

Abstract

In his diploma thesis, the author deals with the institute of joint debts and joint claims. During the course of writing the thesis, the author points out the differences in up to now regulations, but also the conflicting views of literature and offers his opinion on the solution to these problems. In the introductory part, the author outlines the concepts, which he further deals with in the thesis. The development of joint debts and joint claims in the previous regulations follows, to which the author pays great attention, especially for the applicability of these regulations even today. The author also deals with today's regulation of joint debts and joint claims following the outline of the regulation in the Civil Code. The first chapter devoted more deeply to the current regulation is therefore a commitment with indivisible performance. The author points out the issue of solidarity-based and inseparable performance. The logically following chapter is the chapter of divisible performance, in which the author deals mainly with the solution of shares between the party of obligation, which is pluralistic. The most comprehensive part of the work is the fifth chapter, which deals in detail with passive solidarity obligations, including their changes and termination. In this section, the author evaluates, among other things, the concept of solidarity and how it is perceived in modern literature, in contrast to the interpretation that has been accepted and applied by case law and the legislature for years. Part of the content is also devoted to procedural issues, the author especially points to the judgment of the Supreme Court, which goes against established practice, i.e., the definition of solidary obligation the demand for relief. The following chapter describes the preventive and subsequent regression, and how it is perceived on the part of the debtor and on the part of the creditor. The author devotes the final part of the thesis to active solidarity, a concept that has been almost unchanged in Czech law since its inception. The author also tries to approach the issue of termination of the obligation by merging, as this is a notorious legislative error of the Civil Code. The author draws the conclusion as a summary of all knowledge in various chapters, including the author's ideas *de lege ferenda*.

Key words:

joint debts, joint claims, passive solidarity, active solidarity, regression