

Summary

A joint stock company is a typical example of a capital company whose principal element is a shareholder on whom rests the existence of a joint stock company. The shareholders enter the company as investors who want to increase the value of their investments. The management of the company has the competence of a professional management, which seeks to increase the particular investment and to strengthen the company's position in the market. However, there may be situations when the management of the company pursues different interests than the interests of the shareholders. Due to this reason it is necessary to clearly define the relationship among the shareholders as well as between the shareholders and the company.

Legal status of the shareholders is defined as a set of rights and duties. A shareholder has partial rights that enable him to participate in the running of the company, including the right to attend the general meeting and to vote at it. Furthermore, the shareholder has the right to participate in profit distribution and to participate in distribution of the liquidation balance. The Business Corporation Act also grants special rights to the minority shareholders, i.e. qualified shareholders, which serve to protect them. A qualified shareholder has primarily the right to request the summoning of a general meeting, the right to request to include certain matters on the agenda of the general meeting and also the right to file a shareholder's action.

Although the Business Corporation Act grants the shareholders a wide range of rights, it imposes on them also several duties, important to the correct functioning of the joint stock company. These duties include primarily the duty of loyalty, which serves as a rule of interpretation which helps to interpret the other responsibilities of the shareholders and the deposit obligation. The thesis aims to discuss the shareholder's legal status, which is defined by their rights and duties.

The thesis is systematically divided into three parts, the first part generally discusses the shareholder's legal status, the second part focuses on the material and non-material rights of shareholders while it also mentions the rights of the qualified shareholders. The third part deals with the material and non-material duties of the shareholders.