

Reorganization under insolvency law

Abstract

The goal of this diploma thesis „Reorganization under insolvency law“ is to provide coherent description of the most important legal institutes of reorganization, which is non-liquidation form of solution of bankruptcy and analysis of these institutes. Reorganization is regulated by the Act. No. 182/2006 Coll, on insolvency and modes of its solutions. The thesis is divided into two parts that are further divided into chapters and subchapters.

The first part describes institutes of insolvency proceedings that are common to all forms of solution of bankruptcy with focus on reorganization. This part is divided into five chapters that describe initiation of insolvency proceedings, bankruptcy, content and essentials of motion on insolvency, effects of initiating insolvency proceedings and consideration of motion on insolvency and court decision about it.

The second part contains analysis of the reorganization from its start to its end. This part is divided into eight chapters which explain institutes of reorganization in detail.

First and second chapter provide a definition of the reorganization and admissibility of reorganization as defined by law. Third and fourth chapter describe motion on permission of reorganization and the method of its approving by creditors and courts. Fifth chapter provides distribution of creditors into groups which is important for creditors voting about reorganization plan.

The reorganization plan is topic of following chapter. The reorganization plan is key document and therefore represents a big part of this thesis. The topic of seventh chapter is implementation of reorganization plan which is mainly focused on effects of the reorganization plan and control of its implementation.

Final chapter describes ways of ending of reorganization when court can annul the permission of reorganization plan, transfer of reorganization into bankruptcy or meeting the reorganization plan can happen.