

Co-ownership of share

Abstract and key words

The thesis explores the co-ownership of share, specifically within a limited liability company. It focuses on its legal framework and seeks to establish how it differs from general co-ownership regulations. I find this area to be relatively unexplored in legal literature, which offers an opportunity for valuable scholarly contribution.

The thesis is structured into four chapters and addresses three research questions laid out in the introduction.

In the first two chapters I examine the role of the share administrator. The initial chapter provides an overview of their position in general, highlighting their key role in co-ownership of share as both principal and trustee of others' assets. I then consider the methods of his appointment and dismissal, and whether it is possible to elect multiple administrators. The following chapter enumerates the administrators' most important rights and responsibilities towards co-owners.

The following chapter discusses the possibility of termination of participation in co-ownership of share. I examine the conditions for transferring co-ownership interest, dissolution of co-ownership share, and separation from it. High emphasis is placed on the dissolution processes and settlement methods as they are fundamental issues related to this topic.

The last chapter explores the intriguing prospect of whether co-ownership of shares can be excluded by a shareholders' agreement. In particular, I assess the compatibility of such arrangements with the principle of autonomy of will, compare them with cooperative regulations, and emphasize the company's duty to balance its interests with the interests of future co-owners while ensuring free ownership acquisition. I also discuss the possibility of the invalidity of such an arrangement.

Key words: co-ownership, share, share administrator