

Abstract

Thesis entitled „Criminal liability of legal persons for corruption offences“ focuses on the criminal liability of legal person in relation to corruption offences in the Czech Republic and in other selected countries. Despite the fact that the Act on Criminal Liability of Legal Persons was enacted several years ago, it is still subjected to public discussions.

The thesis is divided into four main chapters. First, introductory, chapter defines selected basic terms, e.g. criminal liability, legal persons, and provides a brief comprehensive overview of historic development with focus on main approaches to legislation. The chapter also analyzes the Czech legal rules on the criminal liability of legal persons and the sanctioning of legal persons in the enforcement practice. Second chapter focuses on the general context of corruption and on measures undertaken by the international organizations in order to support the fight against corruption. It also analyzes the Czech legislation on selected criminal offences that are connected with corruption and bribery. Third chapter describes legislation of other selected countries, e.g. USA and the United Kingdom, in order to compare it with the Czech legal rules. In addition, the thesis aims to illustrate results of OECD's stocktaking report on the criminal liability of legal persons for corruption offences, which allows to compare Czech legislation with the legal rules in various member states of this international organization. The last, fourth, chapter summarizes some selected issues connected with the criminal liability of legal persons. First of all it analyzes compliance and the procedure for standardization and certification of compliance programs. The thesis then targets the whistleblowing and legal rules regarding the temporary suspension of criminal prosecution, which replaced the effective regret in connection with the corruption criminal offences. The appendices to the thesis provide detailed analysis of the requirements contained in the methodology tool of the Supreme Public Prosecutor's Office for exculpation from the criminal liability and compiles relevant results of the OECD stocktaking report.

The thesis aims to summarize the criminal liability of legal persons for corruption offences, to prepare a brief and comprehensive overview of historic development and basic approaches and compare the Czech legislation with selected countries in order to

assess effectiveness and impacts of the legal rules on the fight against corruption. The thesis verified that the Czech Republic was not successful in enacting certain key pieces of legislation and is not, even today, paying enough attention to the enforcement of corruption offences prevention in the broadly defined concept of compliance.