

## POSUDEK ŠKOLITELE – OPINION OF THE SUPERVISOR

Jméno disertanta/disertantky:	Heorhi Kolas
Téma práce:	Companies in Private International Law
Rozsah práce:	142 p.
Datum odevzdání práce:	28.01.2024

### 1. Aktuálnost (novost) tématu – Currency of the topic

The candidate has concentrated on the concept of private international law, concept of companies in private international law, concept of the *lex societatis* and its scope, theories of determining the law applicable to companies, and cross-border conversions in the EU law. The topic is current, the author aims at investigating, in particular, the term „company“ in private international law, including supranational business organizations, and the issues of the law applicable to these entities. He analyses theory and practice in selected countries mainly in Europe, but also in Africa, Asia and America. Of particular interest are his conclusions on the EU law and the case law of the Court of Justice of the EU. The dissertation reflects the current state of research.

### 2. Náročnost tématu na teoretické znalosti, vstupní údaje a jejich zpracování a použité metody – Complexity of the topic and applied methods

The topic is quite complex, the author started at the very beginning with the sole concept of private international law and with the concept of a company – these introductory parts may seem to be too broad but they include the necessary theoretical background. As the author notes, to achieve the stated aim, the research employs doctrinal analysis, historical and comparative methods and provides examples of legislation and doctrine from many selected countries, illustrated by profound research using original sources, with references to a rich literature in many languages. This should be particularly appreciated.

### 3. Formální a systematické členění práce – Structure of the thesis

The dissertation is fairly logically divided and appropriately systematically arranged. It consists of 21 chapters forming 5 parts: it starts with the concept of private international law, the concept of a company in private international law, and the concept of the *lex societatis* and its scope in private international law, and continues with theories of determining the law applicable to companies and cross-border conversions in EU law. In conclusion, the author sums up the individual points the dissertation has concentrated on. I appreciate in particular the deep analysis of the two main theories determining the law applicable to companies and the freedom of establishment in the EU, illustrated on cross-border conversions, including practical issues connected with the implementation in EU Member countries.

### 4. Vyjádření k práci, zda byl zamýšlený záměr disertační práce odpovídajícím způsobem zpracován

The aim of the dissertation has been achieved, the submitted text has a good quality and brings original ideas.

### 5. Kritéria hodnocení práce – Evaluation criteria

Splnění cíle práce	The objective has been achieved.
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Samostatnost při zpracování tématu včetně zhodnocení práce z hlediska plagiátorství	The dissertation is original, according to the protocol in SIS, the maximal similarity amounts to 3 %, the whole percentage of similarity amounting to 26 %, which is mainly due to citations of the CJEU case law.
Logická stavba práce	The dissertation is logically and systematically divided, it is a comparative work, directed mainly to private international law literature, legislation – conflict of law rules, and a relevant case-law. At the end, the author sums up the achieved results.
Práce se zdroji (využití cizojazyčných zdrojů) včetně citací	The author has utilised many available resources, including foreign resources of various countries, which he duly cites.
Hloubka provedené analýzy (ve vztahu k tématu)	The analysis is deep and testifies that the author has good knowledge of the topic.
Úprava práce (text, grafy, tabulky)	The text has been correctly edited.
Jazyková a stylistická úroveň	The language and style correspond to the required level.

## 6. Připomínky a otázky k zodpovězení při obhajobě Comments and questions to be answered at the defence

I have been giving my comments to the text *passim*, during the preparation of the dissertation. The question for the oral defence: Describe and explain the situation regarding determination of the *lex societatis* in Austria. (Austria has not been included in the analysis.)

<b>Doporučení/nedoporučení k obhajobě</b>	<b>práce</b>	Práci doporučuji/ <del>nedoporučuji</del> k obhajobě před příslušnou komisí pro obhajobu disertační práce. I recommend the dissertation to the oral defence.
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V Praze dne \_\_March, 20, 2024

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školitel/školitelka/supervisor