

By-laws of a cooperative

Abstract

My Master's degree thesis consists of seven chapters, each of them dealing with the by-laws of a cooperative, but each of them differently.

Reason, why I decided to write this thesis, is that this area of law allows many different modifications. These modifications are important for the existence of a cooperative, members of a cooperative and other people, which act with a cooperative. Other reason, why I decided to write this thesis, is that cooperatives are different from other companies.

The aim of the first chapter of my thesis is introducing a cooperative such as the term - a cooperative is a company business entity, where usually member's personal liability is limited by amount of contribution, his history and principles, which are bases of a cooperative.

The second chapter explains that by-laws are a contract concluded between members of a cooperative and this conclusion is a process „sui generis“. They have a nature such as „constitution“ for the cooperative and as Memorandum of Association for other companies.

The chapter number three describes basic characteristics of by-laws of a cooperative. These characteristics consist especially of subchapters. Special subchapters deal with the force of by-laws, invalidity of by-laws, establishing or changing by-laws.

Following two chapters compare provisions of by-laws. The by-laws of a cooperative consist of obligatory and voluntary requirements. The specific circumstances are analyzed individually in corresponding subchapters. Obligatory provisions must be in by-laws of a cooperative and their absence causes invalidity of by-laws.

Next chapter illustrates the dissolution of a cooperative. The end of a cooperative has several options. This presents it and describes the relationship between by-laws and voluntary or involuntary dissolution of a cooperative.

Finally, in the last chapter, I investigate special provisions about housing associations. There is compare a special type of cooperative with other cooperatives.

I hope, that new legislation will be benefit for a cooperatives. First benefit, just now, that new legislation remove non-uniform terminology .

