

The theme of my graduation thesis is “The Status of Bankruptcy Creditors in Insolvency Proceedings according to the Act No. 182/2006 Coll., (The Insolvency Act)”. The purpose of my thesis is to provide a comprehensive analysis aimed at creditor’s rights and duties during insolvency proceedings, with a special attention focused on selected topics. One of my goals is to highlight the big progress of creditors achieved with the new legal regulation. I also concern myself with those provisions of The Insolvency Act, which from my perspective offer an ambiguous interpretation. Therefore application of these provisions may cause problematic situation difficult to be resolved.

The thesis is structured into seven chapters. The first two parts are dedicated to a general introduction to the insolvency law with an accent to basic legal principles and institutes of insolvency proceedings. We find there also a brief historical overview of insolvency in Czech Republic as well as general aspects of replacing The Act No. 328/1991 Coll., on bankruptcy and settlement (The Bankruptcy and Settlement Act) with a new Insolvency Act.

In Chapter 3, I describe the basic creditor’s instruments they can use in order to impact the effectiveness of their claims satisfaction mentioning also one of the bankruptcy conditions which is the plurality of creditors. The Chapter 4 is focused on individual claims as per their categories as exercised by the different creditor’s classes. Following Chapter 5 is dedicated to the legal regulation of the creditors meeting and creditors committee, their competencies and powers within the proceeding. The chapter 6 is devoted to a status of secured creditors and their prerogative powers that resulted in their strong dominant position between other creditors classes. Finally in Chapter 7 I focus my attention to the new creditors power which is the contesting of creditor’s claims in insolvency proceedings.