

Abstract

This work intends to analyse current normative regulation of the institute of discharging debts, interpreting relevant provisions and point out some actual problems, which are dealt with in the judicial practice and that arise as a result of application of some statutory provisions in the process of solving bankruptcy problems of a debtor by the ways of discharge from debts.

The doctoral thesis deals with institute of discharging debts as new a preservation method of solving debtor's bankruptcy situation, brought to the Czech legal system by the Insolvency Act. Beside chapters focused on discharging debts as a main subject of this Thesis, other chapters are concerned with the history of bankruptcy law including Act on Bankruptcy and Settlements and its comparison with the amendment contents in the Insolvency law. Still other chapters contain explanation of the basic concepts of Insolvency law such as bankruptcy, impending bankruptcy, insolvency, etc., brief description of the course of Insolvency proceedings including Insolvency proposals issuing from the judicature view, and some particular ways of solving a debtor bankruptcy. With regard to the fact that discharging debts is impossible to interpret independently of Insolvency proceedings as it is whit specific deviations pervading it's whole course, it is considered necessary to explain these proceedings and further institutes of Insolvency Law related to discharging debts, at least in general.

In the conclusion of this work, the current legal regulation of the institute of discharging debts including constituent problems connected with application of some statutory provisions is assessed.

