

Abstract

Since 1st January 2014, association law has been entirely governed by Act No. 89/2012 Coll., Civil Code. It is the first time in history that certain bodies of associations are regulated by law in the Czech legal system. The aim of this theses called “*The bodies of association in the Czech law*” is to provide critical theoretical analysis of contemporary Czech law regarding the bodies of association. The thesis also focuses on potential practical problems which may arise, including, for example, register of association. The work is divided into eight chapters. The first is dedicated to theoretical approaches of legal persons and provides an answer to the question which theoretical approach influenced Czech lawmakers most. Second chapter deals with the concept of freedom of association and autonomy of associations. This serves to put the main topic into broader constructional context. Third chapter contains brief history of association and analyses conceptual elements of association as well as its establishment. Starting with the fourth chapter, each following chapter is dedicated to particular bodies of association. First of all, the definition of body of association and division between mandatory and optional bodies of associated are provided (the fourth chapter). Then the fifth chapter describes the supreme body of association and the sixth one statutory body of association. Two lastly mentioned chapters describe some peculiarities or distinctions between Czech, French, Spanish and Italian law of association. The seventh chapter discusses the supervisory bodies of association and the last, eighth, chapter is about arbitration bodies of association. Quite extensive space is reserved for the analyses of the nature (mandatory or non-mandatory) of respective provisions of Civil Code, given its importance to the possibility to choose internal organisation of one's choice. In the whole thesis, the author emphasises on the leading principle of association law which is autonomy of associations. To name a few – the author deals with the questions of the doubt about nature of representation by statutory body of association, analysis regarding three possible ways to organise the supreme body of association or the scope of authority of arbitration committee while its findings are under the new legislation enforceable. The question whether inspector could serve as a supervisory body of association is object of deep analysis.