

Abstract / Banking transactions and their legal regulation

The aim of my diploma thesis is to analyse banking transactions and to inform about their substantial elements, legislation in the Czech legal order and business conditions used by banks. I did not explain all the kinds of banking transactions conducted by banks in this diploma thesis due to their extensive range, but I just focused on the most important transactions in my point of view.

The thesis is composed of four chapters, each of them dealing with different aspects of banking operations. Chapter One is introductory and defines basic facts about banks and legal conditions of their running activities. The chapter consists of three parts. Part One focuses on concept of banking transactions. Part Two investigates divisions of banking transactions and Part Three addresses the issues of bank as an entrepreneur. It also describes relevant legal regime necessary to obey to perform banking transactions and question of acquiring banking licence. Chapter Two is subdivided into two parts and provides explanation of active banking transactions. Part One illustrates single credits, which are subdivided into five parts focused on credit bureaus, residential and commercial mortgages, consumer credits, current account credits and discount credits. Part Two looks at engagement credits, bank guarantees, acceptance credits and aval credits. Chapter Three concentrates on passive banking transactions. The chapter is subdivided into five parts. Part One describes transactional account and explains its essential position among banking transactions. Another parts of the Third Chapter deals with passbook account, deposit books, residential mortgages, certificates of deposit and bills of exchange. Chapter Four is focused on neutral banking transactions and among them mostly on system of payment and the issue of financial arbitrator.

To summarize this diploma thesis I have tried to analyse typical characteristics of the banking transactions, which are the most relevant for clients of banks in everyday life with regard to regulation in the Czech legal order. One can state that banking transactions are a tool for banks to gain pecuniary means that are provided to their clients to satisfy their needs or to provide other services.