

Abstract

The state-owned enterprise is a type of a legal entity which is used in the Czech Republic as an alternative to founding of state-owned joint-stock companies. While the state-owned enterprise serves as a one of the possible ways of managing the state property, it is used to fulfil not only economical tasks, but also other kinds of state interest, such as social or security ones. The legal regulation of the state-owned enterprise recently undergone significant changes in reaction to the recodification of the civil law and the law of commercial corporations. The goal of this thesis called “**State-owned enterprise and its property**” is to analyse the legal regulation concerning the state-owned enterprise and the management of the state property performed by this legal entity in the context of other influential acts, to pinpoint the shortcomings and problems of the current legal regulation, to evaluate the nature of the state-owned enterprise as a legal entity, to determine the nature of the legal phenomenon of the right to manage the property of state and to evaluate the usefulness of the state-owned enterprise as a separate type of legal entity. This thesis is divided into seven chapters. The first two chapters deal with the development of the state-owned enterprise as a type of legal entity including its predecessors and with the impact of the transformation of economy after the fall of communism on the standing of the state-owned enterprises. The third chapter describes the state-owned enterprise from the different points of view regarding its nature as a legal entity, state organization and entrepreneur. The legal standing of the state as a founder of the state-owned enterprise and its influence on the state-owned enterprise is analysed in the fourth chapter of the thesis. The fifth chapter describes the steps required to found, transform or abolish the state-owned enterprise with emphasis on the differences compared to the law of commercial corporations. The sixth chapter analyses the phenomenon of the right to manage the state property, the management of the state property, its limitations imposed by the founder and the reasons for these limitations. The seventh chapter deals with the bodies of the state-owned enterprise and their peculiarities in comparison to the bodies of commercial corporations. This thesis deals exclusively with the Czech regulation of the state-owned enterprise. Its goal is not to compare the Czech regulation with the regulation of comparable legal entities in other countries.

Key words

state-owned enterprise, state property