

# **Substantive rules in the Insolvency Act**

## **Abstract**

The fundamental aim of the thesis is to find and analyze substantive rules contained in the Act No. 182/2006 Coll. Insolvency Act. The thesis analyzes their meaning and purpose, mentioning relevant judicial decisions and their historical context. Also foreign literature and expert monographs dedicated to insolvency law are mentioned. Questions of proposed amendments to the Insolvency Act related to the theme of the thesis are discussed, and personal opinions of the author on selected insolvency issues are included.

The thesis is divided into 5 chapters, which analyze substantive norms of the Insolvency Act. Chapters Two, Three and Four form the core of the thesis.

The first chapter defines procedural law and substantive law, relations between the Insolvency Act and other legal regulations, and its position in the system of law.

The second chapter deals with different stages of insolvency proceedings, especially with the legal effects of the commencement of insolvency, bankruptcy but also with remedial ways of solving bankruptcy – reorganisation and debt relief. All the above mentioned is dealt with taking into account substantive rules of the Insolvency Act.

The third chapter is dedicated to questions of liability of parties to insolvency proceedings, to the nature of their liability, and special sanction mechanisms contained in the Insolvency Act.

The fourth chapter comprises the issues of invalidity and relative ineffectiveness of legal acting; it analyzes individual qualified facts while taking into account civil law as such.

The fifth chapter covers the rules which are related to assets liquidation, pre-emption rights, and special bans on property acquisition in insolvency proceedings.

## **Key Words**

bankruptcy, insolvency, substantive, material, law