

Content

Content	5
1 Theory of law - principal notions	13
1.1 What is law?	13
1.2 Rule of Law	13
1.3 ..System of law.....	14
1.4 Sources of law.....	16
1.4.1 Normative legal act	16
1.4.2 EU Law	17
1.4.3 Promulgation of sources of law	18
1.5 Legal Norms	18
1.5.1 Types of legal norms	18
1.6 Implementation of law	19
1.7 Legal facticities	20
1.8 Legal subjects.....	21
1.8.1 Natural persons.....	21
1.8.2 Juridical (legal) persons.....	21
1.8.3 State	22
2 Constitutional law	23
2.1 Introduction	23
2.2 The Constitution and its structure.....	23
2.3 Czech Political and Administrative System.....	24
2.3.1 The Legislative Power.....	25
2.3.2 The Executive	25
2.3.3 Self-Government	28
2.3.4 The Judicial Power.....	29

2.4	The Constitution and international treaties entered into by the Czech Republic	33
2.5	System of fundamental human rights in the Czech constitutional law	34
2.5.1	Charter of Fundamental Rights and Basic Freedoms	34
2.5.2	Content and principles of the Charter	35
3	Legal Fundaments of the Czech Local Administration	38
3.1	Municipal establishment	38
3.1.1	Independent authority of municipalities	39
3.1.2	Delegated authority of Municipality	39
3.1.3	Citizens of the Municipality	40
3.1.4	Territory of Municipalities	40
3.2	Independent authority of municipalities	41
3.2.1	Financial Management of the Municipality	42
3.2.2	Co-operation with Municipalities in Other Countries	43
3.2.3	Sanctions	43
3.3	Devolved authority	43
3.4	Municipal bodies	44
3.4.1	The Municipal Assembly	44
3.4.2	Jurisdiction of the Municipal Assembly	45
3.4.3	Municipal Council	46
3.4.4	Mayor	46
3.4.5	Municipal Authority	47
3.5	Bodies of the Municipal Assembly and Municipal Council	48
3.5.1	Committees	48
3.5.2	Commissions	48
4	Fundaments of Civil Law	49
4.1	General terms - Civil legal relationships and their protection	49

4.2	Participants of civil legal relationships	49
4.2.1	Individuals	49
4.2.2	Juridical persons as legal entities.....	50
4.2.3	Representation.....	51
4.3	Legal acts	52
4.3.1	Agreements (contracts).....	53
4.3.2	Statute of limitation	54
4.4	Real rights	55
4.4.1	Ownership right.....	55
4.4.2	Possession	55
4.4.3	Acquisition of ownership	56
4.4.4	Co-ownership and joint property.....	57
4.4.5	Easements	59
4.4.6	Pledge.....	60
4.4.7	Right of retention	62
4.5	Succession.....	63
4.5.1	Acquisition of inheritance	63
4.5.2	Succession by operation of law.....	64
4.5.3	Testamentary succession	65
4.5.4	Confirmation of succession and settlement of heirs	65
4.6	Law Of Obligations.....	66
4.6.1	General provisions	66
4.6.2	Joint obligations and joint rights.....	66
4.6.3	Changes in the content of obligations	67
4.6.4	Change in the person of creditor or debtor	67
4.6.5	Securing of obligations.....	68
4.6.6	Extinction of obligations.....	68

4.7	Contracts	69
4.7.1	Purchase and barter agreement.....	69
4.7.2	Donation agreement	70
4.7.3	Lease agreement (Rental Agreement)	70
5	Labour Law Fundamentals	73
5.1	Parties to labour relations.....	73
5.1.1	Employer.....	73
5.1.2	Employee	73
5.2	Employment relationships	74
5.2.1	Commencement, modification and termination of an employment relationship	74
5.2.2	Employment Contract (Labour Contract).....	74
5.2.3	Modification of an Employment Relationship.....	76
5.2.4	Termination of Employment Relationship	77
5.2.5	Trade Unions and Severance of an Employment Relationship	79
5.2.6	Severance Pay.....	79
5.2.7	Subsidiary Employment Relationships	80
5.2.8	Subsidiary Working Activity.....	80
5.3	Wages, Compensatory Wages And Reimbursement Of Expenses	80
5.4	Safety And The Protection Of Health At Work	81
5.4.1	Risk Prevention	81
5.4.2	Employees' Rights and Obligations	81
5.5	Compensation Of Damage	81
5.5.1	Liability of Employees for Damage	82
5.5.2	Liability of Employers for Damage.....	83
6	Business Activities - General Provisions	84
6.1	Business Activity and Entrepreneurs	84

6.1.1	Legal conduct of Entrepreneurs.....	86
6.1.2	Procuration.....	87
6.2	Business Activities Of Foreign Persons.....	87
6.3	Commercial Name of Entrepreneurs.....	88
6.4	Commercial Register.....	89
6.4.1	Entries to the Commercial Register	90
6.4.2	Procedure on Entries.....	91
6.5	Legal Persons established for Performance of Business Activities	92
6.5.1	Company Formation and Incorporation	92
6.5.2	Registered Capital and Deposits	93
6.5.3	Business Share.....	94
6.5.4	Prohibition of Competitive Conduct	94
6.5.5	Winding-Up and Dissolution of a Company	95
6.5.6	Liquidation of a Company	96
6.6	Types of Business companies	96
6.6.1	General Commercial Partnerships (Unlimited Partnerships)	96
6.6.2	Limited Partnerships	98
6.6.3	Limited Liability Company.....	100
6.6.4	Joint Stock Companies	103
6.6.5	Co-Operatives.....	105
7	Business Obligations	108
7.1	Regulation of business obligation.....	108
7.2	Establishment of business obligations	109
7.2.1	Conclusion of Business Contracts	109
7.3	Securing of business obligations	110
7.4	Extinction of business obligations	111
7.5	Types of Contracts	111
7.5.1	Contract of Sale (Contract of Purchase).....	111

7.5.2	Contract of sale of an enterprise	112
7.5.3	Contract for the purchase of a leased thing.....	113
7.5.4	Contract for Work and Services.....	113
7.5.5	Contract of Mandate	115
7.5.6	Commission Agent's Contract	116
7.5.7	Contract on Commercial Representation.....	117
7.5.8	Credit Contract	118
8	Competition Law	119
8.1	Public law regulation - Protection of the competition and its regulation by law 119	
8.2	EU law and European dimension of the competition legal regulation.....	119
8.3	Czech competition law	120
8.3.1	Sources of the Competition law	121
8.3.2	Agreements distorting competition (cartel agreements)	122
8.3.3	Proceedings before the Office.....	124
8.3.4	Register of Cartels.....	126
8.3.5	Dominant position and abuse of dominance	126
8.3.6	Control of concentration of undertakings.....	128
8.3.7	Fines and remedies of the Office.....	132
8.4	Legal rulings on Unfair Competition	133
8.4.1	Unfair Competition - characteristics	134
8.4.2	Misleading Advertising	134
8.4.3	.Misleading Marking of Goods and Services	135
8.4.4	Conduct Contributing towards Mistaken Identity.....	135
8.4.5	Parasitic Use of Reputation	136
8.4.6	Bribery	136
8.4.7	Disparagement	136

8.4.8	Comparative Advertisement	137
8.4.9	Violation of Trade Secrets	138
8.4.10	Endangering Men's Health and Endangering Environment	138
8.4.11	Legal Protection against Unfair Competition.....	138
9	Literature	140