EU cross-border insolvency proceedings

Judicial inter-professional cooperation for an effective application of the Regulation EU 2015/848 of 20 May 2015 on insolvency proceedings.
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These guidelines were prepared by the *Ecole Nationale de la Magistrature* (ENM) of France, in partnership with the *Institut de Formation Judiciaire-Institut voor Gerechtelijke Opleiding of Belgium*, the *Consejo General del Poder Judicial-Escuela Judicial* (CGPJ-EJ) of Spain and the *Krajowa Szkoła Sądownictwa i Prokuratury* (KSSIP) of Poland, as part of the “EU Cross-border Insolvency Proceedings” Project (2019-2021).

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These guidelines indicate non-binding best practices regarding insolvency proceedings for EU Member States judicial authorities, using the EU Regulation 2015/848 of 20 May 2015.

It aims at facilitating efficient cooperation between courts in terms of insolvency proceedings, taking into account other recently formulated standards in this area, such as the 2007 Insol European Communication and cooperation guidelines for cross border insolvency, the 2009 UNCITRAL Practice Guide on Cross-Border Insolvency Cooperation and the standards adopted in 2012 by the International Insolvency Institute on Coordination of Multinational Enterprise Group Insolvencies.
INTRODUCTION AND OBJECTIVES

1.1. Judicial Cooperation in Insolvency Proceedings

The cooperation among courts in insolvency matters is a novelty introduced by the EU Regulation 2015/848 of 20 May 2015 on insolvency proceedings. It effectively complements the cooperation between the practitioners appointed in insolvency proceedings opened in several Member States, which is necessary for the coordination of the insolvency proceedings opened by several courts of different States, whether they concern a single debtor company with its different establishments or a group of distressed companies.

Cooperation between courts already exists in other areas of European law, in particular in civil and commercial matters through the European Judicial Network in civil and commercial matters¹. In the area of insolvency and before the adoption of the Regulation on 20 May 2015, practitioners had already developed rules of good conduct to organise a proper cooperation outside of any specific regulations (See in particular INSOL Europe, the International Insolvency Institute and the American Law Institute).

The United Nations Commission on International Trade Law has also adopted a Practice Guide on Cross-Border Insolvency Cooperation² and, more recently, a Model Law on Enterprise Group Insolvency³. However, only a few Member States of the European Union have ratified the UNCITRAL Model Law on Cross-Border Insolvency (1997)⁴.

As for the EU Regulation of 20 May 2015, it provides a duty of cooperation and communication between courts so as to facilitate the coordination of insolvency proceedings opened in respect of a single debtor company or of two or more members of a group of companies⁵. This duty is applicable subject to the discretion of the court and to the extent that such cooperation is not incompatible with the rules applicable to each of the proceedings including the principle of an adversarial process. It also implies that the court must inform the debtor left in possession, the insolvency practitioner as well as any other competent body of a Member State empowered to control or supervise insolvency proceedings of any request for communication, information or assistance from a practitioner appointed in insolvency proceedings by a court in another Member State.

¹ European Judicial Network in civil and commercial matters (EJN)
² UNCITRAL, Practice Guide on Cross-Border Insolvency Cooperation (2009):
³ UNCITRAL Model Law on Enterprise Group Insolvency with Guide to Enactment (2019)
⁵ EU Regulation 2015/848, Articles 42 and 57 ‘Cooperation and communication between courts’.
The European Regulation provides for measures including, but not limited to, the authorisation for insolvency practitioners to enter into and conclude agreements or protocols, a direct communication between courts, a direct request for information and assistance from each other, the development of joint agreements, the coordination of the conduct of hearings and even the suspension of the realisation of the assets in local insolvency proceedings.

### 1.2. Objectives of the Best Practices Guidelines

Purpose of the present Guidelines:

- To facilitate the exchange of a sufficient amount of information between courts involved in cross-border insolvencies;
- To ensure legal certainty to insolvency practitioners when implementing the cooperation principle set out by the European Insolvency Regulation;
- To facilitate the coordination of insolvency proceedings opened in respect of a single debtor company or in respect of two or more members of a group of companies subject to the opening of parallel insolvency proceedings;
- To put at the disposal of the judges and public prosecutors of Member States a comprehensive set of rules to provide a cooperation framework (i) balancing the duty to cooperate with the need to comply with local procedural rules, (ii) ensuring the application of the principles recognised by the European Convention for the Protection of Human Rights and Fundamental Freedoms, and (iii) the need for an appropriate cooperation to ensure that cross-border insolvency proceedings operate efficiently and effectively.

