

# **Bank Account**

## **Abstract**

The thesis deals with the payment account agreement from the European and Czech national legislation point of view focusing on specific issues resulting from European directive 2014/92/EU (a. k. a. PAD) and the implementation of those institutes in the Czech Legislative Act No. 370/2017 Sb.

The thesis is divided into two parts, whereas the first part includes theoretical introduction to the subject of the payment account agreement while the second part deals with particular four selected issues related to the payment account agreement resulting from PAD.

In the first chapter of the first part the historical background of the concept of bank account or precisely payment account existence is outlined together with theoretical conclusions of different approaches towards this concept in current legal environment. Second and third chapter provide overview of relevant legislation passed on Czech national and European Union level. Effective and enforceable regulations alongside with some of the ineffective ones that are or have been substantially significant for formation relationships between bank account users and payment services providers providing bank accounts to users are part of the provided overview.

The second part is divided into four chapters, each of them analysing one of the four selected issues of PAD in detail. Those issues are Standardized terminology of services linked to a payment account, Comparison websites, Mobility in the payment account agreement and Right to access to the payment account.

Even though the Czech law regulating the payment systems is granting all the rights resulting from the respective regulation to every user of the payment account, with the exception of right to an access to a payment account with basic features, in the second part the thesis focuses mainly on the impact of the regulation on subject in the position of consumer. Next to the sole analysis of the legal acts by method of the logical, grammatical, systematic and especially teleological and comparative interpretation the second part of the thesis is based on socioeconomical analysis of relation between the respective regulation and relevant socioeconomical phenomena, such as social exclusion.

Where it appears as convenient based on the result of the analysis, in particular chapters of its second part the thesis introduces alternative solutions of the normative regulation of the examined issues or approaches towards the existing regulation and its interpretation in order to fulfil the true intention of the regulator as precisely as possible.