

Abstract

Business management of a capital company

This thesis deals with the business management of a capital company. This thesis summarizes applicable legislation and conclusions of legal theory. Conclusions of legal theory are classified in the structure of the thesis and provide complex description of the business management of a capital company. This thesis summarizes court decisions and classifies them in the structure of the thesis. The thesis summarizes and describes important conclusions of legal theory and court decisions, deals with their evolution and identifies and provides interpretation for contradictions.

The first chapter deals with theoretical definition of the business management, position of the business management in the structure of a capital company, strategic decisions, common decisions, decisions in relation to a capital company and differentiation of those decisions from the business management. Further the thesis in this chapter deals with definitions of the business management provided by courts and with specific decisions and actions assessed as the business management by court decisions. Of these decisions, most space is devoted to financing of a capital company.

The second chapter deals with ability to give instructions to the business management and issues related to who has the decision-making power in the business management. Instructions of the general meeting to the business management and right of statutory body to request instructions to the business management are also discussed in this chapter. Requisites for a procedure of requesting an instruction are further analyzed. This chapter deals with instructions to the business management within the group and analyzes, who can give such instruction, requisites for this procedure and consequences of this instruction.

Third chapter deals with methods of making a decision about the business management by a statutory body. Attention is paid to the general regulation of making a decision of the statutory body, but also to the specifics of making a decision by executives as independent statutory bodies on the business management. Horizontal delegation is also discussed in the third chapter with special focus on possibility of such delegation, requirements for procedure of horizontal delegation and consequences of such decision. At the end of this chapter vertical delegation is discussed, particularly the possibility of its application, its position in the structure of a capital company and description of rights and duties arising from its application.

The fourth chapter deals with business management of the company in the Great Britain. Relationship between general meeting and board of directors, powers of board of directors and corporate governance codes are discussed in this chapter.

Key Words

Business management

Powers of the statutory body

Instructions of general meeting