

# Technical Update:

## The latest publications of interest on prevention, restructuring and insolvency matters (Q3 2021-Q1 2022)

Myriam Mailly writes about the latest information made available to INSOL Europe members on the INSOL Europe website



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### Final publication of the outcomes of the INSOL Europe/ Lexis®PSL Joint Project on 'How EU Member States recognise insolvency and restructuring proceedings of a third country'

The announcement was published on 19 January 2022 and the document (PDF) has been made available at: [www.insol-europe.org/technical-content/introduction](http://www.insol-europe.org/technical-content/introduction)

We are grateful to all INSOL Europe Country Coordinators, national experts from the EU Study Group and external contributors for their highly valuable input which has made this publication possible for the benefit of all INSOL Europe members.

For more information, please see the excellent article by Kathy Stones from LexisPSL (UK) in the previous edition of Eurofenix (2021-2022 Winter edition, pp.18-19).

### Updates on the Tracker on the Implementation of the EU Restructuring and Insolvency Directive

The tracker on the implementation of the EU Restructuring and Insolvency Directive has been regularly updated on the INSOL Europe website. Since my last technical column, updates have been



published for *France, Spain, Germany, The Netherlands and Portugal*.

Please note that the links for the legislation implementing the EU Directive on Restructuring and Insolvency in *Austria, France, Germany, Greece and Portugal* (as communicated to the EU COM) have been published at: [www.insol-europe.org/tracker-eu-directive-on-restructuring-and-insolvency](http://www.insol-europe.org/tracker-eu-directive-on-restructuring-and-insolvency).

As the deadline of July 2022 is fast approaching, please keep a regular eye on it!

### INSOL Europe Worldwide Digital Assets Case Register

The new Worldwide Digital Assets Case Register provides a summary of cases and

judgements concerning digital assets with an inventory table produced with thanks to the contributions of INSOL Members as well as members of the Insolvency Tech & Digital Assets Wing.

As at 21 February 2022, the table contains relevant information regarding cases from *UK, Turkey, Poland, Estonia and the US*.

Should you know of a case which might be of interest, please fill in the template available at: [www.insol-europe.org/worldwide-digital-assets-case-register](http://www.insol-europe.org/worldwide-digital-assets-case-register) and send it to one of the Co-chairs of the Insolvency Tech & Digital Assets Wing (José Carles (Spain), Dávid Oršula (Slovakia), Laurent Le Pajolec (Poland)) by email to: [insolvencytech@insol-europe.org](mailto:insolvencytech@insol-europe.org).



*If you want to contribute, please do not hesitate to send me the relevant materials at: [technical@insol-europe.org](mailto:technical@insol-europe.org)*



## National Insolvency Statistics

The latest insolvency statistics for *France* (Year 2021), *Switzerland* (2014-2020), the *Netherlands* (Year 2021), *Italy* (Q3 2021) as well as for *England & Wales*, *Northern Ireland and Scotland* (Q3 & Q4 2021 including the link to the monthly insolvency statistics in response to the COVID-19 situation) are available from the dedicated technical section of our website at: [www.insol-europe.org/technical-content/national-insolvency-statistics](http://www.insol-europe.org/technical-content/national-insolvency-statistics)

I am also pleased to inform INSOL Europe members that a Report on the first year of functioning of simplified restructuring proceedings in Poland (as at February 2022) is available in English at: [www.insol-europe.org/technical-content/national-insolvency-statistics-poland](http://www.insol-europe.org/technical-content/national-insolvency-statistics-poland)

I am grateful to Karol Tatara and Mateusz Kaliński from TATARA & Partners for sharing this information.

## Interactive EBRD Business Reorganisation Report

As per the previous cooperation of INSOL Europe with the EBRD (Summer 2021), we are delighted to inform the INSOL Europe members that the interactive EBRD Business

Reorganisation Report on insolvency and bankruptcy systems has been made available.

