**Agenda for Module I**

|  |  |  |
| --- | --- | --- |
|  | **Thursday 6 September** | **Friday 7 September** |
| **8.30-9.00** |  | **Welcome Coffee** |
| **9.00-10.30** |  | **Effects on creditors. Insolvency law treatment of contracts**  Treatment of claims and assets, particularly secured claims and encumbered assets. *Ipso facto*’ clauses; disclaimer; sett-off and netting; etc. |
|  |
| **10.30-10.45** |  | **Coffee Break** |
| **10.45-12.00** |  | **Informal workouts in the ‘shadow of the law’ I**  Theoretical framework of workouts and justification. Elements required. Stages: Pre-contractual; contract; implementation. Steering committees and standstill agreements |
| **12.00-1.30** | **Lunch** | **Workouts II. Hybrid instruments and pre-packaged solutions**  Continued. Different types of hybrid instruments. Pre-packaged solutions and formal proceedings |
| **1.30-2.00** | **Welcome Coffee** | **Lunch** |
| **2-2.30** | **Welcome and Introduction** | **Lunch** |
|  |
| **2.30-3.45** | **Why bankruptcy and who does what and why**  Justification, characteristics, objectives and goals of insolvency proceedings. The roles in insolvency proceedings of courts, insolvency professionals, parties and advisors; rationale | **Business rescue inside formal proceedings**  Rescue through a reorganization plan. Enabling legal framework. Rescue through liquidation: the going concern sale of the business. Main regulatory elements |
|  |
| **4-5.15** | **Who may go bankrupt and how**  Types of debtor; entry gate to proceedings; early access to bankruptcy: duties and incentives. Duty to file vs wrongful trading | **CASE STUDY I**  Designing Steering Committees. Drafting Standstill agreements |
| **5.30-7** | **Effects on the debtor and the “build-up” of the estate**  Systems of management and continuation of business. Effects on creditors. General principles and avoidance actions | **CASE STUDY II** |