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Uncitral Legislative Guide On Insolvency Law

Joachim Müller, Karl P. Sauvant



Uncitral Legislative Guide On Insolvency Law:

UNCITRAL Legislative Guide on Insolvency Law United Nations, United Nations Commission on International Trade Law, 2012 Part three addresses the treatment of enterprise groups in insolvency both nationally and internationally While many of the issues addressed in parts one and two are equally applicable to enterprise groups there are that only apply in the enterprise group context Part three thus builds upon and supplements parts one and two At the domestic level the commentary and recommendations of part three cover various mechanisms that can be used to streamline insolvency proceedings involving two or more members of the same enterprise group These include procedural coordination of multiple proceedings concerning different debtors issues concerning post commencement and post application finance in a group context avoidance provisions substantive consolidation of insolvency proceedings affecting two or more group members appointment of a single or the same insolvency representative to all group members subject to insolvency and coordinated reorganization plans

UNCITRAL Legislative Guide on Insolvency Law United Nations Commission on International Trade Law, 2005

UNCITRAL Legislative Guide on Insolvency Law ,2004

UNCITRAL Legislative Guide on Insolvency Law United Nations, United Nations Commission on International Trade Law, 2014-03-15 This book focuses on the obligations regarding management of an enterprise when it faces imminent insolvency or insolvency becomes unavoidable The aim of imposing such obligations which become enforceable once insolvency proceedings commence is to protect the legitimate interests of creditors and other stakeholders and encourage timely action to address financial distress and minimize its effects This publication addresses the key elements of provisions imposing such obligations as well as the nature of the obligations the time at which the obligations should arise the persons to whom the obligations would attach liability for breach of the obligations and enforcement of those obligations specifically applicable defenses remedies the persons who may bring an action to enforce the obligations and how those actions might be funded

UNCITRAL Legislative Guide on Insolvency Law United Nations, United Nations Commission on International Trade Law, 2013

UNCITRAL Legislative Guide on Insolvency Law United Nations Commission on International Trade Law, 2005

Cross-Border Insolvency Law Bob Wessels, Gert-Jan Boon, 2015-09-24 Recent insolvency cases highlight the growing importance of cross border insolvency matters in international transactions In order to obtain relevant information essential for conduct in such transactions an insolvency lawyer needs to have access to the many relevant instruments that have been introduced and implemented in recent years but that until now have not been available in any single place This very useful volume collects for the second time in one source all important international and regional legal instruments relating to insolvency of companies and consumers as well as to corporate rescue law The book includes international and regional conventions model laws EU regulations and directives and guiding principles produced by various international bodies such as the World Bank the United Nations Committee on International Trade Law UNCITRAL the American Law Institute INSOL International and

INSOL Europe and international and European restatements of insolvency law by scholars In addition to reproducing the complete texts of these instruments the editors provide insightful commentary covering such important matters as the following key issues of each text expected amendments and revisions and comparative analysis of instruments A unique resource bringing together core material in the field of cross border insolvency law and legislation this book will be welcomed by international insolvency practitioners worldwide UNCITRAL Legislative Guide on Insolvency Law ,2012

Research Handbook on Corporate Restructuring Omar, Paul J.,Gant, Jennifer L.L.,2021-08-27 This timely Research Handbook examines the increasingly economically vital topic of corporate restructuring Reflecting a shift in the global approach to insolvency towards a focus on rescuing viable businesses rather than liquidation chapters consider all areas of the law closely connected to corporate insolvency rehabilitation and rescue as well as the introduction of the EU Preventive Restructuring Directive and other reforms from around the world International Insolvency Law Paul Omar,2017-07-05 International insolvency is a newly established branch of the study of insolvency that owes much to the phenomenon of cross border incorporations and the conduct of business in more than one jurisdiction It is largely the offspring of globalization and involves looking at both law and economic rules This book is a compendium of essays by eminent academics and practitioners in the field who trace the development of the subject give an account of the influences of economics legal history and private international law and chart its relationship with finance and security issues as well as the importance of business rescue as a phenomenon Furthermore the essays examine how international instruments introduced in recent years function as well as how the subject itself is continually being innovated by being confronted by the challenges of other areas of law with which it becomes entangled *Sakakawea Collection* ,1906 *Essays on International Law* Graeme Baber,2017-01-06 This book contains ten writings on different aspects of international law each of them cross referenced in instances in which information in one is relevant to points made in another The first essay considers the character of the subject and its relation to other entities of relevance to it such as its compatibility with national law and its relation to maritime law The second one considers different types of legal instruments in settings of international law and explains how to read a multilateral convention using the Convention for the International Sale of Goods as an example The third part discusses the characteristics of a state and the concept of recognition the fourth reviews the various roles that institutions take in international law concentrating in particular on major regional organisations and the fifth explores the extent to which the World Trade Organisation and the General Agreement on Tariffs and Trade provide for developing countries Essay Six summarises the framework for international labour law and investigates its contents and workings then the seventh considers which countries predominate in the running of international institutions The eighth paper explores how regional entities might co operate with international institutions in the harmonisation of the law and the ninth one investigates the place of negotiation as a method of international dispute resolution Finally the tenth essay considers the past present and

future of international law and reviews especially the role of language **UNCITRAL Legislative Guide on Insolvency Law for Micro and Small Enterprises**, 2022 Legislative Guide on Insolvency Law United Nations, 2006-05-05

Legislative Guide on Insolvency Law United Nations, 2005-11-18 *Rescue of Business in Europe* Bob Wessels, Stephan Madaus, European Law Institute, 2020-01-30 This edited volume is based on the European Law Institute's project The Rescue of Business in Insolvency Law which ran from 2013 to 2016 The project sought to investigate and articulate the essential features of well functioning procedures for the rescue of distressed but viable businesses Although the focus was primarily on the design and implementation of formal procedures that is those provided by law the project also required consideration of the interaction between such procedures and informal solutions to distress given the obvious cost advantages of the latter The ELI project was not confined exclusively to restructurings since these are only one possible route to maximising the value of a distressed but viable business an auction procedure in which the business is sold on a going concern basis to a new owner is one obvious alternative The ELI project encompasses various aspects of both public constitutional law and insolvency law that may have a bearing on the functionality of formal restructuring procedures

Legislative Guide on Insolvency Law United Nations Commission on International Trade Law, 2005 This publication seeks to assist the establishment of a legal framework for an efficient and effective national corporate insolvency regime which strikes a balance between the financial difficulties of debtors and the interests of creditors and other relevant parties as well as addressing public policy concerns The text of this draft legislative guide was adopted by UNCITRAL in June 2004 and approved by UN General Assembly resolution 59 40 in December 2004 *Uncitral Legislative Guide on Insolvency Law*, 2012 Introduction to part three General features of enterprise groups Addressing the insolvency of enterprise groups Domestic issues Addressing the insolvency of enterprise groups International issues Decision of the United Nations commission on international trade law on part three and general assembly resolution 65 24 **Annual Review of United Nations Affairs, 2010/2011** Joachim Müller, Karl P. Sauvant, 2012 *Report of the United Nations Commission on International Trade Law on the Work of Its Session[s]* United Nations Commission on International Trade Law, 2008

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