









## TRACKER ON THE IMPLEMENTATION OF THE RESTRUCTURING AND INSOLVENCY DIRECTIVE ('DRI')

Last update: 16/12/20

EU Countries	Informal discussions/ Working groups	Draft publicly available	Use of the extension option (reminder deadline for option: 17 January 2021 - Art.34(2) DRI)	Implementation Text (17 July 2021 or 2022 Art.34(1)&(2) DRI)
 BE		Not yet available		
 BG				
 CZ	<p>The Ministry of Justice has presented a Summary of partial outcomes of the dedicated working group on the transposition of the DRI.</p>	Not yet available		

 DK		Text for debate before the Parliament not expected before Q1 2021 at the earliest.		
 DE		The latest draft (as at 14 October 2020) is available at: <a href="https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/Fortentwicklung_Insolvenzrecht.html">https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/Fortentwicklung_Insolvenzrecht.html</a>		
 EE	Meetings between the Ministry of Justice and the expert group are in progress.	The Ministry of Justice is still working on draft laws.		
 IE				
 EL			No	Greek Insolvency Law

				<p>has already been amended to implement the EU Directive.</p>
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The new law is 4738/2020, ΝΟΜΟΣ 4738/2020


(Κωδικοποιημένος) - ΦΕΚ Α 207/27.10.2020

(kodiko.gr) available at:




[https://www.kodiko.gr/nomologia/document\\_navigation/647304/nomos-4738-2020](https://www.kodiko.gr/nomologia/document_navigation/647304/nomos-4738-2020)





It is expected to come into effect by 1 January 2021, however, partly due to COVID certain parts may be delayed until June 2021.

 ES	Yes	No	Not for the moment	n/a
 FR	Law No. 2019 486 of May 22, 2019 empowers the government to establish by ordinance the necessary modifications to the Commercial Code before the <b>21st May 2021</b>	Changes expected are listed at: <a href="https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI00038497523/">https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI00038497523/</a>	Unknown	n/a
 HR	Call has been sent to judicial and other relevant institutions for appointing delegates for Workgroup on changes of Insolvency legislative.	No official draft at the moment.  Plan and summary of expected changes is publicly announced in Plan of normative activities by Ministry of Justice	Unknown.	n/a

		and Administration for 2021, which is available at following link: <a href="https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=15446">https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=15446</a>		
 IT	Further amendments to the new Code of Business Crisis and Insolvency ('CCII') are expected before its entry into force (1th September 2021, after an extension due to Covid of the original term of	Unavailable	Unknown	n/a



	<p>15th August 2020), including rules aimed at implementing the provisions of the DRI.</p> <p>Some provisions of the EU Directive have already been implemented (ie Art. 6 on the duration of Protective Measures up to 12 months maximum) or do not require implementation, as there are already existing provisions of law which meet the conditions set</p>			
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	by the Directive (ie with regard to Art. 19 on Directors's duties).			
 CY		Draft legislation published (only available in Greek).		
 LV	Ongoing project 'Support for debt restructuring in Latvia'	Draft law is expected to be published in Autumn 2020.		
 LT	Further amendments to the new Law on Insolvency of Legal Entities of the Republic of Lithuania (LILE) in force from 1 <sup>st</sup> January 2020 are to be expected.	Draft Law would be adopted by the Parliament during spring session in 2021.		

 LU		Bill No. 6539 on business continuity and modernisation of the bankruptcy legislation (26 February 2013): <a href="https://www.chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDocpaDetails&amp;backto=/wps/portal/public/Accueil/Actualite&amp;id=6539">https://www.chd.lu/wps/portal/public/Accueil/TravailALaChambre/Recherche/RoleDesAffaires?action=doDocpaDetails&amp;backto=/wps/portal/public/Accueil/Actualite&amp;id=6539</a>		
 HU	Scholarly discussion has started.	Preparation of the draft law is in progress but not publicly available	No public information	n/a
 MT				
 NL	The Minister for	No draft is available	_	_



	<p>Legal Protection has announced that a legislative proposal will be prepared to implement the EU Preventive Restructuring Directive by amending the Dutch surseance van betaling (suspension of payments proceeding). The Dutch Wet Homologatie Onderhands Akkoord (WHOA, Act on the Confirmation of Extrajudicial</p>	<p>as per 12 December 2020.</p>		
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	Restructuring Plans) has drawn inspiration from the Directive but is not considered an implementation of the Directive.			
 AT		Not yet		
 PL	Amendments are expected to the Restructuring Law and may cover mostly <i>Uproszczone Postępowanie Restrukturyzacyjne</i> (Simplified Restructuring Proceedings), in force since 24 June 2020 (for one year) but also	No draft available (public consultations by the government in place)	It is probable that the government will use the extension option.	n/a

	more general insolvency themes.			
 PT	Task assigned to the Directorate-General for Justice Policy - Ministry of Justice (working group publicly unknown)	No draft publicly available.		
 RO	Yes			
 SI				
 SK		Not yet		
 FI	Yes until 30 April 2021		Use of the extension option to be expected	
 SE	There is work ongoing and Ylva Norling Jönsson is appointed to provide a proposal to implement the	n/a	Not yet, but will most likely be used for an extension to July 2022.	n/a

	<p>EU-directive.</p> <p>There are also several experts appointed which are part of this working group.</p> <p>Please see: <a href="https://www.riksdagen.se/sv/dokument-lagar/dokument/kommitteberattelse/rekonstruktionsutredningen-ju-201907_H7B2Ju07">https://www.riksdagen.se/sv/dokument-lagar/dokument/kommitteberattelse/rekonstruktionsutredningen-ju-201907_H7B2Ju07</a> and Kommittéberättelse Ju 2019:07</p>			

