

6/1993 Coll.

law

Czech National Council

of 17 December 1992

the Czech National Bank

Česká National Council passed the following laws:

That part of the first

basic provisions

§ 1

(1) Česká National Bank is the central bank of the Czech Republic.

(2) Česká National Bank is a legal entity with headquarters in Prague and is not to Incorporation .

(3) Česká National Bank acts as the administrative office Local the extent provided by law and special zákony.1)

(4) Česká National Bank has in property relations when dealing with their own property as an entrepreneur .

§ 2

The main objective of the Czech National Bank is zabezpečovat stability of the Czech currency . For that purpose Česká National Bank

a) determines monetary policy ;

b) issue banknotes and coins ;

c) operates a orbits of monetary , payments and bank zúčtování pečuje a smooth and cost-effectiveness;

d) exercise supervision over the banking prováděním effectiveness and pečuje the safe operation and účelný development of the banking system in the Czech Republic ;

e) undertake additional RUNNING under this Act and under special zákonů.1)

§ 2a

not pay

§ 3

(1) Česká National Bank shall submit to Parliament at least twice a year report Minh development.

(2) Česká National Bank shall inform at least once every three months on the development Minh public.

§ 3a

not pay

That part of the second

Organization of the Czech National Bank

§ 4

Česká National Bank consists of

- a) Headquarters based in Prague ;
- b) branches ;
- c) úcelové organizational units .

§ 5

(1) The supreme authority of the Czech National Bank is the Board of the Czech National Bank (hereinafter the " Board ") . The Board determines monetary policy and the instruments for uskutečňování and decides on major policy measures of the Czech National Bank.

(2) The Board further especially

- a) sets out the principles of operation and Trade of the Czech National Bank ;
- b) approve The budget of the Czech National Bank (§ 47);
- c) establishes the organizational scope and arrangement of the organizational units of the Czech National Bank ;
- d) establishes a fund of the Czech National Bank , amounts and use;
- e) determining the extent of credits according to § 30 paragraph 2 ;
- f) provides payroll , Pension . Other benefits of the Governor;
- g) udílí consent to the employment of the employees of the Czech National Bank.

§ 6

(1) The Board is seven-membered . Its members are the governor of the Czech National Bank , two vice-governors of the Czech National Bank and four other executives of the Czech National Bank.

(2) The Governor and Vice-Governors are appointed and dismissed by the President of the Republic .

(3) Other four members of the board are appointed and dismissed by the President of the Republic .

(4) The members of the Board are appointed for a term of six years.

(5) A member of the Board who is not a member of the Legislative Assembly , a member of the government and membership in supervisory and control bodies of other banks and trading companies.

(6) A member of the Board may be removed from office only if he has been legally convicted of a crime , or as decided by the Board no longer has the ability to carry out his duties at his own request or has been removed through a court of law . He will also be removed if the performance of the functions referred to in paragraph 5

§ 7

(1) Meetings of the board are chaired by the Governor, in his absence by the authorized Governor . The Board decides by simple majority of votes . The Board shall have a quorum if the authorized Governor, or his authorized presiding Governor and at least another three of its members are present . In case of equality of votes, the presiding member decides .

(2) Rules of procedure of the board approves the Board .

§ 8

On behalf of the Czech National Bank externally governor. At the time of his nepřítomnosti represents him pověřený Governor .
That part of the third

Relationship to the Government

§ 9

(1) When zabezpečování its main objectives (§ 2) is Česká National Bank independent of government instructions .

(2) Meetings of the board may be zúčastnit an advisory pověřený member in the government.

§ 10

(1) Česká National Bank occupies a position on proposals předkládaným to the Government , which fall within the remit of the Czech National Bank.

(2) Česká National Bank performs an advisory function vůči Minister Government in matters of policy and banking .

§ 11

The Governor of the Czech National Bank shall be entitled to zúčastnit an advisory meeting of the Government .

A piece A fourth

Banknotes and coins

§ 12

Česká National Bank has the sole right to issue banknotes and coins, including coins pamětní (hereinafter referred to as "banknotes and coins") .

