

ABSTRACT

The aim of this thesis is to provide an explanation and introduction of a specific legal doctrine; Ultra Vires. In addition, this paper will illustrate how the methodology was applied under the United Kingdom company law from the mid-19th century to 2009. Furthermore, this paper will offer a brief analysis of British law after the abolition of the Ultra Vires doctrine.

Ultra Vires is a set of rules that limits the legal capacity of companies. As a result, the company's legal capacity was limited while the doctrine was applied. The scope and capacity of a company was defined by the objects clause contained in the memorandum of association. From this, it was deduced that an act done by the company outside its objects clause (an ultra vires act) was null and void.

Considering that the legal capacity of companies in the Czech legal system is unlimited and that there are no research papers dedicated to companies with limited capacity in the Czech language, the aim of this thesis is to provide it.

The thesis is divided into six chapters: Introduction; Introduction to the Doctrine of Ultra Vires; Formation of the Doctrine of Ultra Vires; Development of the Doctrine of Ultra Vires; Abolition of the Doctrine of Ultra Vires and a Conclusion.

The Introduction is dedicated to the explanation of the legal terminology and dogma attached to Ultra Vires. In addition, the introduction will provide an opening statement, research questions and the structure of the thesis. The second chapter addresses the definition of the doctrine and its systematisation. This is followed by a short introduction to company law during the development stages of the doctrine. The next chapter identifies the cases that gave birth to the doctrine and how it was received. The chapter Development of the Doctrine of Ultra Vires describes the decline of the doctrine during the 20th century, while, its demise is described in the chapter Abolition of the Doctrine of Ultra Vires. Finally, the Conclusion summarises the thesis and provides the answers to the research questions.