It includes a main report and individual economy profiles (as well annexes) for all 38 economies where the EBRD invests, including many countries where INSOL Europe has members.

More information is available at: [www.insol-europe.org/eu-study-group-links](http://www.insol-europe.org/eu-study-group-links)

## EU legislation updates

Two texts of reference that might be of interest to INSOL Europe members have been published in the Official Journal of the European Union, namely:

- (1) The Directive (EU) 2021/2167 of 24 November 2021 on Credit Servicers and Credit Purchasers relating to 'Non-Performing Loans' (NPLs) (entry into force on 28 December 2021, OJ L 438, 8.12.2021, p. 1-37).
- (2) Regulation (EU) 2021/2260 of the European Parliament and of the Council of 15 December 2021 amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B (entry into force on 9th January 2022, OJ L 455 of 20.12.2021, p. 4-14).

Relevant links are available at: [www.insol-europe.org/eu-study-group-links](http://www.insol-europe.org/eu-study-group-links). ■

For updates on new technical content recently published on the INSOL Europe website, visit: [www.insol-europe.org/technical-content/introduction](http://www.insol-europe.org/technical-content/introduction) or contact Myriam Mailly by email: [technical@insol-europe.org](mailto:technical@insol-europe.org)



## Other Useful Links

Coffee Breaks Series 2021

> [www.insol-europe.org/publications/web-series](http://www.insol-europe.org/publications/web-series)

Updated Insolvency Laws

> [www.insol-europe.org/technical-content/updated-insolvency-laws](http://www.insol-europe.org/technical-content/updated-insolvency-laws)

National Insolvency Statistics

> [www.insol-europe.org/technical-content/national-insolvency-statistics](http://www.insol-europe.org/technical-content/national-insolvency-statistics)

EIR Case Register

> <http://tinyurl.com/y7tf2zc4>

European Insolvency Regulation

> [www.insol-europe.org/technical-content/useful-links-to-be-aware-of-before-applying-the-recast-insolvency-regulation-2015848](http://www.insol-europe.org/technical-content/useful-links-to-be-aware-of-before-applying-the-recast-insolvency-regulation-2015848)

> [www.insol-europe.org/technical-content/outcomes-of-national-insolvency-proceedings-within-the-scope-of-the-eir-recast](http://www.insol-europe.org/technical-content/outcomes-of-national-insolvency-proceedings-within-the-scope-of-the-eir-recast)

> LinkedIn

[www.linkedin.com/company/insol-europe/](http://www.linkedin.com/company/insol-europe/)

> [www.insol-europe.org/technical-content/state-of-play-of-national-insolvency-data-by-outcomes-currently-available](http://www.insol-europe.org/technical-content/state-of-play-of-national-insolvency-data-by-outcomes-currently-available)

> [www.insol-europe.org/national-texts-dealing-with-the-eir-2015](http://www.insol-europe.org/national-texts-dealing-with-the-eir-2015)

EU Directive on Restructuring and Insolvency (2019)

> [www.insol-europe.org/technical-content/eu-draft-directive](http://www.insol-europe.org/technical-content/eu-draft-directive)

> [www.insol-europe.org/technical-content/eu-directive-on-restructuring-and-insolvency](http://www.insol-europe.org/technical-content/eu-directive-on-restructuring-and-insolvency)

Brexit Publications

> [www.insol-europe.org/technical-content/brexit-publications](http://www.insol-europe.org/technical-content/brexit-publications)

USBC Chapter 15 Database

> [www.insol-europe.org/technical-content/introduction](http://www.insol-europe.org/technical-content/introduction)

Academic Forum Publications

> [www.insol-europe.org/academic-forum-documents](http://www.insol-europe.org/academic-forum-documents)

> [www.insol-europe.org/academic-forum-news](http://www.insol-europe.org/academic-forum-news)

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Ranked in Band 1 Restructuring/Insolvency for Personal Insolvency UK-wide

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