

## **Legal and property situation of a state enterprise**

### **Abstract**

This thesis focuses on the evaluation of the current legislation of a state-owned enterprise in the Czech Republic, especially in the light of the last amendment of the State-owned Enterprise Act, which is effective from 1st January 2017. The aim of this diploma thesis is to describe the valid legislation and also to evaluate the context with other legal regulations and finally to consider the need to preserve the unique legal form of the state-owned enterprise for the future. This diploma thesis is divided into the five chapters. The first chapter contains the brief characteristics of a state-owned enterprise and the definition of the basic concepts. The second chapter describes the historical development of the legal regulations of enterprises managing the state property from the establishment of Czechoslovakia until the year 1997, since when is effective the current State-owned enterprise Act. The third chapter, in four subchapters, analyzes the valid and effective legal regulations of the state-owned enterprise. The first subchapter is devoted to the company bodies of state-owned enterprises, the second to the subject of business and a purpose for which are the state-owned enterprises formed. The third subchapter is devoted to the establishment and creation of the state-owned enterprise. The last, fourth subchapter, describes the liquidation and the dissolution of the state-owned enterprise. The fifth chapter deals with the property status of the state-owned enterprise, especially describes the legal institute called “the right to manage the property of the state”. Then describes the rules the state-owned enterprise must follow when acquiring or dealing with the state-owned property it has right to manage. There is also described the possibility of the participation of the state-owned enterprise in other legal entities and the regulation of the funds. The last chapter of the thesis analyzes the document of the Ministry of Finance entitled Strategy of the State Ownership Policy. Not only on the basis of this document are then outlined possible solutions for the future. In particular, the possibility of transforming state-owned enterprises into the other legal

forms, in particular the transformation to the contributory organizations or to the joint-stock companies.

**Key words**

State-owned enterprise, State property, National organisations