

Název diplomové práce a jeho překlad do anglického jazyka

Rozhodování soudu v konkursním řízení ó Judicial decision-making in bankruptcy proceedings

Summary

The purpose of this thesis is to describe judicial decision-making in one of the stages of insolvency proceedings, which are bankruptcy proceedings. Judicial decision-making in bankruptcy proceedings is not only an important institute of bankruptcy proceedings, but also of the whole insolvency proceedings as such. Insolvency proceedings are a special type of legal proceedings which solve a debtor's bankruptcy or imminent bankruptcy and a form of its solving. Bankruptcy proceeding is one way of solving bankruptcy and in case of bankruptcy declaration the claims of creditors (which have been found) are relatively satisfied from the revenue of sold debtor's bankruptcy assets and the outstanding claims of creditors or their parts do not extinct, unless the law provides otherwise.

In my thesis, I deal with decision-making activities of bankruptcy courts in bankruptcy proceedings. In order to understand the various decisions published by this subject of the insolvency proceedings, firstly I had to focus on explaining the most important concepts, the historical development of not only Czech, but also foreign bankruptcy legislation which affected the current legal system. Secondly I had to focus on describing the process in which the decisions of bankruptcy courts are published and also on defining the jurisdiction and powers of bankruptcy courts. Bankruptcy court is an important procedural subject without which it would not be possible to accomplish such critical and radical proceedings.

The thesis is divided into seven chapters and its core lies in Chapter Five and in Chapter Six. Chapter Five deals with the process of bankruptcy proceedings as determined by the Insolvency Act ó from the commencement of bankruptcy proceedings, through the review hearing, liquidation of the bankruptcy assets, to the final report and the schedule, and the end of the bankruptcy proceedings and of the whole insolvency proceedings. Part Two of Chapter Five describes the procedure for adoption of the most important decisions of bankruptcy courts in the bankruptcy proceedings. Chapter Five continues in to Chapter Six in terms of content. Chapter Six discusses the kinds of decision-making activities of bankruptcy courts,

the form of decisions issued by bankruptcy courts and divides them, firstly by the type of activity in which they were issued, and then by the possibility of using the right of appeal.

Seznam klíčových slov a jejich překlad do anglického jazyka

Insolvenční řízení	Insolvency proceedings
Konkursní řízení	Bankruptcy proceedings
Insolvenční soud	Bankruptcy court
Insolvenční správce	Insolvency administrator
Dlužník	Debtor
Větitel	Creditor