

Abstract

Legislation regarding the incorporation in the Czech Republic and Great Britain in comparison.

The thesis aims to evaluate the legislation of the Czech Republic and Great Britain regarding the process of incorporation and issues related to newly established companies. The thesis also proposes changes to Czech legislation and seeks to determine which of the systems is more favorable for the founders. The thesis comprises seven chapters, each of them dealing with different aspects of the process of incorporation in both countries. The introductory first part defines the principal aim of the thesis, points out problematic areas and explores difficulties arising with regards to language and translation. Chapter one is subdivided into three parts and deals with legal framework of both countries as well as the matter of legal personality.

Chapter two, which is subdivided into two parts, is devoted to the definition of what constitutes a company. First, companies recognized under British law are introduced; second, the four types of Czech companies are described.

Chapter three is subdivided into two parts and deals with methods of incorporation. These methods are shortly introduced and, in the second part, the normative method of incorporation in the Czech Republic is described.

Fourth chapter is composed of three parts and addresses the whole process of incorporation in Great Britain. The first part focuses on memorandum of association, while the second part investigates the articles of association. The third part illustrates the essential elements of each company required by incorporation form IN01.

Chapter five is subdivided into 4 parts and deals with the process of incorporation in the Czech Republic. The first part is introductory and describes the preparatory phase. The second part recounts mandatory requirements of the founding document. The third part focuses on the proceedings of Commercial Register and the last part illustrates the whole process on an example of a limited liability company.

The sixth chapter, which is subdivided into four parts, summarizes the thesis' main points and critically assesses both Czech and British legislation.

The last chapter addresses the future of the Czech legislation and proposes possible changes to the process of incorporation and related legal instruments.

The conclusion summarizes the weak points of both legislations and explains what makes British process of incorporation more user friendly than its Czech counterpart.

Furthermore, several amendments to the current requirements are suggested with the intent to render the process cheaper, easier and more comfortable.

There are also six appendixes comprising statistics and documents relevant to incorporation.

KEYWORDS: Incorporation, Companies