The rules contained in these guidelines are in no way binding on judges or practitioners or any interested parties. These Guidelines do by no means allow any legal consequences from one to another party. In the same way, cooperation between courts and practitioners may take place by any other suitable means and under any other manner not provided in these guidelines.

In all cases, judges may have to respect their own domestic rules. These guidelines can by no means deviate from these rules.
RELEVANT PROVISIONS OF THE REGULATION OF 20 MAY 2015

The Regulation of 20 May 2015 also contains various provisions concerning judicial cooperation, in particular the following articles:

Article 36: Right to give an undertaking in order to avoid secondary insolvency proceedings

For the purpose of avoiding the opening of secondary insolvency proceedings, the insolvency practitioner appointed in the main insolvency proceedings may give a unilateral undertaking to ensure that the distribution and priority rights under national (local) law will apply in relation to the proceeds received as a result of the realisation of the debtor’s assets.

The undertaking shall be approved by the known local creditors according to the rules on qualified majority under the law of the Member State where secondary insolvency proceedings could have been opened.

Known local creditors may apply to the courts of the Member State in which main insolvency proceedings have been opened, in order to require from the insolvency practitioner in the main insolvency proceedings to take any necessary measures to comply with the terms of the undertaking.

Such creditors may also apply to the court(s) of the Member State in which secondary insolvency proceedings would have been initiated to require the court to take provisional or protective measures to ensure compliance with the terms of the undertaking.

When authorised by the court in accordance with the law of the Member State, the undertaking of the practitioner in the main proceedings must be brought to the attention of the bodies involved in these proceedings and to the creditors, by a decision of the court which opened the main insolvency proceedings.

Article 37: Right to request the opening of secondary insolvency proceedings

The insolvency practitioner in the main insolvency proceedings may request the opening of secondary insolvency proceedings.

However, the practitioner in secondary insolvency proceedings (company A) could apply for the opening of secondary insolvency proceedings (company B) in another Member State if he is empowered to do so in that Member State. This may be the case if company A is a creditor of company B.

In this context, the insolvency practitioner in the main insolvency proceedings will have to anticipate the requests from other practitioners.
It should be also possible to address this issue during the regular meetings to be held between the different insolvency practitioners appointed in main and secondary insolvency proceedings.

**Article 42 (1): Appointment of an independent person or body**

In order to facilitate the coordination and cooperation between courts that have opened main and secondary insolvency proceedings, the courts may appoint an independent person or body acting on their instructions, provided that it is not incompatible with the rules applicable to insolvency proceedings opened in respect of the same debtor.

The appropriateness of this appointment must be assessed in the light of the interests involved and the foreseeable difficulties in implementing the restructuring plan envisaged at group level.

**Article 42 (2): Direct communication between foreign courts**

Communication between courts is possible provided that it respects the procedural rights of the parties to the proceedings and the confidentiality of information.

This exchange of information is likely to facilitate cooperation between courts in drawing up a restructuring plan in the (general) interest of the insolvency proceedings as a whole over the (individual) interest of each insolvency proceeding, in the absence of collective coordination proceedings.

**Article 42 (3): Coordination**

More specifically, coordination between courts may concern in particular:

- The appointment of the insolvency practitioners;
- The use of any means of communication that may be appropriate;
- The conduct of the hearings;
- The approval of protocols, when applicable.

The purpose of these coordination measures is to facilitate the elaboration and implementation of a restructuring plan.

**Article 43: Cooperation and communication between insolvency practitioners and courts**

Insolvency practitioners appointed in main and secondary insolvency proceedings opened in respect of a single debtor company cooperate and communicate with all the courts that have opened such proceedings to the extent that such cooperation and communication are not incompatible with the rules applicable to each of the proceedings and do not entail any conflict of interest.
This communication and cooperation are also likely to bring the different practitioners closer together and facilitate the emergence of a joint solution (restructuring plan) in the interest of the creditors while also respecting the other objectives assigned to insolvency proceedings by each national law.

In all cases, appropriate arrangements are made to protect confidential information.

