

Abstract

The topic of this diploma thesis is the legal regulation of the Commercial Register in the Czech Republic. The thesis focuses on various problems connected with this legal sphere and with the role of the Commercial Register as a public document.

The thesis consists of seven chapters, each of them dealing with different aspects of the Commercial Register's nature.

At the beginning of the thesis there is the survey of the historical development of the Commercial Register and basic facts, documents and legal regulations (e. g. Code Savary 1673, Code de commerce 1807, AHGB 1863 etc.) that were very important and influencing factors for its present appearance (as it is known in the Commercial Code N. 513/1991 Coll.) are described there. Then the basic concept and principles of the Commercial Register are explained and the principle of publicity (material and formal) on which the Commercial Register is based is analyzed.

The next part of the thesis illustrates the Commercial Register's structure and defines which subjects (artificial and natural persons) and information are, according to the law, recorded there. There are also explanations of registered subjects and information and legal effects of the registration. Possible difficulties during the registration process are also mentioned.

The end of the thesis is dedicated to the problems of the constitutive and declaratory records in the Commercial Register and the record proceedings. The concept and the role of the Commercial Court is also clarified there.

As it is shown in the thesis the importance of the Commercial Register is undoubtedly very high. Information registered there is important not only for the state institutions and business partners keeping business relations with a business person registered there, but also for third persons entering legal relations with this person.

The thesis shows that the Commercial Register as a public document about entrepreneurs with all the information registered there plays the important role for the improvement of business relationships security and the strengthening of legal certainty.