The thesis is composed of 7 chapters, each of them exploring different institution of settlement of property.

The first chapter, as an introductory chapter, presents the basic principles, evolution and the changes in different types of settlement of property.

Second chapter deals with the settlement of the ownership including settlement of residential property.

In the next chapter I examine the settlement of tenancy by entirety, the duties and rights that are related to this institute.

The fourth chapter characterizes the unjust enrichment and its settlement particularly in the context with the co-ownership.

The fifth chapter focuses on inheritance and the following chapter deals with the claims arising from association. In the seventh chapter are drawn the conclusions.

The main goal of my paper is to examine the problems most often encountered when dealing with this legal institute, to point out the differences and the similarities between the new and the old civil code, to analyze the changes that the new code civil brought in this field.

Because the subject of my thesis is very broad and covers a vast field of legal order, my aim was not to cover all cases of settlement of property regulated by law, rather I wanted to focus on the most frequented examples, the cases that influence mostly the everyday life.

As a legal institution that is very influenced by the day to day live, it is changing with the changes in society, customs and application by courts. The questions concerning legal institution of settlement of property arise again and again and thus this theme can never be exhausted and thoroughly examined even though the relationships between people concerning

their property (and therefore touching the legal institute of settlement of property) never change.