

SUMMARY

Lease contract

The theme of this thesis is lease contract. The author has chosen this subject because it is very current and lease contract is also one of the most frequently used legal act. The main goal of the thesis is to analyze the institute of lease contract and to highlight some problematic points of this legal regulation. The work is supplemented by judicial decisions of Czech courts and opinions of some authors. This work consists of three chapters.

The Chapter one describes historical development of legislation of lease contract, especially in Roman law, legislation contained in General Civil Code of 1811 and the legislation included in the Czechoslovak Civil Code of 1950 and of 1964.

The Chapter two is the main part of this work. It is subdivided into eight parts in which are discussed the general provisions of lease contract. First subchapter examines relevant Czech legislation, the second subpart is focused on concept of lease contract. The parties of lease contract are described in the third part. The characteristic of creation of lease contract contains the fourth subchapter and the fifth subpart contains a detailed list of rights and obligations of the lessor and the lessee and their subsequent analysis. The sixth part concentrates on rent issue. Institute of sublease is investigated in the seventh part. The last subchapter is focused on different ways of termination lease contract.

The third Chapter deals with special types of lease contract which are included in current Czech Civil Code. The largest part of this chapter is devoted to residential lease, followed by subchapters dealing with lease of residential premises, non-residential lease and then commercial lease of movables.

Conclusions are drawn in chapter three. This chapter contains evaluation of current lease contract legislation, then outlines proposal of new Civil Code, especially its passages concerning with the lease contract. There is also mentioned currently pending amendment of Czech Civil Code and bill dealing

with rent issue.

This work is finished to the 3rd April 2011.

Keywords: lease contract, lease, lessor, lessee, sublease