

## **Abstract**

The thesis is focused on the issue of active repentance in criminal law. The aim of this thesis is to provide a comprehensive view of the institute of active repentance and its importance in the area of extinction of criminal liability, and to verify whether this underused institute in criminal law has its merits. In addition, the thesis tries to draw attention to some shortcomings and problems that this area of criminal law is facing, especially considering relevant court case law. The thesis is divided into four chapters. The first chapter deals with the extinction of criminal liability in general, focusing on all reasons causing the extinction of criminal liability of the offender. An essential part of the first chapter is also a brief historical excursion, which allows comparison with previously effective legislation. The second chapter covers active repentance itself and describes the conditions of application of active repentance not only in relation to adult offenders, but also in relation to juvenile offenders and legal entities, where the active repentance shows some differences. The third chapter contains special cases of active repentance contained in a special part of the Criminal Code. It deals with all five crimes that have their own special arrangements for active repentance. The last, fourth chapter of the thesis, deals with the still discussed issue of active repentance and corruption. The current Criminal Code, unlike the previous legislation, does not regulate active repentance in relation to corruption offenses, that has often been criticized. In response to this criticism, active repentance in the area of corruption has been replaced by a procedural solution, the suitability of which is often doubted among the professional public. These doubts may lead to reflections on the reintroduction of the active repentance for corruption offenses as well as at legislative level, to which the work responds with *de lege ferenda* considerations in which it seeks to outline the possible form of active repentance in the area of corruption in the event of its reintroduction.