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Cross Border Insolvency A Commentary On The Uncit

International Cooperation in Bankruptcy and Insolvency is published in cooperation with the International Insolvency Institute and the American College of Bankruptcy. The Honorable Bruce A. Markell, Dr. Bob Wessels and Prof. Jason Kilborn provide readers with invaluable insights into the origin, development and future of communication and cooperation in

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cross-border insolvency cases between insolvency practitioners and the courts. The globalization of the world's economy has led to highly complex international aspects of financial reorganization and restructuring. This publication analyzes the structures, systems, and practices that have developed and are quickly emerging to coordinate and enhance international administrations.

This book examines the effect of the adoption of the United Nations Committee on International Trade Law (UNCITRAL)

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Model Law on Cross-Border Insolvency in five common law jurisdictions, namely Australia, Canada, New Zealand, the United Kingdom, and the United States of America. It examines how each of those states has adopted, interpreted and applied the provisions of the Model Law, and highlights the effects of inconsistencies by examining jurisprudence in each of these countries, specifically how the Model Law affects existing principles of recognition of insolvency proceedings. The book examines how the UNCITRAL Guide to

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enactment of the Model Law has affected the interpretation of each of its articles and, in turn, the courts' ability to interpret and hence give effect to the purposes of the Model Law. It also considers the ability of courts to refer to amendments made to the Guide after enactment of the Model Law in a state, thereby questioning whether the current inconsistencies in interpretation can be overcome by UNCITRAL amending the Guide. This third edition of one of the leading textbooks on world trade law offers what

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is, in a number of ways, a unique perspective on this important subject. Combining the best aspects of both casebook and treatise, this comprehensive textbook provides detailed explanations and analysis of the law to help understand the issues as well as case extracts to offer a flavour of the judicial reasoning of trade adjudicators. Moreover, the book is truly global in outlook, being equally useful for students of international trade law in the UK, Europe, the US, Asia and elsewhere around the world. This updated

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edition includes in-depth discussions of the most recent developments in international trade jurisprudence, setting out important precedents that help establish the boundaries between global trade rules and domestic national autonomy. In this era, when political developments place even more importance on international trade, it will be essential reading for all students, scholars and practitioners in the field.

This book is a comprehensive commentary on the EIR in light of recent decisions of

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the ECJ and decisions of the judiciatures of the various Member States of the EU. It contains a commentary on Article 102, Sections 1 to 11 of the German EGINsO (The Act Introducing the Insolvency Act), as well as country reports on the international insolvency laws of France, Great Britain, and Hungary. This book also deals with the UNCITRAL Model Law on Cross-Border Insolvency together with detailed references to the international insolvency laws of the U.S.A., and it also includes a discussion of protocols. The appendix to

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the commentary on Article 3 of the EIR contains an extensive Table of Cases, which sets out over 100 cases from the various Member States, including decisions and literature references. While thus being tailored to the needs of the European insolvency practitioner, this commentary also serves as a knowledge-base from which further exploration of the material can begin. The contributing authors are all well-respected academics and practitioners in Germany, England, France, Hungary, and the U.S.A.

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A Practical Global Handbook, Second
Edition

Moss, Fletcher and Isaacs on the EU
Regulation on Insolvency Proceedings
Insolvency Legislation

Cross-Border Insolvency Law

Cross-border Insolvency: UNCITRAL Model
Law on Cross-border Insolvency and guide
to enactment (1997)

International Insolvency Law

"Cross-border insolvency is an increasingly
topical issue and cross-border insolvency
practice continues to develop rapidly. [This

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book] is an updated, enhanced edition covering the national implementation of the United Nations Commission on International Trade Law model law on cross-border insolvency. Written by specialists from each jurisdiction, this new edition provides an...analysis of the local enactment and application of the model law in each of the jurisdictions concerned, alongside consideration of the relationship between the model law and any existing cross-border insolvency jurisprudence. Each chapter adopts essentially the same format for ease of reference, addressing key concepts such as

