

## RESUMÉ:

### Bank as a company

The purpose of my thesis is to analyse the basic conditions of the creation and commencement of the legal existence of banks, business activities of banks, dissolution and the cessation of the legal existence of banks and organisation of banks. The reason for my research is that it is very interesting field of law that enables me to work with the variety of sources of law. Advantage and also disadvantage of the theme of this thesis is that not exist much literature concerning these problems.

The thesis is composed of eleven chapters, each of them dealing with different aspects of banking business activities. The short introduction of my work in Chapter One, a little of history in Chapter Two and short characteristic of joint stock company in Chapter Three are followed by Chapter Four dealing with the term "bank" and creation and commencement of the legal existence of a bank, including also the Memorandum of Association and Articles of Association, the banking licence and registered capital. Chapter Five concentrates on problems of bank's organisation and is divided into parts describing especially the general meeting, board of directors, supervisory board and internal audit.

The following three chapters reports on the specifics that happen or may happen during the existence of a bank. They discuss the restricts and duties concerning the bank's business activities, shares and the influence of official compulsory trusteeship on the organisation of a bank.

Chapter Nine relates to dissolution and the cessation of the legal existence of banks.

Quite interesting is the part focused on the liquidation of bank because of some dissimilarities with the liquidation lay out by the Commercial Code.

The last two chapters illustrates the conditions that makes it possible for foreign banks to do their business activities in the area of the Czech Republic and the conditions according them Czech banks are allowed to do their business in other countries in the European Union, i.e. the principle of uniform licence.

The main aim of the thesis is to summarize the conditions lay out especially by the Bank Law No. 21/1992 Coll., as amended, the Commercial Code No. 513/1991 Coll, as amended, and the legislation of the Czech National Bank regulating the creation and commencement of the legal existence of a banks, bank's business activities and

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dissolution and the cessation of the legal existence of a banks as well as the conditions lay out for foreign banks to do their business here and conditions that must be fulfilled by the Czech banks to be able to provide its services in other countries in the European Union.

The Bank Law has been amended for many times since its approval in 1991. In the last years it is especially because of the harmonization with the EU legislation. The EU legislation will influence it very expressively also in the following years because it is necessary to lay out the same conditions for the business activities of banks all over the European Union.