

Abstract

Presented thesis called Consumer Arbitration in the Czech Republic and in the European Context deals with, as the title indicates, Arbitration in the disputes emerging from consumer contracts not only in the Czech Republic, but also in the legislation of the European Union, in the practice of the European Court of Justice and in addition it introduces for comparative purposes legislation of three selected European countries – Germany, Austria and Sweden.

This thesis deals with the development of the Arbitration in the Czech Republic especially with regard to Consumer Protection. Major bolster of the position of the Consumer happened on the grounds of Act (Amendment) No. 19/2012 Coll., which brought some significant changes in this area. In order to keep this thesis coherent, the author describes all aspects of Arbitration, which are subject of the Arbitration, Arbitrability, Arbitration Agreements, Arbitrators, course of the Arbitration, Arbitration Awards, Enforcement of Arbitration Awards and their reversal by the state courts.

This thesis also deals with the influence of the legislation of the European Union and devotes space to several European regulations, especially to the essential one - Directive 93/13/ECC on unfair terms in consumer contacts. Thesis also describes the most significant rulings of the European Court of Justice that influenced the area of Consumer Arbitration. In the end this thesis comes with comparison to other member states' legislation also influenced by European Law.