

Currently there are 280 state enterprises registered in the commercial register of the Czech Republic. Although most of them are in liquidation and only few dozen is active, generally their importance lies in the purpose which their activities pursue in today's economic and political system. They operate in specific fields, which tend to be of strategic importance, their activities shall often meet a public interest. In sectors, in which state enterprises operate, they usually occupy very strong positions also due to the scale and type of assets, which they have. The distinctive features of a state enterprise gave rise to many legal questions about its nature. In the recent past, some disputes were resolved by practice whereas other issues are conceptual and can only be changed by changing the legislation. Although the systematic attention of professional public has currently not been dedicated to a state enterprise, increased interest has been noticeable in recent years in respect of particular questions relating to it, such as the issue of public procurement, information providing, or transfer of state enterprise profits to the state budget.

The thesis focuses on the specifics of a state enterprise. It tries to describe its characteristics and apply them when solving practical issues which state enterprises are facing in the current legal and economic environment and which are of crucial importance for the activities of state enterprises. Due to the fact that re-codification of private law took place recently in the Czech Republic, the consequences to a state enterprise and its operations are highlighted in the thesis.

The first chapter is devoted to the characterization of a state enterprise including its legal personality and legal actions. The following chapter contains an analysis of its proprietary status and the right to manage state property. That is closely connected with the question of possibility of its participating in business companies. The third chapter comprehensively addresses the issue of public procurement, not only in terms of state enterprise, but also in terms of business companies with its ownership interest. Attention is focused on their subsumption under the term of „body governed by public law“. On the other hand, the possibility of using the exception from applying the public procurement rules is reflected. Finally, the last and equally important issue is the application of both branches of competition law, rules of unfair competition and rules against restriction of free competition, to activities of a state enterprise.