

Summary

Anonymity of shareholders and the requirements for their identification

This thesis concentrates on the anonymity of shareholders which is currently one of the most discussed aspects of the corporate law. The topicality of this issue was one of the reasons for the selection of this topic. Czech legislation has been criticized both by NGOs and a large part of Czech population for the excessive simplicity of the use of anonymous shares and for owners identification impossibility.. The paper is focused on ways of both hiding the beneficial owner of shares and also shareholders identification.

This work is written during the ongoing debate on the abolition of bearer shares, which is considered to be an instrument for corruption or legalization of proceeds from criminal activities, so-called money laundering. Debates on the abolition (or at least reducing) of the shareholders anonymity are being held not only in the Czech Republic. Many countries have already implemented certain instruments in this area. Bearer shares have been canceled without compensations in some countries, , other countries allowed their demeterialized or immobilized form.

The aim of this work is to analyze not only valid and effective legislation, but also the legislation enacted in connection with the recodification of private law, which takes effect from 1 January 2014. This paper also focuses on legislative proposals that have not been approved by the Parliament of the Czech Republic.. The main part is devoted to ways of identifying shareholders, particularly in relation to the form of shares. The work also includes a comparison of Czech legislation with the legislation of the United Kingdom of Great Britain and Northern Ireland. An integral part of the thesis there is a chapter devoted to two main problems associated with the existence of bearer shares – money laundering and public procurement. The conclusion is devoted to the overall evaluation of the legislation.