

## **Influential person**

### **Abstract**

The theme of this thesis is a legal understanding of the term ‘influential person’ which entered the Czech legal system due to significant changes in private law, especially when the Act no. 90/2012 Coll., on Business Corporations and Cooperatives and the Act no. 89/2012 Coll., Civil code came into effect. The thesis is primarily focused on identifying and analyzing the particularities of the term, its contribution to the law of business corporations and also its use in legal practice. The thesis relies on the methodology of analyzing the valid legal enactment of influence in comparison to its evolution, legal practice and scholarly literature. The thesis is divided into five chapters in total. The first chapter introduces the term corporate group as a sign of economic concentration, and subsequently the specifics and forms of corporate groups are being discussed. The next part briefly describes the evolution and basic scheme of legal enactment of corporate groups in the Czech Republic, especially the changes in the Act no. 513/1991 Coll., Commercial code and the local sources involved in the enactment. Furthermore it also explores the legal enactment of corporate groups according to the European Union. The third chapter deals with the valid legal enactment of influence according to the law of business corporations, presents differences to the previous legal enactment and explains influence based on its characteristics, ways of its realization, its importance and occurrence of damages. The fourth chapter is primarily focused on responsibilities and liabilities of influential person, especially the obligation to settle damages to business corporations, the possibility of exemption from damage settlements and liability of influential person for business corporation debt. The final chapter, based on the previous analysis of valid legal enactment, jurisdiction and scholarly literature, reveals the true nature of influential person and who could factually be in the position of influential person. Based on the evaluation of valid legal enactment the thesis presents theorizations de lege ferenda which could effectively contribute to improvement of legal enactment in the Czech legal system.

**Klíčová slova: influential person, influence, group of companies**