

# **Acquisitive prescription of estate property ownership**

## **Abstract**

The diploma thesis is dedicated to acquisitive prescription, as one of the original ways of acquiring ownership rights, focusing on acquiring ownership rights to estate property. The goal of this work is to provide a comprehensive description of the institute of acquisitive prescription with a focus on acquiring ownership rights to estate property, to analyze in detail the changes that occurred in the legislation of acquisitive prescription as a result of the recodification of Czech civil law, and also to evaluate how these changes interfere with the usability of the institute of acquisitive prescription. The diploma thesis is systematically divided into six chapters. In these, it provides a definition of the basic terms directly related to the topic, a historical excursion of acquisitive prescription, which is completed by a detailed analysis of the previous legislation and jurisprudence, an analysis of the current legal regulation of the ordinary acquisitive prescription of the ownership right to estate property, including the re-established institute of extraordinary acquisitive prescription. Furthermore, the work assesses the applicability of the relevant jurisprudence adopted under the previous legislation, evaluates the decision-making practice of first-instance courts applying the current legal regulation of acquisitive prescription, and finally, the work defines a narrow range of cases in which the institute of ordinary acquisitive prescription can be practically used in the context of other civil law institutes.

## **Key words**

acquisitive prescription, ownership, possession