§ 13

Of monetary unit in the Czech Republic is Česká koruna , abbreviated as " Kč" . Crown Česká to Dili hundred HALEY.

§ 14

Česká National Bank manages the stocks of banknotes and coins and organize the delivery of banknotes and coins from the manufacturer in accordance with the requirements peněžního circulate.

§ 15

Česká National Bank arranges the printing of banknotes and coins and oversees the protection and safety to the circulation of the unissued banknotes and coins and the storage and ničení printing plates , dies, and vyřazených invalid banknotes and coins.

§ 16

(1) The banknotes and coins issued by the National Bank Česká are legal money at their nominal value when all payments on the territory of the Czech Republic.

(2) coins of precious metals , pamětní coins and special coins to sbíratelským PURPOSE This location can be sold at prices different from their nominal values .

§ 16a

not pay

§ 17

(1) Česká National Bank should be changed at the request of damaged banknotes and coins issued for undamaged banknotes and coins .

(2) Česká National Bank may refuse to replace banknotes or coins or relief is or may become unreadable prodiravilý , and the remains of banknotes of less than a quarter of the original area of banknotes. Such banknotes and coins pøedložiteli taken without compensation and destroy ; odůvodniných in certain detergents may Česká National Bank exceptionally provide compensation.

(3) Česká National Bank does not provide compensation for banknotes and coins that have been lost or destroy . No refunds can be removed banknotes , whose appearance was amended accordingly, especially banknotes which have been described , painted , pøetištiny , potištiny perforated, or have been soiled by paint , glue or other similar material.

§ 18

Banknotes and coins circulate worn Česká National Bank withdraws from circulates and replaces it nobody's new banknotes and coins .

§ 19

(1) Česká National Bank may declare invalid and withdraw from circulation of the notes and coins issued . The nominal value of the consideration in exchange for other newly issued banknotes and coins. The period for which it is possible to perform oil change , shall be not less five years, unless a special law provides otherwise .

(2) At the end of the period provided for changing the aggregate from the fee banknotes and coins have been declared invalid , but nepøedložených for replacement , subtracts the amount of money circulating in the úètech the Czech National Bank. This is from the fee you receive the Czech National Bank.

§ 20

Any reproduction of banknotes, coins , checks, securities or credit card znižících the Czech koruna or foreign currency (hereinafter referred to as " symbols of money ") , or objects imitating them, may only be made under the conditions laid down Česká National Bank guidelines.

§ 21

Padílané or pozminíné banknotes and coins znižící the Czech koruna or foreign currency or bank notes and coins , for which there are clear suspicion that they are padílané or pozminíné (hereinafter referred to as " padílané banknotes and coins") , counterfeit banknotes and legal persons (hereinafter " legal person ") without compensation and pøedávají the Czech national Bank. Legal entities shall request permission from the person who padílané banknotes and coins pøedložila to vñrohodným has demonstrated its identity . Remove padílaných banknotes and coins shall notify the legal entity that is procured, authorities èinným criminal playback control .

§ 22

Česká National Bank provides legal regulation

a) the nominal value , size, weight, material , appearance and other attributes of banknotes and coins and their release into the circle;

b) the procedure for natural and legal persons upon reception legal Cash and handling, including procedures when removing padílaných banknotes and coins;

c) providing compensation for incomplete and damaged banknotes and coins ;

d) shall end banknotes and coins and the manner and time of their exchange for other banknotes and coins ;

e) the conditions under which it is possible to reproduce the symbol money or vyrábít objects , imitating them

That part of the fifth

Instruments of monetary regulation of the Czech National Bank

§ 23

- (1) Česká National Bank sets the interest rates , maturities and other terms of trade, which is carried out in accordance with this Act and the special zákonů.1)
- (2) Česká National Bank may set a minimum interest rate on deposits from banks and receiving of pobočkami foreign bank (the " Bank ") and maximum interest rates on credits provided by them ; these rates announced opatřením2) in the Official Gazette .
- (3) The National Bank may Česká banks Determine the maximum range of the provided credits.