**Article 45: Lodging claims in main and secondary insolvency proceedings**

Any creditor may file its claims in any main or secondary insolvency proceedings. The insolvency practitioners appointed in those proceedings may also lodge in other proceedings claims which have already been lodged in the proceedings for which they were appointed, provided that the interests of creditors in the latter proceedings are served by doing so.

Insolvency practitioners strive to avoid double reporting, which can artificially increase the statement of liabilities.

Each insolvency professional sends to the other practitioners an exhaustive list of the lodgments received, specifying the name of the creditor, his address, the amount of the claim and whether it is a preferential or secured claim.

**Article 52: Preservation measures**

A provisional administrator may be appointed by a court which has jurisdiction to open main insolvency proceedings to request any measures to secure and preserve any of the debtor's assets situated in another Member State for the period between the request for the opening of insolvency proceedings and the judgment opening the proceedings.

The decision must be published to render such appointment effective against third parties.

**Article 57: Management of assets and activities (in proceedings opened in respect of a group of companies)**

The coordinated conduct of the insolvency proceedings aims at achieving a coordinated restructuring of a group in the view to facilitate the development of a common solution at group level.

The elaboration of a restructuring plan requires consultation between the insolvency practitioners in charge of the main and secondary proceedings in order to avoid disposals of individual assets that could jeopardise a global solution.

A procedural timetable may be established between the insolvency practitioners in the absence of coordination.
Article 58: Requests for information from a foreign insolvency practitioner (in proceedings opened in respect of a group of companies)

In order to facilitate the efficient administration of insolvency proceedings, any insolvency practitioner may request information from any court which has opened main or secondary insolvency proceedings, to the extent that such request is not incompatible with the rules of law applicable to each of the procedures and does not entail any conflict of interest.

Article 60: Suspension of insolvency proceedings at the request of a foreign insolvency practitioner (in proceedings opened in respect of a group of companies)

An insolvency practitioner may request a stay of any measure related to the realisation of the assets in the proceedings opened with respect to any other member of the same group, thereby depriving any other insolvency proceedings from being effective. It should be noted that this request must appear necessary to ensure the proper implementation of a restructuring plan which presents a reasonable chance of success to the interest of the creditors.

Articles 61 et seq: Group coordination proceedings (opened in respect of a group of companies).

The insolvency practitioners appointed in insolvency proceedings opened in relation to a member of the group of companies may, in accordance with the applicable national law, request the opening of group coordination proceedings before any court having jurisdiction over the insolvency proceedings of a member of the group.

At least two-thirds of all insolvency practitioners appointed in insolvency proceedings of the members of the group may agree that a court of a Member State have the most appropriate jurisdiction for the opening of group coordination proceedings.

The insolvency practitioners may also request the inclusion of the proceedings in respect of which they have been appointed after that the decision of the opening of group coordination proceedings has been taken by a competent court (subsequent opt-in by insolvency practitioners).

The competent court appoints a coordinator who shall be a person eligible under the law of a Member State to act as an insolvency practitioner and decides on the outline of the coordination and on the estimation of costs and the share to be paid by the group members.

The appointed coordinator can identify and outline recommendations or even propose a non-binding group coordination plan. An insolvency practitioner who does not intend to follow in whole or in part the coordinator's recommendations or the group coordination plan must report back to the court and to the coordinator (see Article 70 of the EIR).
The European Insolvency Regulation of 20 May 2015 contains definitions which frames and constrains its scope of application (EIR, Art. 2). For the purposes of judicial cooperation, the following definitions are proposed for some of the concepts used in these Guidelines. These definitions are not binding, only those contained in Article 2 of the European Insolvency Regulation being mandatory.

**Court**: The judicial body of a Member State body or any other competent body of a Member State empowered to open insolvency proceedings, to confirm the opening of such proceedings or to take decisions in the course of such proceedings; the courts of the Member States are presumed to act in accordance with the law and in an independent and impartial manner;

**Judicial Cooperation**: exchange of information and assistance between different courts of different Member States with respect to one or more insolvency proceedings;

**Public Policy**: Set of imperative rules and principles considered by the Constitution or the law as essential to the political, administrative, social and judicial organisation of a State, as well as the principles enshrined in the European Convention on Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the European Union. A decision of a court of a Member State can be set aside only if its effects would be manifestly contrary to the public policy of the State in which the information or assistance is requested. In this respect, mention should be made of the independence of the courts and other elements cited in Recital 83 of the European Insolvency Regulation, namely ‘the protection of personal data, the right to property and the right to an effective remedy and to a fair trial’;

