

Abstrakt – Anglický jazyk

Unfair terms in consumer contracts in the scope of the Council

Directive 93/13/EEC

The protection of consumer against unfair terms in consumer contracts was enacted to our legal order by the transposition of the Council Directive 93/13/EEC, on unfair terms in consumer contract. Until the day of the entry of the Czech Republic to the European Union, there was no legal regulation of the unfair terms in the Czech Republic.

Firstly, the aim of this thesis was to evaluate the pros and cons of the Council Directive 93/13/EEC. Consequently this thesis deals with the detailed analysis of the transposition of the directive to the legal order of the Czech Republic. As for the questions *de lege ferenda*, from this point of view thesis proposes the way of elimination of the lacks of the Council Directive 93/13/EEC and the lacks of the regulation of unfair terms in the valid Czech Civil Code. In the case of the new Civil Code the thesis deals mainly with the questions of conformity of the new Civil Code to the valid Council Directive 93/13/EEC and also deals with the future evolution of the consumer law at the level of the European Union.

This thesis also compares the way of transposition of the Council Directive 93/13/EEC in the Czech Republic with the way of transposition of this directive in Portugal. From the legal regulation of unfair terms in the Portuguese Republic the thesis derives other inspiration to proposed changes in the regulation of unfair terms in the Czech civil law.