§ 24

Česká National Bank determines and announces opatřením2) in the Official Gazette

- a) obezřetného rules for banks ;
- b) rules obezřetného other business people on peněžním market and the conditions under which trade on peněžním market.

§ 25

- (1) Česká National Bank may require banks nice to účetí at the Czech National Bank, a prescribed A piece of their resources (hereinafter referred to as " required reserves ") , which is usually neúročí .
- (2) The required minimum reserves for shares may not exceed 30 % of total bank liabilities , net of liabilities of the bank vůči other banks , except EVENT referred to in paragraph 3
- (3) The limitation of excessive liquidity and overcome the pressure is inflačních Česká National Bank shall be entitled to require compulsory minimum reserves in the range higher than that defined in paragraph 2 , in this case it is often required reserves beyond the scope defined in paragraph 2, interest payments applicable discount rate.

§ 26

- (1) If a bank fails to maintain the required minimum reserves, the National Bank shall be entitled Česká účetovat her out from the fee , of which no compulsory minimum reserve is full, interest at three times the applicable discount rate.
- (2) With the increase in the reserve requirement, a certain Česká National Bank of the period within which the bank has to cope with the increase .

§ 26a **not pay**

That part of the sixth

Shops Czech National Bank

Transactions with banks

§ 27

Česká National Bank leads the bills and bank receives their deposits.

§ 28

Česká National Bank may purchase from banks sell them popůjčadi

a) promissory notes payable within six months from the date of purchase Ěeská National Bank and measures at least dvma signatures , of which at least one signature for the bank ;

b) government bonds or other securities with government guarantees , but you can shop for a period not exceeding one year .

§ 29

(1) Ěeská National Bank may provide banks for a period not exceeding three months Uvira Securing securities mentioned in § 28, popøípadì government bonds or other securities with government guarantees or Stored Data Sheets for bulk goods fully pojištiné against loss and damage , as well as other property values.

(2) In order to maintain the liquidity of the Bank may exceptionally Ěeská National Bank to provide short-term bank credit, for a period not exceeding three months .

§ 29a

not pay

Trading in the Czech Republic

§ 30

(1) Ěeská National Bank leads the bills of the state budget , state funds and state financial assets and liabilities , if Treasury management of these accounts they agree with another bank . Payments from the expenditure accounts they are performed within the above general balance on the pøíjmových úétech . The cumulative balance can not pøeèerpat .

(2) Ěeská National Bank , at the discretion of the Bank Board of the Czech Republic to provide short-term credits pokladniéních purchase of government bills maturing within three months of their purchase . The overall condition of these credits may not exceed 5% of the reception of the state budget last year .

§ 31

(1) Ěeská National Bank gives to sales by special zákona3) government bonds and in agreement with the Ministry of Finance may from his povìzení and for an agreed remuneration RUNNING associated with managing , paying and transfers of government bonds, the payment of interest on these bonds , popøípadì other required efficiency.

(2) Ěeská National Bank maintains a register of securities issued by the Czech Republic and payable within one year.

§ 31a

not pay

Other transactions of the Czech National Bank

§ 32

Ěeská National Bank may usmìrnìní money market to buy and sell marketable securities. The conditions laid down in § 30 paragraph 2 for business with the Czech Republic that are not dotèeny .

§ 33

Ěeská National Bank may issue short-term securities with maturities of six months and do business with them .

§ 34

(1) Ěeská National Bank may keep the bills of their employees and provide other banking services . Leading the bills and provide banking services for legal entities.

(2) For the execution effectiveness referred to in paragraph 1 shall apply special zákon4) alike.

That part of the seventh

The power of the Czech National Bank in the foreign exchange hospodářství

§ 35

Česká National Bank

- a) declare the exchange rate of the Czech currency to foreign Mina ;
- b) set the price of gold in the banking operations of the Czech National Bank ;
- c) has Uschi and manages the monetary reserves of gold and foreign exchange prostředcích and dispose of them .

