

Business management instructions to the governing bodies of limited companies

Abstract

The topic of the Master's thesis is the granting of instructions to the governing bodies of limited companies into the business management, with a focus on the instructions given by the supreme body of the company. The thesis contains a summary of definitions and theoretical perspectives on business management, while also defining the business management instruction itself. The thesis distinguishes between specific business management instructions, strategic or conceptual instructions and principles, and includes a reflection on the form of the instruction. Furthermore, the thesis focuses on admissible instructions, in particular on instructions requested by the statutory body and strategic and conceptual instructions; inadmissible instructions and the consequences of giving both admissible and inadmissible instructions are also analysed.

The thesis provides a comprehensive analysis of the German legislation on instructions to the business management, a brief insight into the systematics of German commercial law, the law of limited companies and finally a detailed analysis of the regulation of instructions within a limited liability company and a joint-stock company. Of the comparison of the two regulations, the section on limited liability companies is especially important, as the German legislation contains significant differences from the Czech legislation. The comparison of the two regulations has been based not only on the German laws, but also on the extensive German-language literature, particularly legal commentaries.

The aim of the thesis is to describe and analyse the Czech and German legislation and to reflect on the further development of the Czech legislation. The conclusion is therefore devoted to a summary of the findings, reflects on the meaning of the prohibition to give instructions to the business management and also on possible amendments that might occur in this area of the Czech law on the limited companies.

Keywords:

limited companies, business management, instructions to the business management, German legislation of the business management