

# **Abstract**

## **Rights and obligations of shareholders**

The diploma thesis deals with the comparison of the legal status of individual shareholders in a joint stock company, respectively provides an insight into possible differences in their rights and obligations. In the first part, the differentiation in shareholder rights and obligations are listed in general in terms of qualitative and quantitative aspects of the share and addresses the question of whether the different type and number of shares held by individual shareholders does not encounter the principle of equality.

Due to the diversity of all shareholder rights and obligations, the work in its second part focuses on the duty of loyalty and compares this general obligation, which is the basis of all other shareholder rights and obligations, from the perspective of individual shareholder groups.

A joint stock company is an environment where there is often a conflict of interest between shareholders and the company or between shareholders themselves. For this reason, the duty of loyalty primarily defines the terms "purpose" and "interest" of the company and similarly, the shareholders identify the "motive" for which shareholders most often join the joint-stock company and their partial "interests". Subsequently, a general description of the duty of loyalty is made, including a brief comparison of the Czech and German views on this duty by legal doctrine and case law. The differences recorded here are then analyzed with respect to individual shareholder groups.

The diploma thesis deals with a group of minority and majority shareholders, within which the intensity of mandatory loyalty is compared. In the final chapters of the thesis are addressed specific manifestations of the duty of loyalty. For a group of majority shareholders, the loyal exercise of the voting right is analyzed and for the minority shareholders, the loyal exercise of the right to explanation is analyzed.

Another shareholder group that pays attention to in this work is the only group of shareholders for whom the work aims to evaluate whether there is room for loyalty obligations even in one-member joint-stock companies.

**Key words: shareholders, share, duty of loyalty**