

## **Abstract**

The thesis endeavours to propose possible answers to certain questions concerning the agreement on performance of the office which are not unequivocally resolved in professional literature, and simultaneously to provide a comprehensive outline of the matter. Agreement on performance of the office is one of the most effective tools for agreement on mutual rights and obligations between a company and its functional bodies and their members. Its importance shall even increase after 1. 1. 2014 when the new Civil Code and Corporation Act becomes effective. Therefore, it is very desirable to resolve these questions. This thesis only focuses on agreements between limited liability companies or joint stock companies, and members of their statutory bodies.

The thesis is composed of five parts, including an introduction and a conclusion. Parts Three and Four are subdivided into chapters and subchapters. Part Two outlines a basic legal framework for the relationship between the company and its statutory body which the agreement on performance of the office ought to follow.

The third part deals with general aspects of the agreement on performance of the office, and it is subdivided into five chapters. Chapter Four, which focuses on the conditions of conclusion of the agreement on performance of the office, is subdivided into two subchapters that deal with the often contentious issues of self-contracting and an approval of standardized agreement by the company's general meeting. Other chapters describe the agreement on performance of the office as an autonomous contract type, its reference to a contract of mandate and its duration.

The fourth part focuses on the content of the agreement on performance of the office, either used in practice, or on a theoretical level. The first of the three chapters in this part mentions some of the most important determinants that influence the content of each agreement on performance of the office and examines the differences between articles of association, statutes, internal rules and the agreement on performance of the office. The second chapter describes some typical provisions of the agreement on performance of the office. The third chapter concentrates firstly on the issues resulting

from the members of company's statutory bodies' remuneration and secondly on the part of the agreement on performance of the office in determination and providing the payments.

Conclusions are drawn in Part Five. I suggest that the main goals of the thesis have been reached and the disputed questions have been answered. The thesis also takes into account new legislation contained in the Corporation Act.