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the centre of main interests, court-to-court communication, enforcement of security interests and the protection of debtors and creditors. New to the fourth edition are chapters on Chile, Gibraltar and the Philippines with an expanded South African chapter to include the OHADA countries. This major new edition is an invaluable guide to the local application and comparative analysis of the model law for anyone dealing with cross-border insolvency issues."--

The Model Law on Recognition and Enforcement of Insolvency-Related Judgments (MLIJ) is designed to provide States with a simple,

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straightforward and harmonized procedure for recognition and enforcement of insolvency-related judgments and complements the UNCITRAL Model Law on Cross-Border Insolvency to further assist the conduct of cross-border insolvency proceedings.

Cross-Border Insolvency Law in Australia engages with several current multi-billion dollar insolvencies such as those of Nortel Networks and Lehman Brothers to provide the reader with state of the art knowledge of the complex problems posed by transnational insolvency. As the number of transnational insolvencies grows due to prevailing economic

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conditions, practitioners are increasingly required to navigate the mass of legal rules applicable to cross-border insolvency situations. The associated challenges are heightened by the diversity of legal structures employed by modern business entities and a patchwork of costly, inefficient, and unpredictable national legal rules. The response has been a proliferation of international legal instruments such as the UNCITRAL Model Law, supra-national rules such as the EU Insolvency Regulation, and judicial practice, adding further layers of complexity. Writing from an Australian

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perspective, the authors analyse this network of legal rules and subsequent case law. In addition, they explain the theoretical underpinnings of these rules in an accessible manner to build a solid foundation for practice, facilitate advanced reasoning, and enable the development of sophisticated arguments for law reform. Comparative case law from jurisdictions such as the United States and United Kingdom is also included. This book is highly relevant to insolvency practitioners faced with the recovery of assets transnationally, transactional lawyers for whom knowledge of potential insolvency

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pitfalls is essential, and academics. It is invaluable for students at both undergraduate and postgraduate level seeking a sound understanding of this challenging area of law. Features oAeo Provides a concise theoretical account of international insolvency to develop clear understanding of the concepts underpinning the cross-border insolvency practice oAeo Includes a comparative overview of key international developments and case law oAeo Highlights key trends in practice to ensure practitioners remain current oAeo Offers innovative arguments and approaches to this complex area

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of law Related Titles Assaf, Shields & Kincaid, Voidable Transactions in Company Insolvency, 2014 Brown, Symes & Wellard, Australian Insolvency Law: Cases & Materials, 2015 Rodrigo, Demand Guarantees: Operation, Enforcement and the Autonomy Principle, 2015 Symes, Australian Insolvency Law, 3rd ed, 2015

This comprehensive book provides a clear analysis of the European Restructuring Directive, which aims to improve national frameworks governing business restructuring and insolvency as well as to provide debt relief for individuals. Gerard McCormack

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explores the key aspects of the Directive including the moratorium on litigation and enforcement claims against the financially-troubled business, the provision for new financing, the division of creditors into classes, the introduction of a restructuring plan and the rules for approval of the plan by a court or administrative authority.

EU Banking and Insurance Insolvency

UNCITRAL Legislative Guide on Insolvency Law

UNCITRAL Model Law on Cross-border Insolvency

with Guide to Enactment and Interpretation

Insolvency in Private International Law

European Insolvency Regulation

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Brussels IIa - Rome III

We live in an age of economic turmoil. The recent crises emphasize the need for modern, sophisticated rules to govern businesses in financial distress in order to realize value from distressed companies and to protect economic institutions. This book provides information for legislators, policymakers, lawyers, accountants, academics, and administrators who seek to understand the workings of insolvency laws. Guided by the World Bank's Principles and Guidelines, it supplements the work in this field done by UNCITRAL.

"This report is about the legal problems faced by Australian business in international commerce. It is a feasibility report assessing the scope for law reform in this area. The report focuses on civil remedies in international commerce and their

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implications for reform." -- from the Overview, p. [7].

