

Specificity of joint stock companies with state property interest

Abstract

This diploma thesis focuses on state-owned stock companies. This thesis aims to focus purely on stock companies with only short introductions to other forms of state ownership of corporations. The goal is to identify state as a legal entity and also as a shareholder. The other goals are an analysis of obligation to provide information and lastly a brief analysis of some other specifics when it comes to state-owned stock companies.

The first part dealing with the identification of the state aims to sufficiently isolate stock companies from other possible state-owned corporations, while interpreting the relevant legal provisions combined with relevant court decisions.

The second part focuses in detail on the obligation to provide information of state-owned stock companies. The goal is to analyze the relevant decisions of the Czech Constitutional Court in relation to the Act on freedom of information. Other chapters of this part focus on obligation to provide information in relation to Act on public procurement and to Act on the contract register . This second part heavily relies on judicial practice of both national and EU institutions.

The third part deals with certain other specifics, which relate to state-owned stock companies. Namely it is – ownership rationale of the state, nomination of the members of bodies of the stock company and lastly acquisition of a stock company. This third part reflects the recent development and analyses the proposed legislation and the recent decisions of the Czech Competition authority.

Key words: state ownership, stock company, obligation to provide information