

ABSTRACT

The main aim of the thesis is to analyze present legal regulations of consumer credit with respect to the present practice of courts and the practice of credit providers. For this purpose I use the analytical method, the descriptive method and the comparative method.

The thesis itself is divided into nine closely related parts. The beginning of my thesis deals with general questions. The first chapter gives general comment on credits. The second chapter focuses on the most important legal rules related to the topic. This is especially The Commercial Code, The Civil Code and the laws on consumer credit. The section 262, subsection 4 of The Commercial Code is of the particular importance.

The chapter three looks at the implementation of the Directive 2008/48/ES, which has been adopted in the Czech environment as the law on consumer credit (145/2010 Coll.). This law will replace from the 1st January 2011 the law 321/2001 Coll. which regulates the consumer credit nowadays.

The main part of the thesis is focused on the process of entering into the contract and the necessary requirements which are imposed on the contracts by the Commercial Code and by the laws on consumer credit: 145/2010 Coll. and 321/2001 Coll. The chapter five deals with the means of security. The emphasis is put on practical questions. The chapter six concentrates on the extinction of an obligation. Possible sanctions for the breach of the contract by the consumer are analyzed in chapter seven. The most important sanction is probably interest on late payment. The chapter eight focuses on the specific institute. This is limitations of time. A few debatable issues such as the beginning or the duration of period of limitation are discussed in detail.

The last chapter looks at laws on consumer credit in the member states of the European Union: Slovakia, France and the United Kingdom. In Conclusion of my thesis I attempt will try to suggest some possible changes *de lege ferenda* which are inspired by foreign legal systems.