

Resumé

This thesis deals with the question of compensation for damage in civil law. Its main task is to acquaint the reader with the basic institutions associated with the prescribed topic from the basic premises of the legislation through the explanation of the main terms to determine the prerequisites for a successful claim for damages and the rules determining the manner and extent of damages including some specific cases of damages. Work is also trying to compare the current, still not so long effective statutory regulation with the previous one. The thesis is divided into four main chapters.

The first part discusses the basic concepts of liability for damages and the functions that it has in the legal system and even in society. It also describes the general concepts, such as the limitation period, prevention duties, general and specific, and also lists the entities to which the obligation to pay damages arise.

The second chapter deals with the prerequisites for the establishing the liability in damages, which are traditionally a tort, the damage, causation and fault. It also presents the merits of general offenses. Especially acquaints readers with compensation that occurs accidentally.

The third part deals with the way in which the damage is replaced and to what extent. Approximations are different types of injury. Damage caused to property, which is divided on the actual damage, loss of profit and newly damage consisting of a debt, and damage non-material, that is not the primary subject of this thesis and it is only mentioned in the context of comparison with the concept of the previous legislation and under the separation from the property damage, because the matter would suffice with an overview of a few of its own publications. The work defines two basic methods of compensation, namely natural restitution and compensation pecuniary, as well as their advantages and disadvantages. Furthermore, the third chapter examines how to determinate the amount of compensation for damage in specific cases, such as damage to an item or injury of an animal.

The final chapter highlights that the right to compensation is not absolute and introduce us three basic options to limit or completely exclude the right to compensation. Particular attention is therefore paid to the contractual limitation of damages, the possibility of reducing the right to compensation by the court and most

frequent cases of circumstances excluding illegality with which traditionally the private sector can meet.