

Abstract

The content of this bachelor thesis is an economic analysis of the cross-border insolvency proceeding held according to the Council regulation (EC) No 1346/2000 on insolvency proceeding and proposals of its amendment. It is focused mainly on changes regarding the possibility to request an opening secondary proceeding and changes regarding the insolvency of groups of companies. A basic framework for evaluation of a profitability of a secondary proceeding opening for a concrete creditor was introduced at the end of the chapter II. It involves three main factors: ratio of relative shares on the realization of debtor assets in the case a secondary proceeding was opened and in the case I was not opened; additional incomes caused by the fact that the debtor assets were administered as a whole (the assets were not liquidated by parts in several parallel insolvency proceedings) and transaction costs. The proposed changes of the cross-border insolvency law in the European Union concerning a limitation of the right to request the opening of a secondary proceeding and obligatory cooperation between proceedings regarding a member of the same group of companies are then evaluated with respect to this basic framework.