

# **Criminal offence of fraud under Section 209 of the Criminal Code, abstract, key words**

## **Abstract**

The subject of the thesis is the criminal offense of fraud under Section § 209 of the Criminal Code. The thesis focuses on the analysis of the relevant legal regulation, the systematic classification of the criminal offense of fraud, analysis of the constituent elements of the criminal offense, the comparison of the criminal offense of fraud with other criminal offenses against property, and the presentation of proposals *de lege ferenda* responding to the current regulation of the criminal offense of fraud. The thesis also examines the criminal offense of fraud from a criminological and forensic perspective and further from the perspective of cybercrime.

The thesis is divided into 6 sections and which are further subdivided into individual chapters, sub-chapters, sections, and subsections. In the first section of the thesis, the criminal offense of fraud is systematically incorporated into the Criminal Code among other criminal offenses against property. This section also discusses the relations of property criminality. In the second section of the thesis, the fundamental issues of the criminal offense of fraud are examined, with a particular focus on the analysis of the basic elements of the criminal offense of fraud under the Section 209 para. 1 of the Criminal Code. The descriptive method is supplemented primarily by the interpretation of the Supreme Court jurisprudence, case studies, and a comparative method in terms of the elements distinguishing the constituent elements of various criminal offenses against property.

The third section of the thesis, in its first chapter, deals with a comparison of the criminal offense of fraud with the criminal offenses of insurance fraud, credit fraud, and subvention fraud in the first chapter. Similarly, in the second chapter of the third section, the criminal offense of fraud is compared with the criminal offenses of theft under the Section 205 of the Criminal Code, embezzlement under the Section 206 of the Criminal Code, and concealment of things under the Section 219 of the Criminal Code. The comparison in the third section is complemented by a description and analysis of selected elements of the constituent elements of the compared criminal offenses.

The fourth section of the thesis examines the criminal offense of fraud from the perspective of forensic science and briefly discusses typical methods of committing the

criminal offense of fraud, characterizes both the perpetrator and the deceived person. In the fifth section of the thesis, cybercrime is analyzed, focusing on fraudulent criminal activities. This section particularly addresses spam, 419 scams, also known as Nigerian letters, and fraudulent offers, as well as phishing and vishing, and their assessment in the Czech legal system. The final section of the thesis is dedicated to the international comparison of the criminal offense of fraud under Czech criminal law and the criminal law of England and Wales.

**Keywords: fraud, fraudulent conduct, cybercrime.**