

Abstract

This thesis deals with competencies of the General Meeting of a limited liability company in the Czech legal order. At the first place its aim is to define the term competencies of the General Meeting. The next main task is an in-depth analysis of each issue that falls within the competencies. The attention is concentrated predominately on how decisions about the issues concern the General Meeting as the highest body of the limited liability company, i.e. which requirements, procedures and limitations have to be complied with according to the law. The intent is to point out all the areas within the subject matter of this thesis that are ambiguous or the areas without any consistent view on them for any reason including providing with my own commentary or opinion of a possible solution. The essential part of the thesis is an analysis of a current practice of higher courts of the Czech Republic related to the subject matter of the thesis.

The purpose of the first chapter is to introduce briefly the issue of the competencies of the General meeting to the reader. Its content is focused mostly on determination of a position of the General Meeting within the limited liability company comparing to the other bodies of the company. The second chapter is concentrated on defining the term competence, the theoretical division of the competence into groups and on consequences of deciding issues that do not fall within the competencies of the General Meeting. The chapter three covers the biggest part of this thesis. This chapter deals with a deep analysis of all the issues falling within the competencies of the General Meeting that are divided into several thematically connected groups for a better illustration and understanding of the topic. Finally, the chapters four and six concern with specific cases that differ from the main framework of the decision-making procedure of the General Meeting in some way. These are situations where members may make a decision outside this body or where the company is composed of just a single member.