

1. Rozlište pojmy vlastnictví a vlastnické právo.

- § 1011

Vše, co někomu patří, všechny jeho věci hmotné i nehmotné, je jeho vlastnictvím.

- Vlastnické právo představuje právo vlastníka ke svým věcem, které jsou tak jeho majetkem. Obecně platí, že vlastník může svou věc volně držet, užívat a nakládat s ní, eventuálně své vlastnické právo k věci převést na jinou osobu.

2. Jaký je obsah vlastnického práva?

- vlastník může svou věc volně držet, užívat a nakládat s ní, eventuálně své vlastnické právo k věci převést na jinou osobu.
- právo věc držet (ius possidendi)
- právo věc užívat a požívat její plody a užitky (ius utendi et fruendi)
- právo s věcí nakládat (ius disponendi)
- i právo zničit (ius abutendi)

3. Jaká rozlišujeme omezení vlastnického práva?

- věcné břemeno - Zjednodušeně však v každém případě jde o omezení při využívání nemovitosti
- zástavní - Jde o pojistku pro banku, že v případě nesplácení úvěru mohou nemovitost prodat a uhradit z této částky svou pohledávku
- nájemní - U nájemního práva je problém, že nebývá zjistitelné z katastru nemovitostí, protože zápis je pouze dobrovolný
- předkupní - V takovém případě totiž musí být každému spoluvlastníkovi nabídnuta nemovitost ke koupi přednostně, cílem je sjednocení vlastnictví u dané nemovitosti

4. Co je to elasticita vlastnického práva? Co je to holé vlastnické právo?

- Vlastník věci může být ve výkonu jednotlivých oprávnění různě omezen, a to buď zákonem, rozhodnutím státního orgánu, nebo na základě právních jednání svých či svého právního předchůdce. I v tomto případě je však nadále vlastníkem dané věci, i když mu náleží jen tzv. holé vlastnictví (nuda proprietas). Pokud tato omezení opadnou, vrací se vlastníku věci dané oprávnění v původním rozsahu, a to automaticky, tedy bez nutnosti nějakého aktu vlastníka. Tato vlastnost se nazývá elasticita vlastnického práva.

5. Jaké nároky může vlastník uplatnit na ochranu svého vlastnického práva?

- § 1040

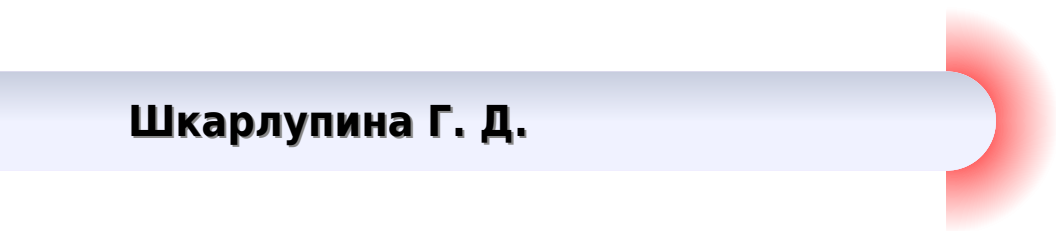
(1) Kdo věc neprávem zadržuje, může být vlastníkem žalován, aby ji vydal.

- § 1042

Vlastník se může domáhat ochrany proti každému, kdo neprávem do jeho vlastnického práva zasahuje nebo je ruší jinak než tím, že mu věc zadržuje.

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Шкарлупина Г. Д.



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The Top Books of the Year Politika I Pravo 1011 Klaby Uchebnik Dlia Obshcheobrazovatelnykh Uchebnykh Zavedenii The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous compelling novels enthralling the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the engaging narratives that have captivated audiences this year. Politika I Pravo 1011 Klaby Uchebnik Dlia Obshcheobrazovatelnykh Uchebnykh Zavedenii : Colleen Hoovers "It Ends with Us" This poignant tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can triumph. Politika I Pravo 1011 Klaby Uchebnik Dlia Obshcheobrazovatelnykh Uchebnykh Zavedenii : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This spellbinding historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids captivating storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Discover the Magic : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens spins a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and suspenseful novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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