

Discharge from debts is one of the modes of resolving bankruptcy and is regulated in sections 389 to 418l of the Insolvency Act. This legal institute is widely used by debtors – especially by consumers, because if the debtor fulfils the statutory requirements, in particular consisting in the honesty of debtor’s intent and in the satisfaction of claims of unsecured creditors at least in the minimum rate guaranteed by law, the debtor is subsequently allowed to achieve the essential benefit of the whole procedure – discharge from a substantial part of his unpaid debts.

The aim of this thesis is to evaluate in a comprehensive way the valid and effective legal regulation of discharge from debts, including the last amendment that came into effect on July 1, 2017. At the same time, I focus on some problematic issues, which cause application difficulties in practice.

The text of this thesis is divided into 8 chapters. The first chapter provides a definition of the key concept of the whole insolvency law, namely the concept of bankruptcy and impending bankruptcy.

The second chapter deals with the basic characteristics of discharge from debts and description of subjective and objective requirements thereof. The following two chapters deal with two essential procedural motions, namely the petition to declare bankruptcy and the motion to permit the discharge.

The fifth chapter discusses possible modes of discharge, where more space is devoted to the discharge in the form of fulfilling the instalment plan, which is much more used in practice than discharge in the form of realization of debtor’s property. The possibility of a combination of both above mentioned modes is also taken into account.

The sixth chapter focuses on the conduct of proceedings at the stage that begins with decision on permission of discharge and is terminated by decision on approval of discharge. For this stage creditors’ procedural activity is essential.

The seventh chapter deals with the failure to discharge in the form of cancellation of the approved discharge and finally, the eight chapter discusses the very purpose of the whole process, namely the fulfillment of discharge from debts and debtor’s release from debts which were not satisfied during insolvency proceedings.