






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



Last update: April 2022



Please see the latest updates for each Member State.


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				
 BG				
 CZ Last update: 10/12/2020	The Ministry of Justice has presented a Summary of partial outcomes of the dedicated	Not yet available		



	working group on the transposition of the DRI.			
 DK Last update: Autumn 2020		Text for debate before the Parliament not expected before Q1 2021 at the earliest.		
 DE Last update: 28/12/2020 30/11/2021				The official link to the German bill implementing the EU Restructuring Directive is as follows: https://www.bmjbv.de/SharedDocs/Gesetzgebungsverfahren/Dokumente/BGBl_SanInsFoG.pdf;jsessionid=0EB5125CAA4DF0E852C7EF0FB5A77198.1_cid289?__blob=publicationFile&v=4


 EE Last update: 11/12/2020	Meetings between the Ministry of Justice and the expert group are in progress.	The Ministry of Justice is still working on draft laws.		
 IE Last update: 11/01/2021	Ireland already has a preventive restructuring framework in its examinership law, which in the current format complies with many requirements under the Directive. The Department of Enterprise, Trade and Employment has undertaken a mapping exercise of the adopted	Consultation documentation can be viewed at: https://www.enterprise.gov.ie/en/Consultations/Public-Consultation-on-Directive-EU-2019-1023.html While the consultation process has ended, any interested parties can contact the Department of Enterprise, Trade and Employment	While Ireland is still working towards full transposition, given the disruption and additional legislative requirements arising as a result of COVID-19 Ireland has formally sought a one-year extension as provided for under Article 34 paragraph 2.	Official text will be provided when available.


	<p>Directive against the Companies Act 2014 and is considering what amendments might be necessary to comply with the Directive. A public consultation process on transposition was held in Q1 2020.</p> <p>Ireland's Company Law Review Group has recently completed a Report Advising on a Legal Structure for the Rescue of Small Companies. The</p>	<p>with views on transposition of the Directive at: companylawconsultation@enterprise.gov.ie</p>		
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	<p>report set out its recommendation for a proposed new process for the rescue of small companies, distinct from the existing examinership legislation. The recommendations contained within the CLRG report are under active consideration by the Department of Enterprise, Trade and Employment, and are being considered in the context of Ireland's options for transposing</p>			
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	<p>Directive (EU) 2019/1023. The Report can be viewed at:</p> <p>http://www.clrg.org/clrg/publications/the-company-law-review-group-s-special-report-on-the-rescue-of-small-business.pdf</p>			
 EL Last updates: December 2020 August 2021			NO	<p>Greek Insolvency Law has already been amended to implement the EU Directive.</p> <p>The new law 4738/2020, ΝΟΜΟΣ 4738/2020 (Κωδικοποιημένος) - ΦΕΚ Α 207/27.10.2020 as communicated to the EU COM is available at:</p>


				https://eur-lex.europa.eu/legal-content/EL/TXT/PDF/?uri=NIM:202105923&qid=1629900747952
 ES Last update: 10/12/2020 January 2022	Yes	A draft bill is available at https://www.congreso.es/public_oficial/es/L14/CONG/BOCG/A/BOCG-14-A-84-1.PDF The aim of the Government is to have it approved by June 2022.	YES	n/a
 FR Latest updates: 15/01/2021	Law No. 2019 486 of May 22, 2019 empowers the government to	The Ministry of Justice has published a discussion paper for	NO	The text implementing the Directive is an Ordinance of 15 September 2021 which




15/02/2021 31/08/2021 15/09/2021 25/09/2021	establish by ordinance the necessary modifications to the Commercial Code before the second Quarter 2021.	public consultation (with a deadline of 15 February 2021) which is available at: http://www.textes.justice.gouv.fr/textes-soumis-a-concertation-10179/restructuration-et-insolvabilite-des-entreprises-33684.html		is published at: https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000044044563 Entry into force: 1st October 2021 (with exceptions: see art. 73) See also Decree of 23 September 2021)
 HR Last updates: 10/12/2020 April 2022				Texts implementing the Directive are as follows: For companies : https://www.zakon.hr/z/160/Stečajni-zakon For individuals :


				https://www.zakon.hr/z/825/Zakon-o-stečaju-potrošača
 IT Last update: 21/05/2021	On 22 April 2021 the Parliament approved delegation law No. 53 in the matter of delegation to the Government for the transposition of European directives and the implementation of other acts of the European Union - so-called European Delegation Law 2019-2020, which provides, among other things, the	The Italian government appointed a technical commission aimed at studying and purposing a text for the implementation, among others, of the said directive. The term for delivering the draft has been set on 10th June 2021.	YES.	n/a


	implementation of the EU Directive 2019/1023.			
 CY Last update: Autumn 2020		Draft legislation published (only available in Greek).		
 LV Last update: 15/04/2021	There is an ongoing project “Support for Debt Restructuring in Latvia” funded by the European Union through the Structural Reform Support Programme and implemented by the EBRD, in cooperation with the European	The draft is under review by the Cabinet of Ministers and has not been submitted to <i>Saeima</i> (the parliament), yet: http://tap.mk.gov.lv/doc/2020_11/TMlik_171120_MNL_direkt.996.docx	YES – a request for an extension until January 2022.	


