

The European Insolvency Regulation: Law and Practice

By Miguel Virgós & Francisco Garcimartín

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The European Insolvency Regulation Law And Practice Hardcover

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The European Insolvency Regulation Miguel Virgos, Miguel Virgós Soriano, Francisco Garcimartin, Francisco J. Garcimartín Alférez, 2004-01-01 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 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 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 European insolvency law and as such is an essential resource for jurists and legal academics

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Bibliographic Guide to Business and Economics New York Public Library. Research Libraries,1976 **Index of Conference Proceedings** British Library. Document Supply Centre,1999 *Principles of European Insolvency Law* W. W. McBryde, Axel Flessner, S. C. J. J. Kortmann, 2005-01-01 In the past decades many Member States of the European Union have introduced important new legislation in the field of insolvency law *Principles of European Insolvency Law* tries to capture the common elements that national insolvency laws share and that make up the essence of insolvency proceedings in Europe It makes a first and so far unique attempt to tackle an area of law which is of great commercial importance but in which some

might have thought it was too difficult to detect a European approach Principles of European Insolvency Law looks to a future of more European integration in areas of commercial law and practice They may serve as working material for further study which could result in proposals for legislation on a supranational level In the shorter term the Principles will be of use in efforts to modernise national insolvency laws by serving as a European framework Taking account of the Principles in drafting reform proposals can lead to a greater conformity of new national legislation with the essence of European insolvency law

The British National Bibliography Arthur James Wells, 2006

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