Abstract

Thesis title: **Reorganization under Czech legal regulation**

Main goal of this diploma thesis is to describe and to analyze the applicable legal regulation of reorganization, contained in Act No. 182/2006 Coll., on insolvency and modes of its solutions. Reorganization, as governed today, represents one of the rescue modes of resolution of insolvency, suitable mainly for the mid-sized to large enterprises. Although even after meeting of all the conditions for its allowance by court, it cannot be understood as a solution for everybody, it represents an interesting alternative to the bankruptcy, leading to the winding-up of the particular company.

The diploma thesis is divided into fourteen chapters in total. The first two chapters are dedicated to general issues, i.e. to the definition of the concept of the insolvency proceedings and of its legal regulation, as well as to the legal regulation of reorganization. The emphasis therein is given to the character and goal of the insolvency proceedings, with focus on the interpretation of the concept of “principally proportionate satisfaction of creditors” as one of the key concepts determining the main purpose of insolvency proceedings. Third chapter reflects the basic overview of the process of insolvency proceedings until the issuance of the court decision over the motion on insolvency. Chapters four to fourteen focus then directly on the reorganization. After its general introduction and brief comparison to bankruptcy, the chapters regarding the admissibility of reorganization and the procedure of its allowance follow. Special emphasis is being added on the so-called pre-packed reorganization. To the reorganization plan as a key document of reorganization, the most extensive chapters are of this thesis are dedicated, i.e. chapters eight to ten. The eleventh chapter describes the legal effects of reorganizational plan. The analysis of the ways of ending of reorganization in twelfth chapter follows, in terms of which, the legal position of creditors in case of unsuccessful ending of reorganization is emphasized. The thesis is then brought to an end by the analysis of the application of reorganization in practice since the beginning of the legal force of the insolvency act until the first half-year of 2017 in the thirteenth chapter.