

## **Elements of Promissory Note**

### **Abstract**

The rigorous thesis is dealing with the matter of elements of a promissory note, the thesis goes through particular elements in detail and explains how to include them on the promissory note so that the note is a valid security. Alongside the examples of writing elements of a promissory note that cause nullity of promissory note are given, which come from decision-making process of the courts. The elements of promissory note are analysed one by one depending on division to obligatory elements, facultative elements and subsidiary elements. The thesis primarily works with judicial decisions which are the main source of knowledge in this thesis.

The rigorous thesis is apart from introduction and conclusion divided into seven chapters. The largest part of description and analysis is dedicated to obligatory elements of promissory note and to facultative elements enumerated in article I. s. 75 of Bill of Exchange and Cheque Act, which are the most common for the promissory note. First chapter focuses on term of promissory note, its substance, characteristics and general definition of elements of promissory note. Second chapter analyses substantial elements of promissory note which are clause of promissory note, unconditional promise to pay certain amount of money, name of payee, issuance date and drawer's signature. Third chapter is focused on facultative elements of promissory note according to article I. s. 75 of Bill of Exchange and Cheque Act, that is place of payment, due date, and issuance place. Fourth chapter dedicates to other facultative elements, specifically domicile clause, recta clause, interest clause, negative protest clause, guarantee clause, procure endorsement clause, pawn endorsement clause and clause of effective payment. Fifth chapter peripherally mentions subsidiary elements, namely value clause and deposit clause.

Sixth chapter analyses graphical form of promissory note, primarily matters of frames on the promissory note that often causes uncertainty in legal relations. Seventh the last chapter compares Czech legislation of elements of promissory note with legislation in Anglo-American legal system, namely in USA and Great Britain.