

FIDIC Conditions of Contract and their Application in the Czech Republic

Resume in English

The goal of this thesis is, mainly by the mutual comparison, to describe the differences between each kinds of contractual forms of FIDIC and also to put the main forms into the context of their application in Czech Republic, especially by enumeration of examples of some modifications which are made through the Particular Conditions by various public employers, including the general assessment of such modifications.

The basic structure of the thesis consists of two main sections, which are split into the four chapters. The content of the thesis goes from the general description of the contractual forms of FIDIC, including the brief description of organization's history, thru the international contextualization of its forms and general introduction to their application in Czech Republic, to the comparison and description of the application of each chapters of FIDIC forms in Czech and partially also in the Central Eastern European context.

The first main section forms the general introduction into the issue of FIDIC forms by their basic description and by putting them into the context of similar contractual forms around the globe. This first section is split into three chapters, which describe the context of contractual forms in general, introduce the organization of FIDIC and its contractual forms, which are the most used globally and also locally, and furthermore they describe the history and some general issues of application of FIDIC forms in Czech Republic.

The second section, which is formed by the fourth chapter, is more detailed. It includes the comparison of the FIDIC forms itself and the putting of the forms into the Czech context. It is split into the twenty sub-chapters (in the same way as the FIDIC forms are split into the chapters) which include the comparative part and also the part relating to the application in Czech Republic. This division is not strictly followed only if the forms are the same in the relevant chapter and/or if they are not usually modified while applied in Czech Republic. Furthermore there is an additional part in the last sub-chapter, which briefly describes the wider Central Eastern European context.

This second section includes, in specific cases, also the description of some unclear or problematic issues of the application of FIDIC forms, while also proposing some possibilities of their eventual solution.