Written for international trade lawyers, practitioners and students from common and civil law countries, this casebook is an excellent starting point for learning about the CISG, providing an article-by-article analysis of the Convention. The commentary on each article is accompanied by extracts from cases and associated comparative materials, as well as references to important trade usages such as the INCOTERMS® 2010. The book features a selection of the most significant cases, each of which has been abridged to enable the reader to focus on its essential features and the relevant questions arising from it. The case extracts are accompanied by a comprehensive overview of parallel provisions in other international instruments, uniform projects and domestic laws. The analyses, cases, texts and questions are intended to aid

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readers in their comparative law and international sales law studies. They are designed to draw attention to the particular issues surrounding specific CISG provisions and to provoke careful consideration of possible solutions. The book is a reference work as well as an introduction to the individual problem areas. In particular, it acts as a preparatory work for the Willem C Vis International Commercial Arbitration Moot. The inclusion of sample questions and answers also makes it particularly helpful for self-study purposes.

European and international family law is becoming increasingly important. This commentary with the new European divorce law, namely:

- The so-called Rome III Regulation on enhanced cooperation in the field of separation and divorce*
- The so-called Brussels IIa Regulation on the recognition and enforcement of*

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judgments in matrimonial matters and custody matters (European Marriage Regulation) In addition to various other European standards and conventions, these two directly applicable EU regulations are the central provisions of the new European divorce law and thus of paramount importance for every actor in family law in all binational family law cases. The commentary is supplemented by a brief explanation of the Hague Convention on the Protection of Children (CISA).

The Law of Insolvency

Sealy and Milman

Recasting the Insolvency Regulation

Transnational Legal Orders

Annotated Guide to the Insolvency Legislation 2016

An Article-by-Article Commentary

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Central to the book's purpose is the procedural challenge facing arbitrators at each and every stage of the arbitral process when fairness arguments conflict with efficiency concerns and trade-offs must be determined. Some key themes include how can a tribunal be fair, and in particular be neutral, if parties are so diverse? How can arbitration be made efficient and cost-effective without undue inroads into fairness and accuracy? How does a tribunal do what is best if the parties are choosing a suboptimal process? When can or must an arbitrator ignore procedural choices made by the parties? The author thoroughly evaluates competing arguments and adds his own practical tips, expertly

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synthesizing and engaging with the conference literature and differing authors' views. He identifies criteria that offer a harmonized approach to each stage of the arbitral process, with particular attention to such aspects of international arbitration as: appropriate trade-offs between flexibility and certainty; the rights, duties and powers of arbitrators; appointment and challenge of arbitrators; responses to 'guerilla' tactics; drafting of arbitration agreements, including specialty clauses; drafting of required commencement notices and response documents; set-off; fast track arbitration and other efficiency options; strategic use of preliminary conferences and timetabling; online arbitration; multi-

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party, multi-contract, class arbitration; amicus and third party funders; pre-arbitral referees and interim relief; witness evidence, both factual and expert; documentary evidence, production obligations, and challenges to production; identifying applicable law; and remedies and costs.

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

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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

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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 model law on cross-border insolvency --
Guide to enactment and interpretation of the UNCITRAL
model law on cross-border insolvency -- General
assembly resolution 52/158 of 15 december 1997 --
decision of the united nations commission on*

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international trade law

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,

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liability for breach of the obligations and enforcement of those obligations, specifically applicable defences, remedies, the persons who may bring an action to enforce the obligations and how those actions might be funded.

*An Analysis for Germany, England & Wales and the USA
Part IV Directors' Obligations in the Period Approaching
Insolvency*

Annotations and Commentary

Commentary

*International Cooperation in Bankruptcy and Insolvency
Matters*

Uncitral Model Law on Recognition and Enforcement of

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Insolvency-Related Judgments with Guide to Enactment

This book provides an analysis and comparison of international insolvency rules, maritime laws and their inevitable intersection in maritime cross-border insolvencies. Until today, the on-going shipping crisis resulted in the insolvency of numerous shipping companies all over the world. The tensions arising between the legal systems of maritime and insolvency law, paired with conflicts of law in maritime insolvencies, are a major source of legal uncertainty and risk. In 2010, the Comité Maritime International installed an international working group on international maritime

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insolvencies and until today it is work in progress. This book gives an overview on maritime insolvencies, with a focus on Germany, England & Wales and the USA, and assesses the chances of achieving meaningful harmonization in the complex scenarios, where ships as mobile assets add a further complication to international insolvency proceedings.