**Cooperation Protocol**: agreement concluded by two or more insolvency practitioners appointed in insolvency proceedings opened by courts in different Member States with a view to establishing a framework for the exchange of information and assistance in the management of one or more insolvency proceedings.
4 PURPOSE OF COOPERATION

Judicial cooperation may include the aspects of the insolvency proceedings which concern two or more entities or establishments of a same company or two or more companies of a same group, and in particular:

- The assets and rights of interested parties
- The assets and accounts tracing
- The restructuring of the share capital of companies in difficulty
- Debt-equity swaps
- Procedural solutions
- The search for potential buyers for the assets
- Claims, including cross-claims
- Avoidance actions
- Current contracts
- Parent company or directors’ duties and liabilities
- Directors disqualifications
- Share of procedural costs
- The coordinated conduct of hearings
- As well as pending lawsuits

5 GENERAL PRINCIPLES

*International nature of the insolvency proceedings*

The debtor who requests the opening of insolvency proceedings or who is summoned for this purpose must inform the court of any information relating to the existence of assets located abroad and the capital or control relationships with any other company established in another country in the European Union or outside the European Union, the names of the directors of these entities, the names of the chartered accountants or statutory auditors of these entities and of the court that has opened or has already been seised of a request to open insolvency proceedings in respect of one of these entities.
Opening of proceedings

As soon as insolvency proceedings are opened, the insolvency practitioner appointed by the court must inform the courts of the other Member States of the judgment opening proceedings and of his appointment. It must also inform the creditors domiciled in other Member States of which he is aware pursuant to Article 54 of the Regulation of 20 May 2015.

Information to foreign courts

The court must communicate to the court or courts of the other Member States which have opened insolvency proceedings or which have been seised of such a request the essential elements of the proceedings being conducted by it: whether or not these proceedings are main, territorial or secondary proceedings, the name and address of the insolvency practitioner and, where applicable, the name and address of the judge or representative appointed by the court to manage communication and cooperation with another court.

Objection to the opening of secondary proceedings

The court seised of a request to open secondary insolvency proceedings must allow the practitioner in the main insolvency proceedings to make observations before the opening of such proceedings, pursuant to Articles 36 and 38 of the Regulation of 20 May 2015. Sufficient time must be allowed to the practitioner to do so.

Hearings and protocols

The court must notify the other court or courts of the hearings and meetings relating to the examination of a proposed restructuring plan, the sale of the business as a going concern, the draft plans, the verification of claims, the sale of assets and the approval of any agreements made or contemplated between the insolvency practitioners.

Authorisation of protocols

The court must authorise the practitioner who has appointed to enter into any agreement or protocol by a decision to be notified to other courts.

Authorisation of protocols

The court may make the execution of any agreement or protocol concluded by two or more insolvency practitioners subject to its approval.
Securing the exchanges

A court that sends a request for exchange of information or assistance to any other court that has opened insolvency proceedings in respect of a company of a same group or in respect of another entity dependent on the debtor, or that has already been seised for this purpose, must bring the secure identification elements of its request to the attention of that other court. A free translation of the request and relevant supporting documents in the official language in use before that court must be attached to it.

Language

The court may refuse any request for information or assistance that is not accompanied by a translation in the official language in use in its jurisdiction and by the identification details of the foreign court seising it.

Information on the language

The court may notify the court of another Member State that it allows a request for information or assistance in a language other than the official language in use in its jurisdiction.

Authorisation of the supervisory body

The court may make the provision of information or an assistance measure subject to the approval of the supervisory body representing the interests of creditors.

Confidential information

The court must not communicate any information or provide any assistance which is or could likely concern confidential data covered by business secrecy, strategic interests of the State where it is situated or any personal data concerning the debtor, the director or the creditors, where the latter are natural persons, as well as employees.
The court, in accordance with national law, may derogate from this prohibition only with the agreement of the public prosecutor's office or that of any public supervisory authority in the State where it is situated. The court and the practitioner must use means of communication that ensure the protection of any confidential information that would be transmitted (see e.g. Article 56 (2) (a) and Article 41 (2) (a) of the EIR).

**Personal data**

Generally speaking, the court cannot disregard the principles laid down in the European Regulation no. 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

**Information to the public prosecutor's office**

The public prosecutor's office or public supervisory authority is informed of requests for information and assistance.

