

Abstract

The aim of this thesis was to analyze companies with regard to private international law and European private international law in relation to the cross-border relocation of the registered office of companies; mainly, from the point of view of the Czech and European legal regulations.

The submitted thesis consists of five consecutive chapters. The first chapter concerns itself with the general definition of private international law as a legal branch, as well as with its development and anchoring in the Czech Republic's legal system. Furthermore, it explains European private international law, its body of rules and their projection in the Czech legal system with regard to the primacy principle of European laws over the Czech Republic's body of rules.

The next chapter consists of a general introduction into the issue of defining the term company in which case it is submitted to legal analysis within the Czech Republic's legal system, primarily in connection with the valid legislation. The term company is also explained from the point of view of the European legislation, which is based on the primary legislation and the secondary legislation that defines the forms of supranational companies. In connection with this we also include one of the forms of a supranational company, namely *Societas Europaea*, or European Society.

Following the definition of the term company it was also necessary to determine its personal statute, its nationality and the recognition of such companies. Next we had to state the methods of defining the personal statute of a company, namely the incorporation principal and the real seat principle which are the two predominantly used methods in individual legal systems.

Given that the terms (European) private international law, companies and their recognition have been defined, it was necessary to get to the cross-boarder relocation of a registered office of a company, firstly in accordance with the Czech legislature. The rules of this institute are contained in a total of three Czech legislations. The following

European regulation of the cross-border relocation of a registered office of a European company defines the freedom of establishment, guaranteed by primary EU law, and the cross-border relocation of a registered office of a European company, as well as future proposals related to this issue.

With regard to European legislature it was necessary to include the case law of the Court of Justice of the European Union. This thesis mentions a brief list of decisions made by the Court, although the later mentioned decision is examined in more detail.

The conclusion of this thesis consists of a summary of the information it contains, including the author's findings within individual chapters.