

Abstract

Administration of the estate is one of the most important activities in insolvency proceedings, when debtor's insolvency is resolved by bankruptcy. Everyone can see information about the administration's results in Insolvency Register. The procedure of it is not well known nonetheless. The goal of the thesis is to enlighten the procedure of administration of the estate (including defining its content) since declaration of debtor's insolvency, when the authorization to dispose of the estate is held by insolvency administrator and to point out some relatively new legislative changes and its problems. Diploma thesis is divided into eight chapters, where there is gradual analysis of administration of the estate from the beginnings of insolvency proceedings and declaration of bankruptcy to realization of the estate and canceling the bankruptcy.

The first chapter brings short review of historic legislation and tries to point out some similarities of roman bankruptcy law and present legislation. The second chapter describes initiation of insolvency proceedings, declaration of debtor's insolvency and it defines insolvency administrator and the way of his election by insolvency court.

Following chapters are the core of the thesis. The third chapter pursues the declaration of bankruptcy itself and especially its effects, which they have significant impact on administration of the estate. In the fourth chapter we are getting to analysis of the estate, to its creation, content, extent and to possible disputes, which can be formed in relation to it. The fifth chapter describes execution of authorization to dispose of the estate of the insolvency administrator, so the activities, which he exercises during the administration of the estate. In this chapter the thesis is trying to point out especially the legal part of it, not the economic, which is also an important part of the proper administration of the estate nonetheless. The sixth chapter analysis essential part of the bankruptcy for the creditors, which is realization of the estate. In particular the thesis is dealing with the ways of realization, possibilities of restriction during the realization, distribution of the realized yield and finally also remuneration of the insolvency administrator.

The seventh chapter presents last phases of bankruptcy and its canceling. Final summary of the thesis and its findings can be found in the last eighth chapter.