	<p>Commission. https://www.ebrd.com/news/2019/support-for-debt-restructuring-in-latvia-project-launched.html</p> <p>https://www.tm.gov.lv/lv/uzsakts-projekts-atbalsts-paradu-restrukturizacijai-latvija-support-debt-restructuring-latvia-project-launched</p>			
 LT Last updates: Autumn 2020	Further amendments to the new Law on Insolvency of	Draft Law would be adopted by the Parliament during spring session in		Please note that the latest changes to the insolvency legislation and some other laws came into




August 2021	Legal Entities of the Republic of Lithuania (LILE) in force from 1 st January 2020 are to be expected.	2021.		effect implementing the Restructuring Directive. Law no XIII-2221 on insolvency law for legal entity as at 15 July 2021 (Lithuanian only) is available at: https://www.insol-europe.org/technical-content/updated-insolvency-laws-lithuania
 LU Last update: 10/12/2020		Bill No. 6539 on business continuity and modernisation of the bankruptcy legislation (26 February 2013): https://www.chd.lu/wps/portal/public/Accueil/TravailALaC		



		hambre/Recherche/RoleDesAffaires?action=doDocpaDetails&backto=/wps/portal/public/Accueil/Actualite&id=6539		
 HU Last update: 10/12/2020	Scholarly discussion has started.	Preparation of the draft law is in progress but not publicly available	No public information	n/a
 MT				
 NL Last updates: 12/12/2020 26/03/2021 07/04/2021 22/03/2022	On 21 February 2022, the Minister of Justice and Security presented the Bill to implement the Preventive Restructuring Directive	The link to the parliamentary documents can be found here: https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail?cfg=wetsvoorsteldetails&qry=we	YES	—

	<p>(<i>Implementatiewet richtlijn herstructurering en insolventie</i>) to the House of Parliament.</p> <p>It will implement the full Directive, proposing some changes also to the Dutch WHOA.</p>	tsvoorstel%3A36040		
 AT Last updates: August 2021 January 2022				<p>The implementation text communicated to the EU Commission by Austria is the one published at : https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2021_I_147/BGBLA_2021_I_147.pdf </p>

 PL Last updates: 10/12/2020 25/05/2021 26/10/2021	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 (initially for one year) but also more general insolvency themes. The draft amendment on National Debtors' Registry will significantly change simplified	No draft publicly available but consultations by the government are in progress and in particular with the appointment of experts by the Polish Ministry of Justice on 19/10/2021 in the view to amend the Restructuring Law in order to implement the EU Directive 2019/1023. The decision of the Ministry of Justice is available at: https://tatara.com.pl/aktualnosci/mec-	YES	n/a
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	restructuring proceedings, expected to enter into force on 1st December 2021.	karol-tatara-ekspertem-zewnetrznym-zespolu-ms-ds-nowelizacji-pr/		
 PT Last updates: 27/03/2021 25/08/2021 11/10/2021	Task assigned to the Directorate-General for Justice Policy - Ministry of Justice (working group publicly unknown)	The Portuguese Draft for the transposition of the Directive is publicly available (online) at: https://www.parlamento.pt/ActividadeParlamentar/Paginas/DetalheIniciativa.aspx?BID=121187 with the prospect that it may be approved by the Parliament in the last quarter of 2021.	Portugal intention was to notify the Commission of the need for an extension of the implementation period until July 2022.	The implementation text communicated to the EU Commission by Portugal is the one published at : https://dre.pt/dre/detalhe/lei/9-2022-177455547

 RO Last update: Autumn 2020	Yes			
 SI				
 SK Last update: 28/12/2020 April 2022	Slovakia having requested support from Directorate General for Structural Reform Support (DG REFORM) of the European Commission for implementation of the Directive, a working group would consist of DG REFORM, Slovak Ministry of Justice and PwC.	No draft publicly available yet.	Slovakia applied for the extension option.	The implementation text communicated to the EU Commission by Slovakia is the one published at : https://www.slov-lex.sk/static/pdf/2022/111/ZZ_2022_111.pdf

 FI Last update: 21/12/2020	Yes initially until 30 April 2021 but has been extended to <u>31 December</u> <u>2021</u> .		Use of the extension option to be expected	
 SE Last update: 11/12/2020	<p>There is work ongoing and Ylva Norling Jönsson is appointed to provide a proposal to implement the EU-directive.</p> <p>There are also several experts appointed which are part of this working group.</p> <p>Please see: https://www.riksda </p>	n/a	Not yet, but will most likely be used for an extension to July 2022.	n/a

	gen.se/sv/dokument-lagar/dokument/kommittéberättelse/rekonstruktionsutredningen-ju-201907_H7B2Ju07 and Kommittéberättelse Ju 2019:07			