

Abstract

The objective of this thesis is to explain the business management of a capital company after of the recodification of Czech private law. Due to the re-codification it is necessary to highlight the most important changes related to the new legislation, point out the problems of interpretation and outline possible solutions. Attention is also paid to the applicability of existing judicial decisions. This thesis consists of six chapters.

The first chapter deals with the general organizational structure of companies. Its content is so a brief explanation of the various organs and their competences. Omitted is not even a brief explanation of the division of competences between the various organs of the company.

In the second chapter of the thesis the term of business management is being discussed. Also interpreted are the specific decisions included in this term and those that are not. Business management is also distinguished from acting on behalf of a company, which may in some cases follow the decisions. Very brief attention is payed to German legislation too.

The third chapter details the way business management decisions are taken. Distinguished is a decision making in a limited liability company and joint-stock company, both monistic and dualistic structures.

The fourth chapter deals with the delegation of business management and allocation of competences according to individual subjets. Interpretation problems brought by new legislation are included. The author also tries to find solutions to individual situations, despote there may be some disputes regarding the solutions.

The fifth chapter of the thesis deals with the basic principles of business management, both for the efficiency of the Commercial Code and the Law on Corporations. The aim is also to answer the question of whether the current members may determine the basic focus of business management.

In the sixth and last chapter, the fundamental guidelines of business management are discussed. The instructions requested by an executive organ from a general meeting are characterized. Attention is also focused on the instructions that shall be given by the controlling organ of company to the controlled company's organs.