

## **SUMMARY**

This thesis discusses insolvency proceedings regarding an insolvency of one or both spouses. The author aims to explain problems occurring during such insolvency proceedings. The thesis is not limited to a description of these procedural peculiarities, but also discusses their impact on the matrimonial property.

The author addresses above all a debt discharge and a bankruptcy, for these are the most frequent mechanisms to resolve an insolvency of the debtor. On the contrary the author does not address the reorganization, for it is not very frequently used in practise. Furthermore, the author does not address a position of legal persons in insolvency proceedings, since it is not of any importance for this thesis.

The author only describes the current legislation as it is. The author therefore neither discusses legislation and court rulings prior the 2013 insolvency act revision, nor considers the revision of the insolvency law that is currently (2017) under way.

The thesis is divided into four chapters. In the first chapter, the author briefly discusses matrimonial property law, since it is essential in order to understand legal arguments in the third and fourth chapter of this thesis. Similarly in the second chapter the author briefly introduces insolvency proceedings and establishes essential concepts of the insolvency law and also their links to the matrimonial property law.

In the third and fourth chapter of this thesis the author discusses a debt relief and a bankruptcy with special focus on the problems regarding the insolvent spouse or the insolvent spouses.

The author considers separately two cases. In the first case there is only one of the spouses insolvent. In the second case there are both spouses insolvent. The author further makes distinction between cases when the spouses resolve their insolvency separately and when they resolve their insolvency together. The author also discusses an impact of all the distinguished problems on the matrimonial property.

In conclusion of this thesis the author assesses the current insolvency legislation in relation to spouses and their matrimonial property and offers his view on a further development of the insolvency legislation.