§ 36

Česká National Bank

- a) trade in gold and other foreign currency assets and conduct all types of banking transactions with domestic and by foreign banks and payments to zahraničím ;
- b) determines the conditions for usměrňování balance of payments and the Czech Republic announced it opatřením2) in the Official Gazette ;
- c) determines the conditions for trade in gold and other foreign currencies and the performance smluvní RUNNING made to the banks and other entities under the special Act5) and announces the opatřením2) in the Official Gazette ;
- d) issue securities znějící foreign currency ;
- e) issue permits and conduct foreign currency exchange controls under a special zákona.6)

That part of the eighth

For more efficiency, or permission of the Czech National Bank

§ 37

- (1) Česká National Bank předkládá the Government draft legislation on the currency , peněžního circulate, money market , payments and legal provisions on the scope and status of central banks .
- (2) Česká National Bank together with the Ministry of Finance předkládá Government draft legislation on foreign exchange hospodářství and draft legislation in the field of banking.

§ 38

Česká National Bank is locked down to a single payment zúčtování in the Czech Republic legal regulation

- a) the method of execution of payments between banks and zúčtování účtech the bank ;
- b) the method of payment using drawer banks in the payment system .

§ 39

- Česká National Bank shall register the representation of foreign banks and financial institutions engaged in banking effectiveness ,
- 7) By applying this representation in the Czech Republic. Foreign bank or financial institution is obliged Login represented to register before počátkem his work . Representation of business and shall not be incorporated Incorporation .

§ 40

Česká National Bank agreed in the framework of its responsibilities under this Act, payment and other agreements with foreign banks and international institutions finančními .

§ 41

(1) Česká National Bank coordinates the development of the banking information system in the Czech Republic. For that purpose legal regulation sets out the principles of banking information system .

(2) Česká National Bank shall be entitled to require banks and other persons engaged in effectiveness by special zákon⁸) the necessary information and documents . For that purpose Česká National Bank determined in accordance with a special zákonem⁹) opatřením²) as published in the Official Gazette methodology and conditions for předkládání required information and documentation , which is to define the content, form, Elenin , dates and manner of handovers of information and documents . If submitted in order information and documents do not set out the methodology and conditions , or if there are reasonable doubts as to their accuracy or completeness is Česká National Bank shall be entitled to request relevant upřesnění or explanation . If a bank or other person who performs effectiveness under special laws , 8) the requested information and documents nepředloží or the information and documents are repeated incomplete or incorrect, proceed vůči banks under a special law , 4) vůči other persons pursuant to § 46

§ 42

Česká National Bank shall be entitled to perform the investment and business effectiveness to the extent necessary for the Closing of its effectiveness .

§ 43

Issuance of securities Česká National Bank pursuant to this Act , as well as securities trading execution Česká national bank subject to authorization or the exercise of state supervision.

That part of the ninth

banking Supervision

§ 44

(1) Česká National Bank supervises the

a) Banks and effectiveness of the protective low functioning banking system ;

b) effectiveness persons other than banks , which are authorized under special zákon⁵)

(2) Bank supervision includes

a) assessment of applications for granting authorization to act as a bank under a special law ; 4)

b) supervision of compliance with the conditions set authorizations referred to in subparagraph a) , as well as licenses under special laws; 5)

c) monitoring compliance with laws and regulations and measures issued Česká National Bank , as well as monitoring compliance with the law , which is to this Act and special zákony¹) zmocnění ;

d) the imposition of measures to remedy the findings and penalties when deficiencies under this Act or under a special zákona.⁴)

§ 44a

not pay

§ 44b

not pay

§ 45

While banking supervision by an on-site with relations between Česká National Bank and controlled entities operates a basic rules of control activities, set specific zákonem¹⁰) for public authorities with the exception of the provisions on cooperation in kontrola.¹¹)

§ 45a

not pay

§ 45b

not pay

§ 45c

not pay

§ 45d

not pay

§ 46

title not pay

(1) If the National Bank Česká shortcomings when RUNNING performed by persons other than banks on the basis of an authorization pursuant to special laws, 5) can be stored by the following persons

a) measures směřující zjištěných to correct deficiencies, particularly command to refrain from incorrect procedure or terminate effectiveness;

b) a fine according to the gravity zjištěných deficiencies of up to 1,000,000 CZK.

