

Název disertační práce v anglickém jazyce, abstrakt v anglickém jazyce a 3 klíčová slova v anglickém jazyce

Název disertační práce v anglickém jazyce:

Selected issues of criminal liability of legal entities

Abstrakt v anglickém jazyce:

The author of the propounded thesis is dealing with a controversial issue of criminal sanctioning of legal entities in selected countries of the European Union. With the presented topic of criminal liability of legal entities is not only engaged the specialized public in the Czech Republic, but it is also a controversial theme among other European states. The topic remains current, as is witnessed not only by the frequent expert conferences, but also by the legislative activity in the Czech Republic, neighbouring countries and other parts of Europe. It is clear that individual legislators are still seeking the optimal embedding of effective sanctions against legal entities, including related penal institutes.

The second chapter of this thesis is devoted to valid and effective international and transnational documents, which are closer examined. Due to the fact that each of the sources contains just general requirements, a number of states are positively assessed when implementing the transnational and international commitments, because these states, except few of them, implement the provisions about corporate liability. Obligations is fulfilled even by the state, of which legal order does not include the concept of criminal liability of legal persons, a typical example is provided by the Federal Republic of Germany and its system of administrative sanctions. For the sake of completeness, the reader is also provided with the extensive demonstrative lists of these legal instruments.

In the following chapter the readers are provided with an analysis of legal regulations of the sanctioning of legal entities in particular countries of the European Union. The author is dealing with issues of criminalization in the broader sense, especially examining in detail the key features of any regulation of sanctioning the

legal entities, e.g. in a criminalization in strict sense, the imputability of a criminal offense to a legal person, and last but not least a definition of a personal scope of the law. At the same time, the author is examining the possibilities of exclusion of liability offered by the various legal orders.

A separate chapter is devoted to a so-called compliance program, which is capable to exclude liability with the proper implementation of adequate, sufficient and internal measures aimed to prevent the commission of crime. The following chapter proceed to examine the so-called “Recodification Package of Administrative Penal Law”, which came into force on 1st July 2017 and which for the first time in our history brought a separate Code of Administrative Penal Law.

3 klíčová slova v anglickém jazyce:

Criminal liability of legal persons, Compliance program, Imputability