

Abstract

The subject of the diploma thesis is the legal institute of one-sided credit and comparison of its adjustment from several levels; comparison of legislation in the Civil and Commercial Code, comparison with the Czech version, which in 2012, after the recodification of private law, underwent a fundamental change, thus deviating from the modification until then identical with the Slovak Republic and last but not least with the proposal of a common frame of reference as a unifying platform for the convergence of the private law adjustments of individual Member States of the European Union. The aim of this work is not only to describe the differences in the legislative approach to adapt this institute across the above mentioned levels, a description of the evolution of this legal regulation, but also the definition of *lege de ferenda*. The work points to the need for a change in the adaptation of this institute; in particular, the need for a clear definition of the conditions for offsetting the outstanding claim, including the moment of its effect. Only in this way will the legal regulation more converge with the requirements of unifying the platform of the common frame of reference, thus eliminating current interpretative discrepancies or imperfections in the case law. In the *lege de ferenda* proposals, this work was inspired not only by the mentioned reference framework but also by the rational core of the modern Czech adaptation.