

The European Insolvency Regulation An Update Papers From The Insol Europe Academic Forum Annual Conference Stockholm Sweden 30 September 1 October 2009

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REGULATION (EU) 2015/ 848 OF THE EUROPEAN ...

(3) Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ L 160, 3062000, p 1) (4) Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the

The EU Insolvency Regulation - INSOL International

- European insolvency framework
- The Insolvency Regulation is binding in its entirety and directly applicable in all Member States (except Denmark) without the need (or possibility) for ratification or implementation by domestic legislation
- The Insolvency Regulation does not harmonise substantive or procedural insolvency law in Europe

B REGULATION (EU) 2015/848 OF THE EUROPEAN ...

B REGULATION (EU) 2015/848 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 May 2015 on insolvency proceedings (recast) (OJ L

141, 562015, p 19) Amended by: Official Journal No page date M1 Regulation (EU) 2017/353 of the European Parliament and of the Council of 15 February 2017 L 57 19 332017

THE EUROPEAN UNION INSOLVENCY REGULATION: IT'S ...

2 THE EUROPEAN UNION INSOLVENCY REGULATION: IT'S FIRST YEAR IN DUTCH COURT CASES Bob Wessels 1 1 Introduction The European Union Regulation on Insolvency Proceedings entered into force on May 31, 2002

THE EUROPEAN INSOLVENCY REGULATION 2000: A ...

European Community (later Union) have been active in concluding texts seeking to regulate a phenomenon that has increased greatly in the 1980s and 1990s One of these texts is the European Council Regulation on Insolvency Proceedings ('Regulation') of 29 May 2000, which entered into effect on 31 May 20021 The

The EC Insolvency Regulation: three years on

insolvency of a particular debtor (and, therefore, which courts can open insolvency proceedings for that debtor) (recital 15 of the Preamble to the Regulation (Preamble)) The Regulation acts as a tool to avoid judicial conflict in pursuit of European integration, in the same way that Council Regulation

CASH POOLING AND THE EUROPEAN INSOLVENCY ...

Cash Pooling and the European Insolvency Regulation Bart de Man Kennedy Van der Laan NV 1 Introduction A cash pooling arrangement is often used in an international context, whereby the group of

Subject: DIRECTIVE OF THE EUROPEAN PARLIAMENT AND ...

(12) Regulation (EU) 2015/848 of the European Parliament and of the Council1 deals with issues of jurisdiction, recognition and enforcement, applicable law and cooperation in cross-border insolvency proceedings as well as with the interconnection of insolvency registers Its scope covers preventive procedures which promote the rescue of

The recast Insolvency Regulation (EU 2015/848)

The recast Insolvency Regulation (EU 2015/848) The EU Regulation 2015/848 (the recast Regulation) comes into force, in part, on 26 June 2017 The recast Regulation, which deals with cross-border jurisdiction, cooperation, recognition and enforcement of insolvency proceedings in the EU, replaces EC Regulation

A guide to pre-insolvency and insolvency proceedings ...

Insolvency law in the EU is regulated primarily through Regulation No 1346/2000 as updated by Regulation 2015/848 which comes into effect from 26 June 2017 If a company is established in several EU Member States, the opening of insolvency proceedings

INTERNATIONAL JURISDICTION TO OPEN INSOLVENCY ...

Art 3(1) and (2) EU Insolvency Regulation (InsReg) form the basis for a judgment to open insolvency proceedings in the EC2 Art 3(1) InsReg provides that the courts of the Member State within the territory of which the centre of a debtor's main interests is situated shall have jurisdiction to open insolvency proceedings

New EU insolvency rules give troubled businesses a chance ...

EPRS | European Parliamentary Research Service Author: Carla Stamegna Members' Research Service PE 623548 - June 2018 EN New EU insolvency rules give troubled businesses a chance to start anew OVERVIEW In 2012, the Commission proposed to recast the 2000 Insolvency

Regulation in ...

Legal Alert - Insolvency Regulation - September 2017

regulation (CE) 1346/2000 on insolvency proceedings, as amended, which originally came into force on 31 May 2002 (“Regulation 1346/2000”) This recast addresses some of the deficiencies contained in the earlier regulation in order to enhance the effective administration of cross-border insolvency proceedings within the European Union (“EU

The Approach of the European Insolvency Regulation

European Insolvency Regulation (EIR) Council Regulation (EC) No 1346/2000 of 29 May 2000 on Insolvency Proceedings 27 Member States (all Member States of the European Union except Denmark) Provisions on (a) International Jurisdiction, (b) Applicable Law, (c) Recognition and Enforcement of ...

Group Insolvency Proceedings Under the Revised EU ...

revised version of the EU Insolvency Regulation (“Revised IR”) will enter into force on 26 June 2017² After 15 years of service, the European Commission thought it was time to retire the original EU Insolvency Regulation (“Original IR”)³ and mark a new chapter in integrating its Member States’ procedural insolvency frameworks

PE-CONS 31/15 EN - Europa

european union the european parliament the council strasbourg, 20 may 2015 (or en) 2012/0360 (cod) lex 1607 pe-cons 31/15 justciv 98 ejustice 53 codec 662 regulation of the european parliament and of the council on insolvency proceedings (recast) pe-cons 31/15 en

European Insolvency Regulation

reform of the European Insolvency Regulation Most of it was prepared within a period of about half a year in which the editors were in constant contact with the EU-Commission and participated in the process that led to the presentation of the Proposal for a Regulation of the European Parliament and of the Council amending

Forum of Competent Jurisdiction: Lesson from the European ...

Regulation on Insolvency Proceedings² (Regulation), has been enacted While the Regulation also includes choice of forum provisions with recognition and enforcement mechanisms, it provides for a more complete and predictable system in governing the insolvency of MNEs within the European Union (EU)

Towards the reform of the Communication from the ...

The European Insolvency Regulation, or the EIR,¹ is the product of many years of reflection and a significant development in the way states approach insolvency law Its history dates back to the projects of the seventies and eighties when a number of sensitive points were raised and eventually resolved

International Arbitration and Multinational Insolvency

an insolvency proceeding in Country B, should it choose its own claims-arbitration rule or the rule that would be applied by the insolvency court in Country B?⁴ This issue came before two European courts as to the same debtor, with opposite results Council Regulation 1346/2000, European Union Regulation on Insolvency Proceedings,