

## **Abstract**

### **International Insolvency Law**

An expansion of globalization caused a raise of amount of cross-border insolvencies. Consequently, an importance of the international insolvency law, a sector of private international law, raised significantly.

Owing to the breadth of the topic, the author had no ambition to provide a complex analysis of the international insolvency law. Besides the general introduction to the international insolvency law, this thesis deals with a chosen issues of the international insolvency law, especially with those related to COMI (Centre of Main Interests), the connecting factor in the Regulation No. 2015/848 of the European Parliament and the Council (EU) on Insolvency Proceedings („Insolvency Regulation“), but also one of the means used in the UNCITRAL Model Law on Cross-Border Insolvency. Owing the possible length of this thesis, the author concentrates on COMI regarding the area of the European insolvency law.

Firstly, this thesis provides an analysis of theoretical approaches related to the international insolvency law, describing their advantages and disadvantages and the possibility of their application in a current world. After that, this thesis deals with the currently applicable regulation in EU – to the Insolvency Regulation – specifically with its historical development, scope and principles.

The main topic of this thesis – COMI – is analysed in the third chapter et seq. where the use of COMI in the Insolvency Regulation and in the case law of the European Court of Justice are described. The author also briefly describes case law of the Czech national courts for the purpose of the analysis regarding application of the Insolvency regulation (or the relevant previous regulation respectively) by the Czech courts and an approach of the Czech courts to the necessity of the autonomous interpretation of COMI. The final chapter provides a synthesis of the interim conclusions, as the most important ones are related to the definition of COMI and determination of COMI for other (not entrepreneurial) individuals.