

## SUMMARY

### *Types of shares in the regulation of the Business Corporations Act*

The purpose of this diploma thesis is to analyze, describe and elaborate changes that into the Czech legal order brought the Act No. 89/2012 Coll., the Civil Code and the Act No. 90/2012 Coll., on Companies and Cooperative association. The diploma thesis is divided into five chapters that process from the general to the specific issues and focus on foreign legal orders which deal with particular aspects of shares and types of shares.

The first chapter of this thesis is focused on the general concept of security, its definitional delimitation and historical development of security as other property value and thing. Furthermore, this chapter deals with the concept of participating security and its importance in the new legislation. Finally, this thesis generally focuses on the possibilities of incorporation of rights and obligations into shares.

The second chapter is a crucial part of this diploma thesis and deals with types of shares as such. Firstly, this chapter focuses on the interpretation of the term type of share and its definitional features. Subsequently, there is a part devoted to basic institutes of ordinary shares and preferred shares.

The third chapter is devoted to shares with special rights, namely the legally enshrined special right to different, fixed or subordinate share in profits and liquidation surplus of a company. Furthermore, in the third chapter there is a part focused on prohibited types of shares and their controversial nature. Finally, the diploma thesis deals with one of the key parts of this thesis, which is shares and voting rights, their different weight and it does not put aside unit and employee shares. The last part of the third chapter concentrates on the application and function of judicial review of special rights.

The fourth chapter is focused on the comparison of foreign legal orders of the Netherlands, Germany and the United States of America with Czech legal order. Specifically, comparison of legal regulation of shares and types of shares.

The last part of this diploma thesis is the final summary of the thesis results and positive and negative achievements attained by the recodification of private law in the field related to shares and types of shares.