This successful textbook remains the only offering for students of European company law, and has been fully updated.

Written by specialists from each jurisdiction, this new edition provides an in-depth, article-by-article

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analysis of the local enactment and application of the model law in each of the jurisdictions concerned, alongside consideration of the relationship between the model law and any existing cross-border insolvency jurisprudence. Each chapter adopts the same format for ease of reference, addressing key concepts such as the centre of main interests, court-to-court communication, enforcement of security interests and the protection of debtors and creditors.

This publication contains the following four parts: A model Competent Authority Agreement (CAA) for the automatic exchange of CRS information; the

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**Common Reporting Standard; the Commentaries on
the CAA and the CRS; and the CRS XML Schema
User Guide.**

Cross-border Insolvency

**Procedure and Evidence in International Arbitration
Commentary on the European Insolvency
Regulation**

**Law and Practice of Corporate Insolvency in
Malaysia**

The European Restructuring Directive

**Standard for Automatic Exchange of Financial
Account Information in Tax Matters, Second Edition**

Australian Insolvency Law: Cases and Materials by

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David Brown, Christopher Symes and Mark Wellard provides a concise yet comprehensive introduction to the key cases and materials of insolvency law in Australia. With a clear structure making the book easy to navigate, the explanatory approach helps students to develop the analytical and problem-solving skills necessary for successful insolvency practice. Each extract includes a summary of the most important elements: courts, facts, issue and decision. This overview is followed by the case extract itself and commentary. Features

- o Clear structure which makes the book easy to navigate
- o Explanatory approach and accessible style

Related Titles Symes & Duns, Australian Insolvency

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Law, 3rd ed, 2015 Austin & RamsayFord, Austin & Ramsay's Principles of Corporations Law, 16th edition 2015 Australian Corporations Legislation Student Edition, 2015

This book comprises contributions relating to the Insolvency Regulation Recast, which recently entered into force. The authors analyse the changes introduced and give their views on the improvements that are thereby achieved. In other words, they assess to what extent the amendments have mitigated the disadvantages of the previous Insolvency Regulation. Three of the chapters concentrate on the issues pertaining to jurisdiction, such as the problem of forum shopping by re-locating

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the debtor's centre of main interests. Furthermore, the extent to which the parties have the freedom to contract within the framework of the Insolvency Regulation Recast is discussed. Also, the relevance and consequences of recent developments in corporate law for the current crossborder insolvency framework, as well as the jurisdictional issues concerning approval requirements are amongst the matters addressed. Aside from the jurisdictional matters, the question of the law applicable to so-called 'avoidance actions' is analysed and crossborder cooperation between national authorities in the field of insolvency is touched upon. To conclude, this book

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covers a range of specific and intriguing topics brought up by the Insolvency Regulations Recast. This third volume in the Short Studies in Private International Law Series is primarily aimed at legal academics dealing with cross-border insolvency, but it will also prove useful to insolvency judges and practitioners, as well as those specialised in financial and fiscal law. Finally, advanced students as well as those with a general interest in insolvency law will also find it of added value.

div Vesna Lazić is Senior Researcher at the T.M.C. Asser Institute and Associate Professor of Private Law at Utrecht University in The Netherlands. Steven Stuij is an expert in private international law and PhD Candidate

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***at the Erasmus School of Law, Rotterdam./div
Transnational commercial law represents the
outcome of work undertaken to harmonize national
laws affecting domestic and cross-border
transactions and is upheld by a diverse spectrum of
instruments. Now in its second edition, this
authoritative work brings together the major
instruments in this field, dividing them into thirteen
groups: Treaty Law, Contracts, Electronic Commerce,
International Sales, Agency and Distribution,
International Credit Transfers and Bank Payment
Undertakings, International Secured Transactions,
Cross-Border Insolvency, Securities Custody, Clearing
and Settlement and Securities Collateral, Conflict of***

