

# **Sanctioning of legal persons**

## **Abstract**

The thesis Sanctioning of legal persons consists of seven parts. The first part of the thesis deals with the theme of international and European sources of law of the criminal liability of legal persons. Furthermore, there is cited history of criminal liability of legal persons abroad and further in the Czech Republic since the end of 20<sup>th</sup> century to present. The second part of the thesis comprises explanation of the basic instruments of Czech Act on Criminal Liability of Legal Persons like personal scope, range of criminalization of behaviour of legal persons and imputability of the behaviour of individuals to criminal liable legal person. The third part of the thesis comprises general explanation of sanctioning of legal persons and availability of usage of some legal institutes comprised in Czech Criminal Code against legal persons. The fourth part encompasses each single legal sanction comprised in the Third part of the Act on Criminal Liability of Legal Persons. The fifth part of the thesis encompasses explanation of so-called diversions in criminal proceedings against legal persons. In the sixth part there is an insight into selected foreign legislations of criminal liability of legal persons. The seventh part of the thesis encompasses statistical details of the application of criminal liability in the practice of the Czech judicial system.

The main source of information for making of the Sanctioning of legal persons thesis was commentary literature and university textbooks about criminal law.

The criminal liability of legal persons is regulated in the Act no. 418/2011 Coll., Act on Criminal Liability of Legal Persons and Proceedings against them. The sanctioning of legal persons is regulated in Third part of the Act. This thesis concludes that legal regulation of criminal liability of legal persons is complex and successful in its current form however there are some insufficiencies of legal regulation. The thesis offers some opportunities for improvement of the legal regulation such as some additions to the catalogue of legal sanctions comprised in the Act. In addition to the statistical details about the application of the Act, there are some disproportions in application between regions of the Czech Republic. The conclusions of the thesis follow that legal persons in the Czech Republic are prosecuted only for a narrow circle of crimes for them they could be prosecuted.

## **Key words**

Sanctioning, legal persons, Act on Criminal Liability of Legal Persons