

## Summary

The aim of this diploma thesis dedicated to the issue of incidental disputes in insolvency proceeding was to determine the incidental disputes in proceedings, categorize them systematically, outline their character and set a comprehensive overview of these disputes. Within the insolvency proceedings incidental disputes are largely solved as case law, which the author of this work deals within the description of the various types of disputes.

The thesis is divided into fourteen chapters, which are further divided into subsections and parts.

The first two chapters are devoted to insolvency proceeding in general, especially when the character and purpose of the insolvency proceeding as well as the conceptual definition of insolvency proceeding and its consequences are outlined, because without these underlying premise would be impossible to describe the issue as a whole.

Incidental disputes have undergone throughout history certain development and as an incidental are spoken only in the 90s of the 20th century. The third chapter of the thesis is dedicated to the historical development of insolvency proceedings in Czech territory and comparisons applicable regulation of insolvency proceedings with modifications beginning in the 1781 and the issue of the general bankruptcy order compared to other regulation in chronological order.

In the chapter dedicated to the general regulation of incidental disputes in the insolvency proceedings can be found summary of process during the proceeding, particularly about the list of proceedings which are considered as incidental, discussion and decision of incidental disputes, negotiation about the incidental dispute as well as the decisions issued during these proceedings.

Subsequently in chapters fifth to twelfth the interpretation to each incidental disputes is given, ranked according to their enumeration in section 159 of the Insolvency Act, while in chapter twelve the attention is focused on the so-called. Other incidental

disputes, which are further discussed specifics of these disputes, their classification and the issue of legitimacy of actions from the perspective of the parties to the dispute, as well as in relation to the deadlines. In these chapters are thoroughly investigated the disputes about the actual amount of claim or securing of denied claim, disputes concerning termination of creditor participation in the proceedings, disputes about claims which are not applied with application form, disputes over the issue of the benefits of invalid legal act and disputes within the bankruptcy of financial institutions.

Finally, in the thirteenth chapter, you can read about the comparison in basic rules of insolvency law in the Federal Republic of Germany, the Republic of Austria and the Slovak Republic.

The fourteenth chapter contains the conclusion of work and evaluates the chosen topic.