

Monistic structure of joint-stock company

This thesis is concerned with monistic structure of joint-stock company in the Czech Republic. It seeks to characterize the legislation relating to this legal institute, which is quite new in the Czech legal system. To be able to evaluate this legislation, the thesis provides the reader with a broader range of information concerning this topic. Therefore, on the basis of these pieces of information, the thesis analyzes the Czech legislation in force that regulates monistic structure of companies. The aim of the text is to provide different views on this issue, various interpretations and proposals on the future development of this legislation.

First the thesis gives general information on corporate governance systems, i. e. a monistic structure and a dualistic one, which are subsequently compared. Remaining part of the thesis deals with the structure chosen as a topic for this text.

Second part is concerned with regulations of monistic structure in foreign countries and their legal systems. The purpose is to outline basic aspects of traditional monistic structures – monistic structures in countries that have influenced the form of this type of corporate governance system the most. As the monistic system of corporate governance is spread out especially in the countries of *common law*, the described regulations are the one of the United States of America and the one of the Great Britain. Subsequently the thesis contains also an information on some of the monistic structure regulations within Europe – regulation of Italy, France and Russia.

Following part documents the history of corporate governance in the Czechoslovakia and the Czech Republic, which contains also a piece of information on an influence of the European Union and *Societas Europaea*, that gave rise to the first regulation of monistic structure of a company in the Czech Republic.

The focal point of the thesis lies in the last part dealing with the joint-stock company monistic structure Czech legislation in force, both the general one and the special ones. There are all the aspects of the Czech monistic structure analyzed, including many different opinions, both supporting and contesting the regulation of the institutes. The thesis seeks to provide the reader with various points of view and to evaluate all the strengths and weaknesses of the new legislation.

The thesis finds that the Czech legislators have not chosen the best way how to regulate the monistic structure. Therefore, problems caused by this regulation are to be overcome by interpretation, which is not clear enough. Thus, this thesis may be used as a guide providing many possibilities of interpretation, as well as the indicator of a necessity of a future alteration of the current monistic structure regulation.