(2) the deficiencies referred to in paragraph 1 shall mean any breach of the conditions laid down in the permit under special laws, 5) as well as the violation of this Act, a special law, 4) The guidelines and measures issued Česká National Bank.

(3) A penalty under paragraph 1. b) imposes Česká National Bank rovněž

a) persons exercising without permission is running, to which the permit Maybe under special laws; 5)

b) persons exercising the effectiveness under special laws, 8) for breach of the obligations arising from § 41, paragraph 2;

c) persons who have violated the rules and conditions stipulated in § 24 point. b).

(4) The imposition of a fine not dotěna liability under other legal regulations.

(5) while operating the imposition of a fine pursuant to paragraph 1. b) shall be subject to regulations on administrative řízení.¹²)
An appeal against a decision imposing fines decided by the Bank Board.

(6) The fines imposed are the reception of the state budget.

(7) Česká National Bank may impose a fine pursuant to paragraph 1. b) within one year from the date of findings deficiency, no later than ten years from the date on which these shortcomings arose.

§ 46a

not pay

§ 46b

not pay

§ 46c

not pay

§ 46d

not pay

§ 46e

not pay

§ 46f

not pay

That part of the tenth

Hospodaření Czech National Bank

§ 47

(1) Česká National Bank hospodaří budgets approved by the Bank Board.

(2) Česká National Bank from its income to cover necessary costs of its effectiveness . Making a profit is used for topping up the reserve fund and other funds from profit vytvářených and for other purposes in the amount of budgeting . The remaining profit to the state budget.

(3) Roen report on the outcome of its hospodaření Česká National Bank předkládá at the latest in three months after the end of the year kalendářního příslušnému authority for approval of the Parliament . If you do not approve this body is Česká National Bank shall within six weeks předložit message zprásinou and topping up by his request.

§ 48

(1) Česká National Bank leads účetnictví under special předpisů.9)

(2) whether the financial statements of the Czech National Bank is ověřována auditors.

(3) Česká National Bank publishes its intended purpose for disclosure of an annual report that contains basic information about Minh development.

(4) Česká National Bank processes and provides the decadal disclosure statement of its financial position.

That part of the eleventh

General provisions

§ 49

All banking operations including the Czech National Bank on úèetech condition which leads , shall be subject to banking secrecy.

§ 49a

not pay

§ 49b

not pay

§ 50

(1) Employees of the Czech National Bank shall maintain mlèenlivost in service vícech . This obligation continues even after the end of pracovnìprávního relationship or other similar relationship. The obligation of the mlèenlivost Actually , they have knowledge of when the performance of their duties shall also apply for members of advisory bodies and auditors.

(2) Employees of the Czech National Bank , and Members of advisory bodies may be zproštíni the obligations owing veřejného interest of the governor.

(3) Employees of the Czech National Bank may conduct business effectiveness pøedchozím only with the consent of the Board .

That part of the twelfth

Transitional and final provisions

§ 51

Èeská arises rozdílením National Bank State Bank èeskoslovenské.13)

§ 52

The overall condition of credits provided by the Czech Republic pursuant to § 30 paragraph 2, exceptionally for 1993, down 7 % limit and you receive a state budget last year .

§ 53

The rights and obligations of pracovnìprávních relations with the Czechoslovak State Bank workers who have offices at the territory of the Czech Republic , pøecházejí to Èeská National Bank.

§ 54

The Èeská National Bank pøechází property of the Czechoslovak State Bank to the extent determined by special zákona.14)

§ 55

(1) If the legal regulations issued before the EFFICIENCY of this law and the legal recipovaných Choose range in the Czech Republic and measures in the State Bank of Czechoslovakia , it shall mean the date of this Act apply those provisions Èeská National Bank .

(2) The measures issued by the State Bank of Czechoslovakia apply those provisions in force at the date of this Act , shall be deemed Èeská measures issued by the National Bank.

(3) Legal acts on the occasion of the State Bank of Czechoslovakia vůèi persons domiciled or residing in the Czech Republic are considered the date of this Act apply those provisions for legal acts on the occasion Èeská National Bank.

