

Insolvency & Restructuring Statistics Update from Poland

Paweł Kuglarz and Mateusz Kaliński from Tatara & Partners, Krakow, Poland have provided an update on Insolvency & Restructuring statistics in Poland. What do they tell us about the efficiency of the proceedings?



It goes without saying that we are at the brink of economic crisis. Thus we all need in Europe efficient insolvency and restructuring tools, and, where needed, speedy courts.

Within this context, some lessons may be learned from statistics analysis in Poland, showing rapid growth in consumer bankruptcies after transfer to the insolvency practitioners, and the huge popularity of out-of-court restructuring within arrangement approval proceedings.

- In Poland, in 2015 we had only 2,112 consumer bankruptcies, comparing to 750 of corporate insolvencies.
- In 2016 consumers raised up to: 4,438, while corporate insolvencies 605 and restructurings (which were formally separated from insolvencies beginning 2016) 216.
- In 2017 consumers: 5,535, enterprises insolvencies: 591 and 348 restructurings.
- In 2018: consumers: 6,570; enterprises insolvencies: 615; restructurings: 465.
- In 2019: consumers: 7,944; enterprises insolvencies: 586; restructurings: 467.
- In 2020: consumers: 13,092; enterprises insolvencies: 587; restructurings: 801, including 396 simplified restructurings – mostly out-of-court.
- In 2021: consumers: 18,207; enterprises insolvencies: 404; restructurings: 1,888, including 1,648 simplified restructuring proceedings.
- In 2022: consumers: 15,622, enterprises insolvencies: 360; restructurings: 2,379, including 1,906 of amended arrangement approval proceedings.

Growth in year 2020 and subsequently in 2021 in consumer bankruptcies can be associated with the change in Polish law, where these bankruptcies went into offices of restructuring advisor, who carry on administrative burden of conducting the proceedings.

On the other hand, growth in restructurings – significantly from 2020 and so on, can be explained by introducing Simplified Restructuring Proceedings, and later on amendments to the arrangement approval proceedings, which is not carried out in courts – like enterprises insolvencies is.

What is more, from 01/12/2021 – introducing National Debtors Register (*Krajowy Rejestr Zadłużonych*), for court-based restructurings applied 438 enterprises, and while having opened 183 cases. In the same time (until 12/03/2023), arrangement approval proceedings amounted to 2,974 cases, and the court approved 422 arrangements and the arrangement has been concluded in 1,269 cases. Some cases are however pending.

From these statistics, in our view, one could learn that moving cases out of court can boost the number and efficiency of restructurings. On the opposite side, giving more and more

administrative obligations on courts, may lead to ineffectiveness, and slow carrying out the cases – what can be observed within enterprises insolvencies.

Source of all data: <https://www.coig.com.pl/lista-upadlosci-firm.php> and <https://krz.ms.gov.pl/> [access: 17/03/2023]

Further statistics from Poland and from all jurisdictions can be found on our website [here](#).

Source : INSOL Europe E-newsletter (March 2023)