

ABSTRACT

Topic of this work is an entrepreneur – a natural person in the insolvency proceeding, whose bankruptcy is solved through the discharge of debts. It attempts to identify problematic issues of the current legislation, which might adversely affect the course of insolvency proceeding. The work deals primarily with the subjective admissibility of the discharge of debts and with to date development in that matter which will be explained on the ground of previous decisions of superior courts. It also describes the operation of the enterprise, which is in the process of the discharge of debts, and the status of the creditors, who participate in the enterprise's performance. It deals also with the income of an entrepreneur and its usability in pursuance of the discharge of debts including the different judicial practice in assessing sufficient income for the permission of the discharge of debts. And finally, it addresses the issue of a business risk and the liability of the entrepreneur with a special emphasis on the entrepreneur's liability for a timely filing of a proposal, the shift of the business risk on a third party and last but not least the consequences of the insolvency proceeding on running a business.