

Summary:

Private international law from a comparative perspective (comparison of a particular segment in Czech law and the law of a selected country): International company law in the Czech Republic and in the Federal Republic of Germany

The purpose of this thesis is to familiarize the reader with the regulation of companies in private international law in the Czech Republic and in the Federal Republic of Germany.

This thesis primarily compares the approaches of these two states to the methods of determining the personal status of the company and to the regulation of companies in general. Significant part of this thesis is therefore being focused on to the incorporation theory and real seat theory.

Due to the membership of both of the states in the European Union, this thesis also deals with the European regulation of companies and analyzes the case law relating to the personal status and relocation of companies within European Union.

This thesis is divided in six chapters.

The first chapter explains the concept of international private law and international company law.

The second chapter discusses the status of the company and basic theoretical approaches to its determination. This chapter is mainly dedicated to the incorporation theory and real seat theory.

The third chapter is devoted to the Czech regulation of companies in private international law.

German regulation is described in chapter four. There is also mentioned the German regulation of private international law in general.

The fifth chapter discusses the regulation of companies according to the law of the European Union. This chapter also contains a description of supranational forms of business corporations under EU law.

In the sixth chapter, which deals with the freedom of establishment of companies within the European Union, there are also introduced the decisions of the Court of Justice of the European Union regarding the freedom of establishment.

At the end of this theses, I summarize the whole topic and present my observations concerning the issue.