

SUMMARY

The aim of this thesis „Banking contracts“ was to provide the characteristics of banking contracts including other connected topics. The author chose the topic of contractual relations on purpose because of approaching large changes connected with coming into force of the law no. 89/2012 JO., civil code, and she is touching the modifications through all thesis, not only in chapters indicated as new civil code.

The thesis is divided into three parts. First part is focusing on determination of the term commercial contractual relations, which are including banking contracts. There are summed up legal sources and provided the definition of banking contracts and banking bussiness. As follows the questions are included which are common to banking contracts as parties, commercial conditions of banks, issues of consumer law and connected adhesive and formular contracts. The consumer law is strongly influencing the legislation of banking contracts as the legislator intend to protect the consumer before stronger professional merchant and his practices. With that are connected the commercial conditions of banks which are part of a contract while linked and so it must be dealing with them.

Second part of the thesis is focused on main types of contracts incorporated in commercial code. These are letter of credit agreement, agreement on direct debiting, contract of a bank deposition, current account agreement, deposit account agreement. The legislation of these contracts does not seem to be problematic, which is supported by the fact that new civil code is also based on that. As an extra contract seems to be a contract of bank deposition which is so missing in new civil code. The biggest space is dedicated to current account agreement for its value in daily life. A deposit account agreement is very similar to a current account agreement.

Third part of thesis is dedicated to new term implemented by the law of payment contact came to force on 1th November 2009, a contract of payment services. The author chose to dedicate one whole chapter to this institute because of its impact on existing legislation in commercial code, because of interesting changes bringing into czech law and because of the need of analyse the actual questions connected with the law of payment services.