

Abstract: Credit

This diploma thesis deals with the provision of credit and credit agreement under Sections 2395 – 2400 of the Civil Code. The purpose of this thesis is to analyze legal regulation of credit agreement under Civil Code and also to describe selected issues of Consumer Credit regulated by Consumer Credit Act. The first chapter describes credit in general, defines credit agreement and sources of the law, by which credit agreement is governed, then I compare credit agreement and loan agreement and describes banks as typical credit providers and I also describe types of bank credits. The second chapter is the most comprehensive and it analyzes particular issues of credit agreement. This chapter deals with form and parties of credit agreement, entities that are authorized to provide credit, then I focus on interests and late payment interests, currency and purpose of the credit, and legal regulation of drawdown and repayment of the credit. I also analyze issues of terms and conditions, standard form agreements and basic issues of security, although these issues are applicable in general, but often affects credit agreements. In the analysis of the legislation I use the literature mainly related to the credit agreement after the recodification civil law and applicable case law. Due to the recent recodification of private law, some issues that have not been resolved arise. The third chapter deals with consumer credit agreement and provisions of Consumer Credit Act, especially how is consumer credit defined, consumer protection and related obligations imposed to creditors. I also deal with the news that brings Directive 2014/17/EU on credit agreements for consumers relating to residential immovable property (MCD), or more precisely its upcoming transposition into Czech law in the wording of the government bill on Consumer Credit Act.