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Laws, Civil Procedure, Commercial Arbitration, and a new section on Carriage of Goods. Each group of instruments is preceded by linking text which provides important context by identifying the key instruments in each group, discussing their purposes and relationships, and explaining the major provisions of each instrument, thus setting them in their commercial context. This volume is unique in providing the full text of international conventions, including the preamble - which is important for interpretation - and the final clauses and any annexes. In addition, each instrument is accompanied by a complete list of dates of signature and ratification by all contracting states, all easily

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navigated through the detailed tables of contents which precedes it. This fully-indexed work provides an indispensable guide for the practitioner or academic to the primary transnational commercial law instruments.

Written by international tax law specialist Professor Craig Elliffe, International and Cross-Border Taxation in New Zealand is a major commentary on New Zealand's international tax law and double taxation agreements and transfer pricing regime. The book is designed to provide readers with an understanding of the legal principles and concepts which underpin international tax law and cross-border transactions and with practical guidance designed to assist them

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to navigate their way through this complex topic. It begins with an introductory chapter explaining the history and concept of international taxation and the way in which New Zealand and other nations deal with international taxation transactions. The next four chapters provide comprehensive coverage of residence-base taxation; source-based taxation; and taxation of source based income. The final two chapters deal with double tax agreements and allocation of profits (thin capitalisation).

Cash Pooling and Insolvency

Legal Risk in International Transactions

***The Enactment and Interpretation of the UNCITRAL
Model Law***

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A Commentary on the UNCITRAL Model Law Text, Materials and Commentary Cases and Materials

This practical book provides complete analysis of the revised EU Regulation on Insolvency Proceedings (EIR), the main Regulation on cross-border insolvencies in the EU. This is an essential work for anyone who requires knowledge of insolvency law in the UK or in any of the other 26 EU countries to which the Regulation is directly applicable. Timed to take into account the final amended

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version of the EIR, this third edition of the leading work contains detailed analysis and opinion on the effect of the changes to Regulation in practice. It also considers the numerous ECJ and relevant national cases which have been decided since the last edition. As in previous editions the work is organized thematically with chapters considering jurisdiction, choice of law rules, enforcement, security, and financial services. Chapter 8 provides an article-by-article commentary of the Regulation

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itself. This is the leading work on the subject in English and has been cited by numerous courts in the EU, including the Advocate General of the European Court of Justice in the Eurofood case and by the appellate courts of Austria in Re: Stojevic. It is a must-have reference work for lawyers advising on insolvencies with an international element and provides valuable resource in the run up to implementation of the amended Regulation in 2017.

Following the chaotic effects of the

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global financial crisis on European financial markets, the legislative regime introduced by the European Union (EU) represents a dramatic new approach to bank insolvency law, and will have a profound effect on the way banks function. The second edition of EU Banking and Insurance Insolvency evaluates these important developments and their implications for the Eurozone countries. A comprehensive general introduction sets out the EU insolvency law framework and the principles which govern financial

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institutions. The book provides detailed commentary on the Bank Recovery and Resolution Directive (BRRD) and Single Resolution Mechanism Regulation (SRMR), the legislative instruments central to the EU's response to the crisis, intended to harmonize Member States law. It considers the new powers given to government authorities under the BRRD to write down shares and debt instruments issued by banks, and the function of the newly created 'Single Resolution Board'. Commentary on the Winding-Up Directive

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(2001/24/EC) and the Insurance Insolvency Directive (2001/17/EC) discusses the significant changes these statutes have undergone as a consequence of the adoption of the BRRD and SRMR, as well as several high-profile court cases decided on the interpretation of these two statutes, including the Landsbanki and Kaupthing cases, and the Lehman Brothers, Isis Investments, and Heritable Bank cases. This is an invaluable practitioner guide to the new European banking insolvency regime, written by experts in the field.

