

The position of a guarantor (avalist) in relations regarding the bill of exchange

Aval is connected with a security called a bill of exchange. Besides the possibility to use the bill of exchange to secure debts, it is possible to ensure the debt embodied in the bill of exchange charter and increase its value. It is meant aval as the main theme of the thesis.

The main aim of the thesis is to introduce aval from a legal point of view and assess the status of the guarantor in bills of exchange relations from the point of view of his rights and duties, especially against s and debtors (in the case of regression) in different situations and phases.

The special source of legislation is the law of bills of exchange and checks that permeates the entire structure of the work. Structurally this work consists of two main parts. The first part is focused on legal formalities on bills of exchange charter and consequences in case of the absence of one of these essential formalities for the position of guarantor.

The second part is devoted to aval In addition to development, formal and material conditions necessary for the origin of the bill of exchange is considerable space devoted to characteristics of aval .

Another important part of this work represents creditors negotiations towards guarantor and vice versa, which may follow in case the bill of exchange is due regardless valid or invalid bill of exchange.

Primarily it is probable that the creditor (owner) applies his right for the payment of the sum stated in bill of exchange charter. Guarantor has the ability given by law to resist the payment of the bill of exchange by the objections related to bill of exchange or based on other relations.

Unsuccessful guarantor is obliged to pay for the bill of exchange, which also represents the next chapter of this work. The last chapter is focused on negotiations after the payment for the bill of exchange by guarantor, when he is newly in position of the owner of bill of exchange with all the legal rights