**Requesting for information from the public prosecutor's office**

The public prosecutor's office or the public supervisory authority of another Member State may request any information or assistance from the court subject to the prior agreement of the public prosecutor's office or any other competent body of a Member State empowered to control or supervise insolvency proceedings. Information or assistance may be provided in accordance with national law.

**Information on the debtor's previous transactions**

The court must communicate all relevant information concerning the transactions and contracts concluded by the debtor subject to its jurisdiction prior to the opening of the insolvency proceedings to the court of any other Member State that has opened insolvency proceedings in respect of same debtor who so requests.

**Public policy**

No information and no assistance may be requested by the court of a Member State in charge of insolvency proceedings which would be manifestly contrary to the public policy of the State where the request is made or to the procedural rules applicable before the court.

**Right of access of a foreign practitioner**

The court must allow any practitioner appointed in insolvency proceedings opened by the court of another Member State to have access before it directly or through a lawyer.
or through another representative of its choice, to have access to the hearings relating to the insolvency proceedings concerning the same debtor or the company of a same group and to communicate all relevant information to it before making any rulings.

**Right of intervention of a foreign practitioner**

The court must examine any application made by a practitioner appointed in insolvency proceedings opened by the court of another Member State and decide on that request within a reasonable time.

**Principle of contradiction**

The court must inform the debtor in possession, the insolvency practitioner, or any other competent body of a Member State empowered to control or supervise insolvency proceedings of any request for communication, information or assistance from a practitioner appointed in insolvency proceedings by the court of another Member State.

### 6 FURTHER PROVISIONS RELATING TO GROUPS OF COMPANIES

**Appointment of the insolvency practitioner**

The court must inform the court of any other Member State which has opened insolvency proceedings in respect of a group company of which the company for which it is responsible is a member, of the appointment of the insolvency practitioner and of the judge or the representative of its choice appointed to ensure communication between the courts under its supervision.

**Approval of a protocol**

Any agreement or protocol concluded by two or more insolvency practitioners in insolvency proceedings concerning two or more entities or establishments of a same company or two or more companies of a same group is subject to the authorisation and, if the law so requires, the sanction of the court.

**Appointment of a coordinator**

The court hearing an application aiming at drawing up a group coordination plan as provided for by Articles 61 et seq of the Regulation of 20 May 2015 appoints a coordinator for the purpose to perform the functions and duties provided for in those provisions.
Conflicts of interest

The court must ensure when communicating with the court of another Member State that there is no conflict of interests between the interests of the company and the creditors involved in its proceedings and those of the company and the creditors involved in the proceedings opened by that other court.

Employees’ interests

The court must, in the same circumstances, ensure that there is no conflict of interests with the rights and the interests of the employees of the company under its jurisdiction.

Stay of proceedings

The court may suspend certain operations in the course of insolvency proceedings being conducted by it at the request of the court of another Member State if such suspension appears to be in the interest of the insolvency proceedings opened by the latter and is not contrary to the interests of the company and of the creditors in the proceedings being conducted by it.

7 COORDINATION OF THE CONDUCT OF HEARINGS

Presence of foreign practitioners at the hearings

The court must enable the courts of other Member States and practitioners appointed by them to be present or be represented at hearings and meetings held under its authority.

Coordination of the conduct of hearings

The court must coordinate the hearings in any insolvency proceedings in respect of a company and its establishments or a company belonging to a group carrying on its business within the territory of two or more different Member States with the court or courts having jurisdiction over these establishments or companies.

The coordination of the conduct of hearings may include:

- The prior communication of hearing dates
- The communication of the names and addresses of the appointed practitioners
- The communication of relevant information relating to the subject matter of the hearing
- The hearing of the representative of a court of another member state or of a representative of that court
- The holding of a joint hearing
- The prior communication of the information or evidence received from the insolvency practitioner appointed in proceedings initiated by the court of
another member state and involving an entity of a same company or a company of a same group to the parties, to the debtor, to the bodies representing the interests of creditors or employee, to the public prosecutor's office or to any public supervisory authority.

**Exchanges of written submissions**

Written submissions and supporting documents exchanged must be notified to the parties by any means ensuring the authenticity and integrity of the documents and exchanges, or be made available to them at the court registry.