§ 56

(1) Notes and coins issued by the State Bank of Czechoslovakia , which are legal money at the date of acquisition apply those provisions of this Act shall be construed as legal tender within the meaning of § 16th

(2) the possibility to change the invalid banknotes of the Czechoslovak State Bank , determined by special regulations , 15) is in this Act dotěena .

§ 57

Bills , which led to his demise at the State Bank of Czechoslovakia in the territory of the Czech Republic , shall be deemed bills led Česká National Bank in accordance with this Act.

§ 58

(1) The Family of appointment of the Bank Board of the Czech National Bank pursuant to § 6 paragraph 2 and 3 shall exercise the function of the current leaders of the Czechoslovak State Bank , kteří were appointed to their positions by the President of the Czech and Slovak Federal Republic from among the citizens of the Czech Republic in accordance with § 6 Law no. 22/1992 Sb . , Of the Czechoslovak State Bank .

(2) Exemption from § 6, paragraph 5 for 1993 authorize the Board .

§ 59

The Česká national bank shall be subject to the rules rozpočtová republiky16) with the exception of the provisions governing the duties of central government authorities and the provisions governing the control rozpočtového hospodaření .

§ 60

This Act repeals the law no. 22/1992 Sb . , Of the Czechoslovak State Bank .

§ 60a

not pay

§ 61

This Act shall apply those provisions from 1 January 1993.

Uhde v. r

Klaus v. r

Selected provisions of amendments

ÈI.II Law no. 442/2000 Sb .

not pay

ÈI.II Law no. 127/2002 Sb .

not pay

ÈI.VI Law no. 57/2006 Sb .

not pay

- 1) drink. Law no. 21/1992 Sb . , Banking , Foreign Exchange Act no. 528/1990 Sb . , As amended by Act no. 228/1992 Sb .
- 2) Act of the Czech National Council no. 545/1992 Coll. Collection of Laws of the Czech Republic.
- 2) Act of the Czech National Council no. 545/1992 Coll. Collection of Laws of the Czech Republic.
- 3) § 19 paragraph 2 of Law no. 530/1990 Coll. Bonds.
- 4) Law no. 21/1992 Sb .
- 4a) of Law no. 21/1992 Sb .
- Law no. 87/1995 Sb .
- 5) Foreign Exchange Act .
- Law no. 455/1991 Coll. Trades (Trade Act) .
- 6) Foreign Exchange Act .
- 7) § 1, paragraph 3 of Law no. 21/1992 Sb .
- 8) Drinks . Exchange Act , Act no. 185/1991 Sb . , About insurance ? Ovnictví , Act no. 248/1992 Sb . , And the undertaking for collective investment funds .
- 9) Law no. 563/1991 Coll. Účetnictví .
- 10) East third Act of the Czech National Council no. 552/1991 Sb . , On state control .
- 11) § 21-23 of the Act no. 552/1991 Sb .
- 12) Act no. 71/1967 Coll . , On administrative Playback Control (Administration of procedure) , as amended pozdějších regulations.
- 13) EL . 14 of the Constitutional Act no. 143/1968 Sb . , On the Czechoslovak Federation , as amended pozdějších regulations.
- 14) Constitutional Law no. 541/1992 Coll. Divide the assets of the Czech and Slovak Federal Republic between the Czech Republic and the Slovak Republic and the transitions to the Czech Republic and Slovak Republic.
- 15) Decree of the Federal Ministry of Finance no. 8/1988 Coll . , The withdrawal of banknotes after 10 KES pattern , 1960.
- Decree of the Czechoslovak State Bank è . 412/1990 Coll . , The withdrawal of banknotes of 100 KES model 1989.
- Decree of the Czechoslovak State Bank è . 413/1990 Coll . , The withdrawal of banknotes after 50 KES model 1964 20 model KES 1970 and retrofitted with replacing banknotes after 10 KES pattern , 1960.
- 16) Act of the Czech National Council no. 576/1990 Coll. Rules hospodažení rozpočtovými agents with the Czech Republic and municipalities in the Czech Republic (rozpočtová rules), as amended by pozdějších regulations.