

Selected aspects of legal regulation of mutual funds from the perspective of European law

Abstract

The thesis deals with selected aspects of the legal regulation of collective investment from the perspective of European law with special emphasis on modern regulatory frameworks and their impact on management companies of special real estate funds. In the context of the given issue, the thesis also analyses the degree of harmonisation of domestic and EU legislation in the field of collective investment on the basis of a comparison of the current effective legislation and a short historical excursion, which aims to capture the mutual convergence of both unique legal frameworks. The thesis further defines the different entities that are present in the collective investment market and, where appropriate, mentions the differences between the domestic and EU legislation. The thesis also discusses the specificities of special real estate funds and real estate companies. The final sections of the thesis discuss the impact of modern regulatory frameworks, represented by the areas of sustainability and whistleblower protection, on the day-to-day operations of real estate fund management companies.

The aim of this thesis is then to analyse selected aspects of the legal regulation of collective investment, with a focus on understanding the role and degree of relevance of the presence of the European element resulting from the significant degree of harmonisation of this legal sector. The thesis drew mainly on the effective legal regulation at the domestic and EU level. Other sources were literature, foreign and domestic academic articles and other interpretative materials.

This thesis presents an excursion into the development of collective investment and the gradual convergence of the EU and domestic legal order, which has been significantly influenced by the accession of the Czech Republic to the European Union. The thesis also offers valuable insights into the effective legal regulation and its impact on collective investment undertakings. It also presents the specifics of special real estate funds, which are currently enjoying increasing interest from the general public.

Key words: collective investment, real-estate funds, sustainability, whistleblowing