

Indemnity of a commercial agent and determination of its amount

Abstract

Agents play a crucial role for companies by facilitating business activities and building customer relationships. Commercial agency introduces several legal and economic questions, in particular remuneration of agents, both during the course of the agency and after its termination. Following the termination of a commercial agency agreement, the question often arises as to how to fairly determine the amount of indemnity to be paid to agents for their past work.

The aim of this thesis is to provide a detailed description and explanation of the calculation method for the agent's indemnity and to translate theoretical knowledge gathered from legal theory and case law into practice. The thesis seeks to propose a calculation procedure for the agent's indemnity that is simple, efficient, and allows the parties involved in the agency agreement to avoid the common occurrence of legal disputes in this area.

The first part of the thesis focuses on defining basic concepts associated with commercial agency and legal framework governing it. The second part follows, dedicated to the remuneration of the commercial agent. The third chapter then delves into special indemnity for an agent, including its definition, challenges, and legal regulations. The fourth chapter examines agent's right to special indemnity, particularly conditions under which the entitlement to such remuneration arises. The fifth chapter addresses termination of the commercial agency and its impact on the indemnity.

The final chapters concentrate on actual calculation of the indemnity. The sixth chapter summarizes previous attempts to determine the amount of remuneration and outlines basic calculation procedure. The seventh chapter delivers author's considerations and efforts to propose a modified calculation method for the indemnity that is simple and effective in practical application.

In conclusion, the thesis provides a summary of the presented issues and evaluates author's efforts in tackling them.

Key words: calculation, indemnity, commercial agent