

Abstract

This thesis analyzes the most important issues of criminal liability of legal entities that was, after the complicated process of enactment of the act number 418/2011 Sb., recently established by the Czech law. This topic still causes discussions and its development is not at the end.

The thesis consists of eight chapters. The first chapter is a brief introduction to the structure of the text and contains defining of the basic aims of the study.

Chapter two describes historical development of the topic in Europe and also shows much easier acceptance of criminal liability of corporations in common law.

The third chapter compares different concepts of the topic established by several members of European union and characterises the modifications of this topic worldwide.

In chapter four is explored effect of the enactment of the criminal responsibility of legal entities on basic terms and principles of Czech criminal law.

Chapter five deals with imperfect form of administrative sanctioning of legal entities in Czech republic as one of the most important reasons of establishing their criminal liability. Part two of this chapter explains the distinctions between administrative and criminal ways of punishing illegal conduct of corporations.

The sixth chapter illustrates the process of enacting the act number 418/2011 Sb. as a result of broad expert and political discussion.

Chapter seven provides comprehensive description of present legislation of criminal liability of legal entities in Czech republic. It's divided to three subchapters in which sections of act are followed. This chapter focuses on controversies in expert opinions and also suggests some changes of legislation that should be passed in future.

Last chapter is composed of three subchapters which are devoted to current problems resulting from enacted legislation, such as enforcement of legislation or prevention of unlawful behavior of employees of corporations.