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institutions, investment firms and

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other firms, institutions or
undertakings covered by Directive
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Parliament and of the Council (5) and
collective investment undertakings
should be excluded from the scope of
this Regulation, as they are all subject

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to special arrangements and the
national supervisory authorities have
wide-ranging powers of intervention.
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These Regulations amend the

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Regulations 2019 (S.I. 2019/146)
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("the 2019 Regulations"). Those
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Regulations are stated to come into
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force on exit day (with limited...

~~The Insolvency (Amendment) (EU~~

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1. The opening of insolvency proceedings against the purchaser of an asset shall not affect the seller's rights based on a reservation of title where at the time of the opening of proceedings the asset is situated

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within the territory of a Member State
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Regulation. The new European
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May 2015 on insolvency proceedings)
has come into effect on 26 June 2017
for insolvency proceedings that are

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opened on or after that date. The
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European Parliament and of ...

After many years of negotiations
among Member States, a uniform set

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of private international law rules has
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Community. This is the European
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Parliament and of the Council of 12
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The Insolvency Regulation 2000,
where it continues to apply, is directly
applicable (having automatic legal
effect and prevailing over domestic
legislation) in all member states in the
EU excluding Denmark, and applies
to and in respect of the UK, as if the

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UK remained a member of the EU,
during the transition period agreed as
part of the withdrawal agreement
made between the UK and the EU on
the UK's departure from the EU.

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The EU adopted in June 2019 the
Restructuring and Second Chance
Directive that would allow viable
business in distress to be rescued and
honest but bankrupt individuals to be
given a second chance. Directive of

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the European Parliament and of the
Council on preventive restructuring

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The Insolvency Regulation is an EU Regulation concerning the rules of jurisdiction for opening insolvency proceedings in the European Union. It determines which member states'

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courts have jurisdiction.

~~Insolvency Regulation – Wikipedia~~

Commentary on the European

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Reinhard Bork and Kristin van

Zwieten The most detailed article-by-

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article commentary on the EIR in
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English Timed to provide valuable
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detailed analysis on the revised
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implementation in 2017

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The European Insolvency Regulation (Regulation (EC) No. 1346/2000) (the "Regulation") has reduced the risk to banks and financial institutions of enforcement against insolvent companies in EU Member States by

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enabling cross-border cooperation
and increasing certainty in the law
applicable on insolvency. New
European legislation addresses some
deficiencies of the Regulation and
introduces a new framework for
group insolvencies.

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Sep 2016 A new text, Commentary on
the European Insolvency Regulation,

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has recently been published by Oxford University Press. The book is edited by Reinhard Bork and Kristin van Zwieten.

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the Council of 20 May 2015 on
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Recast Insolvency Regulation applies only to insolvencies commencing on or after 26 June 2017: insolvencies commencing before then are governed, where it applies, by the Insolvency Regulation 2000, for information on which, see Practice

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or affairs in several countries can be
resolved under EU law – specifically
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summary of how it works). Forms
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The case raised a number of
important points of European cross
border insolvency law under the
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the English Court's exercise of a
foreign law judicial power. Ben
Archer explains the facts, the court's
rulings and the implications of the
decision.

~~The impact of foreign insolvency~~

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proceedings on English ...

This paper addresses critically the meaning and effect of the set-off provisions in the European Insolvency Regulation. The Regulation sets out the authority of EU Member States to open insolvency proceedings and

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provides that, subject to exceptions,
the law of the State that opens
insolvency proceedings shall apply to
those proceedings.

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undertakings covered by Directive
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Parliament and of the Council (5) and
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should be excluded from the scope of
this Regulation, as they are all subject
to special arrangements and the

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national supervisory authorities have
wide-ranging powers of intervention.

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force on exit day (with limited..

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1. The opening of insolvency proceedings against the purchaser of an asset shall not affect the seller's rights based on a reservation of title where at the time of the opening of proceedings the asset is situated within the territory of a Member State

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After many years of negotiations
among Member States, a uniform set
of private international law rules has

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been established to determine the
conduct of cross-border insolvency
proceedings within the European
Community. This is the European
Insolvency Regulation of May 2000.

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where it continues to apply, is directly applicable (having automatic legal effect and prevailing over domestic legislation) in all member states in the EU excluding Denmark, and applies to and in respect of the UK, as if the UK remained a member of the EU,

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during the transition period agreed as
part of the withdrawal agreement
made between the UK and the EU on
the UK's departure from the EU.

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The EU adopted in June 2019 the Restructuring and Second Chance Directive that would allow viable business in distress to be rescued and honest but bankrupt individuals to be given a second chance. Directive of the European Parliament and of the

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The Insolvency Regulation is an EU Regulation concerning the rules of jurisdiction for opening insolvency proceedings in the European Union. It determines which member states' courts have jurisdiction.

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The European Insolvency Regulation (Regulation (EC) No. 1346/2000) (the "Regulation") has reduced the risk to banks and financial institutions of enforcement against insolvent companies in EU Member States by enabling cross-border cooperation

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and increasing certainty in the law
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applicable on insolvency. New
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Sep 2016 A new text, Commentary on
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has recently been published by Oxford

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University Press. The book is edited by
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overview of Regulation (EU) 2015/848
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insolvency proceedings (recast)
(Recast Insolvency Regulation). The
Recast Insolvency Regulation applies

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only to insolvencies commencing on
or after 26 June 2017: insolvencies
commencing before then are
governed, where it applies, by the
Insolvency Regulation 2000, for
information on which, see Practice
note, The EC Regulation ...

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Cross-border insolvency (EU rules)

Insolvency cases involving companies
or entrepreneurs with activities, assets
or affairs in several countries can be

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resolved under EU law – specifically
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The case raised a number of important points of European cross border insolvency law under the European Insolvency Regulation, and the English Court's exercise of a

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foreign law judicial power. Ben

Archer explains the facts, the court's
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decision.

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This paper addresses critically the meaning and effect of the set-off provisions in the European Insolvency Regulation. The Regulation sets out the authority of EU Member States to open insolvency proceedings and provides that, subject to exceptions,

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the law of the State that opens
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