

The text deals with institute of discharge as one of modes of insolvency solution according to the Insolvency Act. The purpose of the thesis is to analyse current regulation and conclusions of judicial practise. The thesis is composed of seven chapters. Chapter One is rather general and characterises the nature and purpose of discharge. Chapter Two focuses on foreign sources of inspiration for our legislation. Its three parts report on regulation similar to our discharge in the USA, Germany and Slovakia. Chapter Three is subdivided into five parts and provides information about discharge conditions, namely the state of insolvency or the imminent insolvency, a subjective admissibility of discharge (which further discusses the evolution of the interpretation of this issue), the requirement of minimum dividend to unsecured creditors, honest intent and responsible approach of the debtor towards fulfilment of obligations in the insolvency proceedings. Chapter Four concentrates on discharge from a procedural point of view. First it deals with a insolvency petition of the debtor and with a petition for the discharge permit. The second Part is focused on a decision on the merits of the petition for the discharge permit, the third Part on procedural steps following the decision by which discharge is permitted and the fourth Part on the actual realization of discharge depending on its chosen form and fulfillment of discharge. The last Part is addressed to grant of debt relief (discharge from residual debts in a narrow sense) and its effects. Part Five refers to specifics of joint petition of spouses for a discharge permit and Part Six to a danger of forum shopping of individuals in the EU. Conclusions are drawn in last chapter. The whole text shows that it is necessary to specify a series of sub-questions and clarify their interpretation. As a whole, however, the institute of discharge has proved its worth and functionality.