

## **ABSTRACT**

The aim of this thesis is to provide a comprehensive view on the issue of promissory notes as a guarantee in legal relations. It is supposed to serve both the debtor in building up his defense and the creditor in the evaluation of the risks he may face during the application of his promissory note. Apart from reference books and legislation, the main source used is the analysis of the case law and its contribution to the topic.

This thesis is divided into four chapters. General issues are the theme of the first chapter with the focus on the signature and necessary entries on the note. Then the core of the hedge bill is questioned, concerning especially the nature of the securing contract, which is the reason of the guarantee function of the note and consequences associated with the transfer of the note.

The second chapter is focused on the bilateral rights and obligations connected with the note and its secured claim, the risk of abuse of negotiable instruments and also the admissibility of causal objections in the case of the endorsement. Following that, suggestions of the possible defense against the abuse are proposed.

The third chapter is devoted to procedural issues and the specifics of the procedure in this matter. The payment order is then discussed as well as the nature of the following proceedings (especially the objections) and the importance of burden of proof is also examined. The second part is then aimed on the causal objections and their concrete examples.

The last chapter looks into the problematic issues related to promissory note. The aval is introduced, who can find himself in even more complicated position while the causal objections are raised. Then the institute of a blank promissory note is described, which can effectively respond to changes in the secured relation, because certain entries on the note can be filled out later based on a previous agreement. Finally, the position of the securing notes in consumer credit relations is outlined followed by the protection provided by the courts in these specific relations.

The final part of my paper provides a summary of the conclusions I achieved in my work.