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International Insolvency Law offers students, academics and practitioners an authoritative and practical guide on the European laws of international insolvency. It rigorously explores and clarifies the vast increasing body of legislative rules, case law, scholarly literature and other available sources. The fourth edition has been completely updated to cover recent developments in European Insolvency Law. This book provides the most detailed article-by-article commentary on the revised EC Regulation on Insolvency

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Proceedings (EIR), written by a group of experts drawn from several jurisdictions. The commentary is prefaced by an introductory chapter which provides an overview on scope and the key features of the EIR. This new commentary has been published in time to cover the long-awaited and much-debated revised Regulation which was finalized in 2015. The timing of publication will enable practitioners and scholars to equip themselves with a thorough understanding of the EIR ahead of full implementation in

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2017. The article-by-article analysis has a multi-jurisdictional focus which reports and evaluates significant developments in the application of the Regulation across member states. This is a key new work for all those who advise on or research European insolvency law.

Cross-Border Insolvency

Improvements and Missed Opportunities

*International and Cross-border Taxation in
New Zealand*

Australian Insolvency Law

Law and Practice

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A Global View of Business Insolvency Systems

This set deals with the problems generated by those cases of insolvency (either of an individual or of a company) where the presence of contacts with more than one system of law brings into operation the principles and methods of private international law (also known as conflict of laws). Part I of the main work is mainly devoted to an examination of the body of rules and practice that has evolved in England during the course of the past two-and-a-half centuries, and surveys the current state of the law derived from a blend of statutory and case authorities. Contrasting approaches under a selection of foreign systems -- principally Australia, Canada, France and the USA -- are examined by way of comparison. There are up-to-

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date accounts of the circumstances under which insolvency proceedings can be opened in respect of debtors which are not primarily based in England, and of the grounds on which English courts will recognize foreign insolvency proceedings and give assistance to the foreign representative of the debtor's estate. Part II of the main work explores the progress towards the creation of international arrangements to co-ordinate and rationalize the conduct of insolvency proceedings which have cross-border features, particularly where the debtor is capable of being subjected to concurrent proceedings in two or more jurisdictions. Central to the developments described in detail in this Part are the EC Regulation on Insolvency Proceedings and the UNCITRAL Model Law on Cross-Border Insolvency. This set includes the supplement to the second edition, which covers

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key developments in case law and legislation in the subject up to October 2006, and is an essential purchase for all who have already bought the main work. It includes the full text of the Cross-Border Insolvency Regulations 2006, along with commentary on the regulations. The supplement also includes the text of Council Regulation 694/2006, amending EC Regulation 1346/2000 on insolvency proceedings, and references to key developments in case law, including Eurofood IFSC Ltd, Daisytek ISA, and Cambridge Gas Transport Corp v Official Committee of Unsecured Creditors of Navigator Holdings plc. The commentary on case developments links back to the relevant paragraph in the main work. New to this Edition: · New supplement updating the second edition with commentary on recent developments, to October 2006 · Major recasting of

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chapter 6 (formerly dealing with the (by then) dormant EC Convention on Insolvency Proceedings) now giving an account of the EC Regulation on Insolvency Proceedings, in force since 31 May 02 · Adjustments throughout the book to explain the impact of the Regulation on other aspects of law and practice · Full account is taken of statutory and case law developments since 1998 · There is a new chapter assessing other international developments since 1998 including the ALI Transnational Insolvency Project; the World Bank Principles and Guidelines; and the UNCITRAL Legislative Guide on Insolvency Law (completed 2004)

After many years of negotiations among Member States, a uniform set of private international law rules has been established to determine the conduct of cross-border insolvency

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proceedings within the European Community. This is the European Insolvency Regulation of May 2000. Although each state still retains its own insolvency law, the regulation greatly reduces the risk of opportunistic behaviour by providing certainty as to which European courts have jurisdiction to open insolvency proceedings and which state's laws apply, in addition to ensuring the cross-border effectiveness within the EU of the decisions handed down by those courts. This in-depth commentary offers practitioners in international business transactions and litigation a definitive guide to the workings of the Insolvency Regulation. The authors—one of whom co-wrote the official explanatory report on the 1995 Convention on Insolvency Proceedings, a report that still plays a fundamental hermeneutic role—leave no stone unturned in their probing