**Exchanges of information**

Exchanges of information may include any items relating to the insolvency proceedings being conducted by the court, in particular information on the assets, on liabilities, the agreements and protocols in progress or already adopted, the treatment of current contracts, the coordination of sales of assets, the distribution of the proceeds from the sales of assets, the drafting of a restructuring plan relating to the assets and liabilities of one or more companies belonging to the same group.

**Contradictory nature of exchanges**

In any event, the provision of information and assistance is subject to prior notification to the insolvency practitioner, to the bodies representing the interests of creditors, to the public prosecutor's office or to any public supervisory authority.

**Personal data**

Confidentiality of personal data of natural persons cannot be disregard as a principle.
8 CONTENT AND MEANS OF EXCHANGES

The following rules must be followed:

- The court appoints its Chair, a judge at the court or any other person empowered for the purpose of exchange, communication and cooperation with another court.
- The court or the person authorised by it may communicate freely with a court of another Member State or any person authorised by the latter within the framework of the rules and principles established by the Regulation of 20 May 2015.
- The communication may include sending of copies of decisions, written submissions, insolvency practitioners’ reports, experts’ reports.
- The court must keep records of any communication with any other court in insolvency proceedings being conducted by it by a process which ensures the authenticity and integrity of the records.
- The communication between the court and the court of another Member State relating to insolvency proceedings being conducted by them may take place by electronic means, by telephone or by video conference, after notice has been given to the parties concerned in accordance with the arrangements laid down by the applicable local rules.
- A record of the communication shall be kept by the court and communicated to the insolvency practitioner, to the debtor in possession, to the bodies representing the interests of creditors, to the public prosecutor’s office or to any public supervisory authority.
- The communication can be planned and carried out by the services of registries of the courts concerned.
- Any recordings must be made under the conditions provided for by the applicable law.
9 COOPERATION BETWEEN INSOLVENCY PRACTITIONERS

Coordination principles between courts complement already-existing cooperation between insolvency practitioners, covering the following aspects:

2.1. Practical approach of the treatment of liabilities

 ✓ Individual notice sent to each creditor informing them on their right to lodge their claims in the main insolvency proceedings and in any secondary insolvency proceedings.

 ✓ The insolvency practitioners in the main and any secondary insolvency proceedings may lodge in other proceedings.

 ✓ The insolvency practitioners exchange their lists of creditors invited to lodge their claims so that any creditors that have been contacted twice can be identified.

 ✓ The law of the Member State where the proceedings have been opened is applicable to the rules governing the lodging, verification and admission of claims. Each insolvency practitioner can check if a claim has not been lodged twice.

2.2. Practical approach of the treatment of assets

 ✓ Each insolvency practitioner draws up a list of the assets subject to the insolvency proceedings where he has been appointed and communicate it to the other practitioners. A timetable is established for the drawing up of the inventories for each proceeding.

 ✓ The realisation of the assets in the secondary proceedings may be suspended by the court in charge of those proceedings at the request of the insolvency practitioner appointed in the main proceedings when such a request meets the interests of the creditors in the secondary proceedings. Such a stay of the process of realisation of assets may be ordered for up to 3 months, but may be continued or renewed for similar periods.
The insolvency practitioner in the main proceedings may propose a restructuring plan in each of the secondary proceedings as long as the law in the Member State where these secondary proceedings have been opened allows such proceedings to be closed without liquidation by a restructuring plan, a composition or a comparable measure.

The restructuring plan may include the sale of assets or a composition depending on the law applicable of the Member state where the court has jurisdiction.

The insolvency practitioner in the main proceedings may propose to the court of the Member State in which secondary insolvency proceedings have been opened to convert those proceedings into another type of insolvency proceedings provided that (i) the conditions for opening that type of proceedings under national law are fulfilled, (ii) that type of proceedings is the most appropriate as regards the interests of the local creditors, and (iii) it is consistent with regard to the respective interests of the main proceedings and the secondary proceedings.

10 USEFUL DOCUMENTS

American Law Institute - International Insolvency Institute, Global Principles for Cooperation in International Insolvency Cases (2012)

INSOL Europe, The European Communication and cooperation guidelines for cross border insolvency (2007)

UNCITRAL, Practice Guide on Cross-Border Insolvency Cooperation (2009)

International Insolvency Institute, Multinational Corporate Group Guidelines (2012)

UNCITRAL, Model Law on Enterprise Group Insolvency with Guide to Enactment (2019), Chapter 2
Best Practices Guidelines for Judicial Cooperation in EU Cross-border Insolvency Proceedings

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