

Abstract

The purpose of the diploma thesis „Duty of care, skill and dilligence in Czech court case law“ is to analyze the case law of the Czech courts with regard to the legal regulation of the institution “duty of care” and to the opinions of the legal doctrine. The thesis consists of three main chapters. The first chapter deals with the theoretical and historical bases of the care of a proper manager, it encounters especially the issues of corporate governance and the Roman and Czech historical development of the term. The second chapter is focused on the current concept of proper managerial care and its partial aspects. The argumentation of the court with regard to the conclusions of the legal doctrine is analyzed and criticized in more detail. The last chapter presents the institute of the rule of business judgment, corrective standard of care. Its principles and conclusions of the court are examined in more detail. The analysis showed that the case-law conclusions of the Supreme Court of the Czech Republic are applicable even after changes in the legal framework within the recodification of private law, albeit with minor exceptions. In particular, the case law of the Criminal Senate and some of its conclusions are criticized. Nevertheless, it can be summarized that we can rely on the interpretation of the Supreme Court of the Czech Republic to interpret the concept of care.