

# **Discharge of debt from the insolvency practitioner's point of view**

## **Abstract**

The rigorous thesis provides a detailed view of the debt discharge process, as a remedial way of resolving the debtor's bankruptcy, from the perspective of the insolvency practitioner. It contains an overview of his duties and tasks in chronological order as he encounters them during the proceedings from the moment of his appointment until his dismissal. This demonstrates the amount of work and the need for sufficient professional qualifications of the practitioner. The individual chapters discuss some application or interpretation problems with a possible practical solution, based primarily on case law, opinions of experts, judges, literature and professional articles. These findings are sometimes supplemented by the author's opinion or a note about the method of insolvency practitioners or courts in practice.

The thesis also deals with the financing of the insolvency practitioner's agenda in debt discharge and evaluation of whether it is sufficient due to the gradual increase of duties in this kind of insolvency proceeding in recent years, but also in connection with future changes in debt discharge, which currently brings European law. These changes are evaluated in terms of their impact on the debt discharge process, including its financing.

The first chapter deals with the genesis of the sources of insolvency law, including secondary legislation, and also mentions the most fundamental amendments to the insolvency law. The second chapter clarifies the basic concepts of insolvency law, the position of the insolvency practitioner, his appointment to office and the first duties in debt discharge process. The third chapter focuses on re-registered receivables, including their list. The fourth chapter deals with the inventory of assets, including inefficiency and invalidity of legal acts. The fifth chapter is devoted to dealing with the debtor and the sixth to debt discharge report with insolvency practitioner's suggestion for the choice of method of debt discharge solution. In the seventh chapter I deal with the approval of the repayment schedule. Eight chapter continues with debt discharge running. The ninth chapter deals with the finish of debt discharge and the tenth chapter deals with the remuneration and reimbursement of the costs of the insolvency practitioner.