

Abstract

The present diploma thesis, entitled: „Support contracts - comparative study“. It compares two contract types belonging under the term support contract. These are the maintenance contract and the provision contract. This diploma thesis aims to familiarize the reader with the historical evolution of these law contracts, current law approach to them, but above all clarify what intention and conditions are these contracts made under, and which rights and obligations do they bestow upon the parties.

The first and the second chapter briefly introduce into the matters of relative ownership and defining the term annuity contract. Focus is placed on differentiating the relative and absolute ownership, and furthermore on the purposes annuity contracts are used for.

The third chapter is a concise look into the term aleatory contracts, the historical classification of the provision contract. It not only briefly explains the history of aleatory contracts; it also outlines the term aleatory contract as it is perceived by present law.

The fourth chapter is dedicated to historical excursus. It includes the succinct outline of historical development of both contracts, both the provision and maintenance contracts. The focus is primarily placed upon the legislation in Czech legal orders, not only under ABGB or civil code of 1950, but also the intentional omission of these contracts by the civil code of 1964 and the following return of both contract types into our legal order by amendments of the civil code.

The fifth and the sixth part proceed to the treatise of current legislation of both contract types belonging under the term annuity contract. They cover the conditions of making these contracts and the rights and obligations they bestow upon the parties by making them. The final part additionally mentions the tax incidence concerning the subject contracts, as these aspects need to be considered when a contract is being entered.

The thesis thus creates a comprehensive look not just into the individual stages of evolution of subject contracts of the provision contract and the maintenance contract; moreover the thesis provides it for their current legislation.