

ABSTRACT

The aim of this thesis is to define the dishonest intention of debtors in the insolvency proceedings, including an analysis of some typical acts through which the debtors fulfill their dishonest intention.

In addition to legal regulations and specialized literature, the main source was primarily the case law of the courts, which play an irreplaceable role in the interpretation of honesty. From the structural point of view the thesis is divided into 9 chapters, each of them focused on different issue.

The first chapter deals with the description of the history of insolvency law, beginning with ancient ages and ending with valid legal regulation represented by the Insolvency act.

The second chapter describes the definition of bankruptcy as a basic term of insolvency law.

The third chapter analyzes the concept of honesty, examines its linguistic expression and especially the temporal aspect of assessing the honesty of the debtor's intention, which is crucial from the point of view of insolvency proceedings.

The fourth chapter describes invalid and ineffective legal acts in insolvency, their types and how to defend against them.

The fifth chapter deals with the dishonest intention common to all ways of solving bankruptcy, in particular the debtors' bullying insolvency petitions, breach of the debtors' obligation to file an insolvency petition and the intentional change of the debtors' registered seat before the commencement of the insolvency proceedings.

The sixth chapter examines the dishonest intention of debtors within the moratorium.

The seventh chapter draws an attention to the dishonest intention of debtors within the reorganization, including the key case law of the Supreme Court and the Constitutional Court.

The eighth chapter examines the dishonest intention of debtors in bankruptcy discharge, both from a factual and temporal perspective.

The ninth chapter puts the debtor's dishonest intention in insolvency proceedings into a broader context and examines it through the perspective of criminal law, as debtors' conduct may also have criminal relevance.

In the conclusion the author summarizes all the key findings and typical behavior of debtors, from which can be deduced to their dishonest intention.