

Abstract

This thesis is focused on bankruptcy law governed by the law no. 182/2006 Coll., On Bankruptcy and Its Resolution (Insolvency Act). Work includes an overall assessment of the Insolvency Act legislation and case law, which refines some of the situation where insolvency law is not its content, specific and clear.

Work consists a total of eight chapters, the first of which is introductory, which are outlined goals and approaches to the actual topic and the last, ie eighth chapter summarizes the findings and conclusions of the work, stating the legislative changes which are in the approval process and proposals for possible changes bankruptcy law. Within the first chapter is also briefly described the historical development of the insolvency proceedings, and there is also indicated the current legislation affecting the insolvency law.

The second chapter describes general information about the actual insolvency proceedings, which are set out above all the effects that are associated with its launch, the principles of insolvency law and the analysis of the term "decline". The actual means of resolving insolvency are generally dealt with Chapter Three, which are listed and the detailed description contains the following chapters of the thesis.

The fourth chapter describes the liquidation technique of bankruptcy - bankruptcy. This method is applicable both for individuals, individuals - entrepreneurs and legal entities. The word comes from the Latin bankruptcy concursus creditorum, or rout creditors. Bankruptcy can be characterized as a way of dealing with bankruptcy, in which the monetized all property owned by the debtor and the proceeds of the sale are then divided among creditors.

Debt relief is compared to bankruptcy remediation technique of bankruptcy, which was primarily the introduction of this institute is intended for individuals, but with the amendment no. Will not assess the nature of the person of the debtor, but the nature of his debts. The authorization may apply for debt relief to the effective date of the amendment, ie from 1 1st 2014 and the individual entrepreneur, if the debt was incurred from business - even this fact, however, does not alone, that debt relief for such a person is not permitted. The institute is analyzed in detail in the fifth chapter of this work.

The other remediation solutions to bankruptcy (or threatening bankruptcy) - reorganization - the sixth chapter discusses this thesis. This way of dealing with bankruptcy

was introduced in the Czech Republic Effective Insolvency Act - ie. From 1 1. 2008, while the inspiration was the American legislation this institute - has been modified in accordance with European legislation (mainly German and Austrian).

Briefly, in the context of this thesis in the seventh chapter mentioned specific failing financial institutions whose bankruptcy detected and subsequently its solution has a completely different mode.