Abstract

The topic of my diploma thesis is “The concept and types of bills of exchange and promissory notes”. The reason why I chose this topic is my interest in securities law, especially in bill of exchange law, and my previous work experience. I regularly work with bill of exchange law in my employment so this is a reason why I have decided to expand my knowledge of this particular law.

The bill of exchange and check act number 191/1950 Coll., as amended, is the basis of legislation for this kind of law in the Czech Republic. The most significant advantage of this act is the constancy, which is given by the general method of treatment of this issue. This advantage can be considered as one of the main disadvantages too, because the solution of unique issues is left to case law and literature. This is a reason, why the core of this diploma thesis is chapter 5, where I analyse the essential requirements of bill of exchange and promissory note. Also the issue of graphical design is a very interesting and actual topic.

The diploma thesis is structure into seven chapters.

The first chapter is devoted to the historical development of bill of exchange and promissory note. This chapter contains also the historical development of individual institutes of bill of exchange law. The second chapter discusses the history of the bill of exchange law. In the third chapter I focus on actual acts which have influenced the bill of exchange law. The definition of bill of exchange and promissory note as a security is analyzed in the chapter four. I focus on the main principles of bill of exchange law, which influence the whole legal relationship, from issuing up to judicial enforcement. The chapter five is the core of my diploma thesis. In addition to the definition of essential requirements of bill of exchange and promissory note, it deals with and analyse the essential requirements in the view of actual case law and literature. I tried to provide there a polemic with some court decisions, especially in relation to graphical design of bill of exchange and promissory note. The sixth chapter is devoted to stipulations which are not the essential requirements of bill of exchange and promissory note. The name of the seventh chapter is: “Types of bill of exchange and promissory note”. The main purpose of this chapter is to show several methods of using of bill of exchange and promissory note. At the end I recapitulate my findings which are contained in the previous chapters.

In connection with general method of treatment of bill of exchange law, my goal was to provide analysis of essential requirements of bill of exchange and promissory note in the
view of actual case law and literature and provide possible solutions of some issues which are questionable in relation to this law.