

## **Summary**

This thesis aims at a close examination of the problematic position of a third party in the proceedings to compel the execution of judgement and the execution proceedings. The only defensive instrument of a third party against the encroachment on their rights is the action to exempt a claim, which is the focus of my thesis. Although it is a defence against the proceedings to compel the execution of judgement and execution proceedings, the hearing about the action to exempt a claim is liable to a special type of the finding trial proceedings. The thesis includes also a short discourse on the proceedings to compel the execution of judgement and execution proceedings as these proceedings precede the action to exempt a claim.

The thesis is divided into ten chapters. The first chapter is an introduction to the problems of the action to exempt a claim, which includes setting the target of my thesis. It is linked to the second chapter where I define the main terms used in my thesis. The third chapter is formed by a short historical excursion into the proceedings to compel the execution of judgement, execution proceedings and the action to exempt a claim. This chapter is further divided into subsections according to the law of a particular country and timeline. The following chapter Four contains the principles of finding trial proceedings and execution proceedings, which direct these proceedings. The fifth chapter dealing with the proceedings to compel the execution of judgement and execution proceedings is divided into several more subsections mapping out the progress from the submission of a motion for the proceedings to compel the execution of judgement and execution proceedings, to the encroachment upon the rights of the third parties. Chapter Six is formed by the main topic of my thesis, i.e. the action to exempt a claim, the essential elements and determination of the persons who are entitled to bring an action. Chapter Seven deals with the authority and competence to decide about the action to exempt a claim. The eighth chapter is an overview of the finding trial proceedings. The penultimate chapter Nine is a short reflection on practical problems arising in securing the debtor's assets. Chapter Ten, which is the last one, summarizes the whole topic of my thesis and evaluates the current protection of the third parties offering ideas for its improvement.