

ABSTRACT

My thesis consists of two main parts. First part deals with major changes introduced by the Company Act 2014 and the New Civil Code 2014 to the regulation of the share in the Limited Liability Company. The aim of the first part is to analyse the most significant changes introduced by the Company Act 2014 and the New Civil Code 2014 and to present various arguments in favour of and against this new regulation. I have decided to compare the Czech regulation with the German regulation which has already introduced similar changes five years ago. The main contribution of this part is therefore not only to provide critical evaluation of the new regulation, but also to point out that in some situations we can draw inspiration from the German regulation. Second part focuses on the transfer of the share, agreement on the transfer of share and special ways in which the share can be transferred.

My thesis is divided into four chapters. First (introductory) chapter defined the share generally, using its qualitative and quantitative aspects.

Second chapter deals with the abovementioned changes introduced by the Company Act 2014 and the New Civil Code 2014, more specifically it deals with the fact that the New Civil Code 2014 distinguishes the share as a thing in the legal sense, the fact that the Company Act 2014 has resigned on the assurance function of the share capital, the fact that the Company Act 2014 distinguishes the variability and multiplicity of the share, the fact that the Company Act 2014 allows for division of the share and the fact that the Company Act 2014 allows for the share to be incorporated into a certificate of share. In the first subchapter I also provide brief overview of the issues concerned with the fact that the current regulation does not recognize the share as a thing in a legal sense.

Third chapter deals predominantly with the presumptions of the transfer of share, the transfer itself and the agreement on the transfer of share as prescribed by the new regulation. Attention is also paid to the comparison with the current regulation.

Fourth chapter analyses various types of the transfer of share with the emphasis on the transfer of the certificate of share as a new feature of Czech company law.

I also repeat the most significant conclusions and also notify of any potential issues at the end of each chapter and also in the conclusion of my thesis.