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analysis, which explains in detail such elements as the following: relationship with other community legal instruments and international conventions; territorial scope; substantive scope; third-party rights in rem and reservation of title; set-off; contracts relating to immovable property; employment contracts and relationships; payment systems and financial markets; community patents and trademarks; publication and registration; lodgement of claims; and special considerations affecting credit institutions and insurance undertakings.

Company lawyers handling insolvency cases and issues will find nothing comparable to this expert work. Its direct practical usefulness is immediately apparent. In addition, however, it stands out as a preeminent work on a critical and hard-won legal instrument (and by extension on the entire field of

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European insolvency law) and as such is an essential resource for jurists and legal academics.

"This book offers an empirically grounded theory that reframes the study of law and society from a predominantly national context, which dichotomizes the study of international law and national compliance into a dynamic perspective that places national, international, and transnational lawmaking and practice within a coherent single frame. By presenting and elaborating on a new concept, transnational legal orders it offers an original approach to the emergence of legal orders beyond nation-states. It shows how they originate, where they compete and cooperate, and how they settle on institutions that legally order fundamental economic and social behaviors that transcend national borders. This original theory is applied and

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**developed by distinguished scholars from North America and Europe in business law, regulatory law and human rights"--
The United Nations Commission on International Trade Law (UNCITRAL) Model Law on Cross-Border Insolvency aims to provide legal certainty and efficient administration of cross-border insolvencies. This volume covers national implementation of the UNCITRAL model law in 10 jurisdictions.**

International Sales Law

Corporate Insolvency

Maritime Cross-Border Insolvency

European Company Law

World Trade Law

The European Insolvency Regulation

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Insolvency Legislation: Annotations and Commentary provides practical guidance on the key UK primary and secondary insolvency legislation. In addition to the complete texts of the Insolvency Act 1986 (as amended), the Insolvency Act 2000, the EC Regulation on Insolvency Proceedings 2000, the Cross-Border Insolvency Regulations 2006 with the UNCITRAL Model Law, the Enterprise Act 2002 and the Insolvency Rules 1986 (as amended), readers are provided with

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a detailed analysis on the statutory provisions within a single, portable volume. Combining the experience and knowledge of an established practitioner and a leading academic in the field, *Insolvency Legislation: Annotations and Commentary* provides detailed commentary under headings including general observations, terminology or specific wording, practical issues, and procedure. The text supplies a succinct practical

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discussion of relevant insolvency provisions and case law. It has been written specifically for the purpose of assisting not only in the identification of the key legal principles, but also in facilitating practical problem solving. This second edition has been indexed and tabled to page for ease and speed of reference. International Insolvency Law by Professor Bob Wessels provides a comprehensive overview of the relevant

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issues regarding cross-border insolvency matters. the book is a translated, revised and augmented edition of the Dutch book

`Internationaal insolventierecht, which appeared in 2003, and is to serve as a handbook for insolvency practitioners. It focuses on the (regional) developments of treaties and on `soft law and `best practice recommendations published by organisations like IMF, World Bank and INSOL International.

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This is followed by an overview of the current Dutch International Insolvency Law. Also thoroughly discussed is the UNCITRAL Model Law on Cross-Border Insolvency, including comments on Chapter 15 of the United States Bankruptcy Code, in force since October 2005, and the draft of the English Cross-Border Insolvency Regulations 2006. the fourth chapter covers an elaborate analysis of the EU Insolvency Regulations, including 150 cases from

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ten jurisdictions together with foreign literature. the book contains an observation on the development of the future international insolvency laws, an extensive bibliography and a list of relevant websites

Transnational Commercial Law:
International Instruments and
Commentary

A Guide to the CISG

Commentary on the German Insolvency
Code