

This diploma thesis covers payment order procedures and its object is to offer a complex view on the payment order procedures. The thesis is divided into seven main parts. The first part of the thesis introduces the payment order procedures. It also focuses on principles of the payment order procedures, on competent courts and on files. Then, the reader is about to ascertain successively about a payment order, an electronic payment order, a European payment order and a bill (cheque) payment order from the second to the fifth part of the thesis. The sixth part of the thesis concerns the payment order procedures according to a proposal of the new Civil Procedure Code. The final seventh part is related to a payment order procedure and an action order procedure under the French Code de procédure civile.

In payment order procedures, proceedings are not ordered and the facts of the matter are not substantiated or proven. The court decides without hearing the defendant on the basis of a proposal. In a payment order, the defendant is ordered to pay to the plaintiff the filed receivable and costs of proceedings, or to file the protest. The difference between an electronic payment order and a payment order is in the form of the request. The advantage of an electronic payment order procedure is that the request for an electronic payment order is submitted electronically. A bill (cheque) payment order can be delivered if the plaintiff exercises a right of a bearer of a bill or a cheque. A bill (cheque) payment order procedure is propitious for the plaintiff because of the stronger application of the principle of concentration of proceedings. A European payment order is used in cross-border cases. It was introduced by the Regulation no 1896/2006 and it is applicable in the Member States of the EU (except Denmark). Procedural issues not specified in the Regulation no 1896/2006 are governed by procedural rules of the Member States' law. In contrast to the Czech payment order procedure, the European payment order procedure is a two-stage procedure. Although the proposal of the new Civil Procedure Code takes over a part of the regulation from the current Civil Procedure Code, it comes with some changes too. For example, it is envisaged that a payment order will be delivered only with the express request of the plaintiff. The French Code de procédure civile governs the regulation of a payment order (*injonction de payer*), a European payment order (*injonction de payer européenne*) and an action order (*injonction de faire*). The latter institute does not exist in the Czech legislation, nor is it used in the proposal of the new Civil Procedure Code.