

# CONTENTS

Preface . . . . .	9
List of abbreviations . . . . .	11
Introduction . . . . .	13
<b>Part 1 GENERAL PART OF CIVIL LAW</b>	
<b>1. Concept, sources, system, and principles of civil law . . . . .</b>	<b>17</b>
1.1 Concept of civil law . . . . .	17
1.2 Sources of civil law . . . . .	18
1.3 System of civil law . . . . .	19
1.4 Principles of civil law . . . . .	20
<b>2. Brief history and current situation of Slovak civil law . . . . .</b>	<b>22</b>
<b>3. Persons . . . . .</b>	<b>25</b>
3.1 Natural persons . . . . .	25
3.2 Legal persons . . . . .	26
3.3 Protection of personality of natural persons and protection of name and reputation of legal persons . . . . .	27
<b>4. Representation . . . . .</b>	<b>29</b>
4.1 Concept and types of representation . . . . .	29
4.2 Statutory representation . . . . .	30
4.3 Contractual representation . . . . .	31
<b>5. Juridical acts . . . . .</b>	<b>33</b>
5.1 Requirements related to juridical acts . . . . .	34
5.2 Legal consequences of defects of juridical acts . . . . .	36
5.3 Formation of contracts . . . . .	37
<b>6. Time as a legal fact . . . . .</b>	<b>39</b>
6.1 Significance of time . . . . .	39
6.2 Computation of time . . . . .	39
6.3 Limitation . . . . .	40
6.4 Expiration . . . . .	41
<b>7. Consumer protection . . . . .</b>	<b>42</b>
7.1 Consumer contracts . . . . .	42
7.2 Consumer contract concerning the right to use a building or part of a building on a timeshare basis . . . . .	44

## Part 2 FAMILY LAW

<b>1. General</b> . . . . .	<b>49</b>
1.1 Concept . . . . .	49
1.2 Sources . . . . .	49
1.3 Principles . . . . .	50
<b>2. Marriage</b> . . . . .	<b>51</b>
2.1 Concept . . . . .	51
2.2 Formation of marriage . . . . .	52
2.3 Legal capacity to marry, nullity of marriage, and apparent marriage . . . . .	52
2.4 Effects of marriage as between spouses . . . . .	53
2.5 Divorce . . . . .	54
<b>3. Filiation</b> . . . . .	<b>55</b>
3.1 Filiation by blood . . . . .	55
3.2 Filiation by adoption . . . . .	56
<b>4. Parental authority</b> . . . . .	<b>58</b>
<b>5. Surrogate custody</b> . . . . .	<b>60</b>
<b>6. Maintenance</b> . . . . .	<b>62</b>
<b>7. Tutorship and guardianship</b> . . . . .	<b>64</b>
7.1 Tutorship . . . . .	64
7.2 Guardianship . . . . .	65

## Part 3 RIGHTS IN REM

<b>1. General</b> . . . . .	<b>69</b>
<b>2. Possession and detention</b> . . . . .	<b>70</b>
<b>3. Ownership</b> . . . . .	<b>72</b>
3.1 Owner's rights and duties . . . . .	72
3.2 Acquisition of ownership . . . . .	73
3.3 Divided co-ownership . . . . .	75
3.4 Undivided co-ownership . . . . .	76
<b>4. Rights in <i>re aliena</i></b> . . . . .	<b>78</b>
4.1 Pledge (mortgage) . . . . .	78
4.2 Lien . . . . .	80
4.3 Easements . . . . .	81

## Part 4 LAW OF SUCCESSION

<b>1. General</b> . . . . .	<b>85</b>
<b>2. Prerequisites of succession</b> . . . . .	<b>87</b>
<b>3. Testamentary succession</b> . . . . .	<b>89</b>
<b>4. Statutory succession</b> . . . . .	<b>90</b>



## Part 5 LAW OF OBLIGATIONS

<b>1. General part</b> . . . . .	<b>95</b>
1.1 Introduction to law of obligations . . . . .	.95
1.2 Obligation-law relationships and their elements . . . . .	.97
1.3 Modifications of obligation-law relationships . . . . .	100
1.4 Security of obligations. . . . .	102
1.5 Extinction of obligations . . . . .	105
<b>2. Contract law</b> . . . . .	<b>110</b>
2.1 Contract of sale and contract of barter . . . . .	110
2.2 Contract of donation. . . . .	111
2.3 Contract for work. . . . .	111
2.4 Contract of loan. . . . .	112
2.5 Contract of loan for use . . . . .	113
2.6 Contract of lease . . . . .	113
2.7 Contract of mandate. . . . .	114
2.8 Benevolent intervention in another's affairs. . . . .	115
2.9 Contract of deposit. . . . .	115
2.10 Contract of accommodation . . . . .	116
2.11 Contract of carriage . . . . .	116
2.12 Contract of agency . . . . .	117
2.13 Contract of financial deposit. . . . .	117
2.14 Contract of insurance . . . . .	117
2.15 Contract of association . . . . .	118
<b>3. Liability for damage</b> . . . . .	<b>119</b>
3.1 Concept. . . . .	119
3.2 Functions . . . . .	119
3.3 Liability prerequisites . . . . .	120
3.4 Liable persons . . . . .	121
3.5 Scope, content, and the form of compensation. . . . .	122
3.6 Types of liability. . . . .	123
<b>4. Unjustified enrichment</b> . . . . .	<b>131</b>
4.1 Concept. . . . .	131
4.2 Prerequisites . . . . .	131
4.3 Types of unjustified enrichment . . . . .	132
4.4 Parties to a relationship of unjustified enrichment . . . . .	134
4.5 Legal effects of unjustified enrichment, form and scope of restitution. . . . .	135
4.6 Limitation of the right to restitution of unjustified enrichment. . . . .	136
<b>Resume</b> . . . . .	<b>137</b>
<b>Bibliography</b> . . . . .	<b>138</b>
<b>About the Authors</b> . . . . .	<b>140</b>