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Abstract:

The new Act on Private International Law of 25 February 2012 (PILA) has been in force since 1 January 2014 and, together with the new Civil Code and the new Business Corporation Act, constitutes the new Czech private law codification. The novelties and significant changes to national private law have triggered the need to adapt private international law rules. Furthermore, another important reason behind this new codification was the increasing number of European Union regulations in the area of private international law and judicial cooperation in civil matters.

The authors avail themselves of the opportunity to present the new Czech private international law rules in a broader context and, therefore, in the introductory part of the article, they provide an overview of the evolution of codifications of private international law rules. They start from the initial, pre-First World War efforts to codify private international law in the Austro-Hungarian Empire (the so-called „Vienna Draft“) undertaken by the leading Czech and Polish professors; then they describe the background and logic of the two first codifications – the acts on private international law of 1948 and 1963 – and, finally, they present the process of drafting PILA as part of the new Czech private law.

PILA follows the tradition of merging conflict of law rules with the rules on jurisdiction in a single act, notwithstanding some changes introduced to the internal structure of the act. The goal of the authors is to provide readers with a brief yet comprehensive information on the

provisions of PILA. The structure of the article follows the structure of PILA. The first part deals with the scope of the act, its relation to EU law, international treaties and certain general provisions of private international law (overriding mandatory rules, public policy, abuse of law); the second part includes general rules on procedure and the recognition and enforcement of foreign judgments; the third part sets out general rules on the conflict of laws (characterisation, renvoi, the ascertainment of foreign law etc.). The fourth part contains special rules for specific matters (legal capacity of natural persons and legal entities, legal acts, family law, registered partnerships, rights *in rem*, succession law, obligations). The fifth part includes general rules on judicial cooperation; the sixth part sets out rules on insolvency, while the seventh part sets out rules on arbitration, including the recognition and enforcement of foreign arbitration awards. Finally, the eighth part and the ninth part set out transitional and final provisions, as well as provisions governing the entry into force. The authors also highlight EU regulations and international treaties that are relevant and directly applicable to the individual parts.