

Theme of the dissertation is "Creditor's protection in insolvency process."

Dissertation is considering the main legal institution in protection of creditor in insolvency law and especially is attending protection of creditor in bankruptcy as one of the three main methods solving debtor's bankrupt according to Czech bankruptcy law act Nr. 182/2006 Sb. Integral part of the dissertation compares the present Czech legal regulation with the German bankruptcy law according to the German bankruptcy law act (Insolvenzordnung) from 5th Oct. 1994. The dissertation is addressing direct comparison of single legal institution in light of the both legal regulations.

Chapter 1 analyses concept of insolvency and its characteristic signs. It describes further legal forms of insolvency according to the Czech and German bankruptcy law (they are consistent): financial insolvency, over-indebtedness, imminent bankrupt. The conclusion summarises elements of legal regulations in EU insolvency law according to Directive 1346/2000/EC of the Council concerning insolvency law with respect to elements of protection in the events, when the element of the EU law goes into the insolvency process.

Chapter 2 reports about the bankrupt as the one of the free methods of solution for insolvency of debtor. Report about bankrupt is, according to my opinion, necessary for understanding the procedure according to the bankruptcy act. At the close it touches questions about imperceptible bankrupt and parallel regulation bankrupt of consumers according to German legal regulation.

Significant part presents Chapter 3, which brings an essay about single subjects of insolvency law, enumerating the Czech insolvency act and comparing it with standing in German insolvency law. The chapter concerns net of all sorts of contradictory interests of all important subjects in insolvency law and contains important part of legal creditor's protection – liability for damage and other damages in insolvency law. Part of this chapter is also characterization of the role of single creditor's authorities and their responsibility. It touches questions about protection of small creditor and consumer in insolvency law, first of all with respect to questions about claiming responsibility for defects of goods according to the Czech Civil code.

Chapter 4 is called „Protection resources of creditor in bankruptcy process“. It is a continuous report about institutes of creditor's protection in course of single phases in insolvency process from opening of insolvency process, through the presentation till discharge in bankruptcy. It is also touching recently widely discussed "Bankruptcy vexation" and brings report about institutes for clearing of debts and invalidity or inefficiency in regime of insolvency act.

