

### *The Abstract*

The competition clause is an instrument of legal protection for an employer against the abuse of the company's confidential information and know-how from the side of an employee to whom this information was introduced in his labour relation.

The first and major part of the thesis deals with the concept of the competition clause within the Czech legal system in general. It presents its history in the Czech (Czechoslovak) legislature from the beginning of 20<sup>th</sup> century to the present date. It tries to determine four different basic stages after each relevant amendment in the development of the legal institute of the competition clause after 1989:

- a. The absence of the concept in the Labour code until amendment No. 155/2000 Coll..
- b. Labour Code after the amendment No. 155/2000 Coll.
- c. Labour Code after the amendment. No. 46/2004 Coll.
- d. And finally, the new Labour Code, introduced as act No. 262/2006 Coll.

The thesis further analyses particular problems of contemporary legal regulation of the competition clause. It presents just introduced proposal of amendment to Labour Code expected to come into force by January 1<sup>st</sup> 2012. It also brings a brief summary of the position of this institute in business law, act. No. 513/1999 Coll. and in economic competition act. No. 143/2001 Coll. Marginal attention is devoted to these subject-matters describing its position within the statutes mentioned above and within the Criminal code, act. No. 40/2009 Coll.

The final chapter studies the general aspects of the labour law of the Kingdom of the Netherlands, including the institute of the competition clause in the Dutch legal system. It shows similarities and difference between the Czech and the Dutch legal system.