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Short Studies in Private International Law

Law : Private International Law, International & Foreign Law, Comparative Law

Lazić, Vesna, Stuij, Steven (Eds.)

Recasting the Insolvency Regulation

Improvements and Missed Opportunities

- Includes contributions from legal scholars who have published extensively in the field of private international law and international insolvency law
- Contains in-depth analyses of recurring issues under the regime of the Insolvency Regulation and the Insolvency Regulation Recast
- Devotes attention to new developments to be taken into account
- Brings together a variety of viewpoints from the areas of private international law, insolvency law and cross-border judicial cooperation

This book comprises contributions relating to the Insolvency Regulation Recast, which recently entered into force. The authors analyse the changes introduced and give their views on the improvements that are thereby achieved. In other words, they assess to what extent the amendments have mitigated the disadvantages of the previous Insolvency Regulation. Three of the chapters concentrate on the issues pertaining to jurisdiction, such as the problem of forum shopping by re-locating the debtor's centre of main interests. Furthermore, the extent to which the parties have the freedom to contract within the framework of the Insolvency Regulation Recast is discussed. Also, the relevance and consequences of recent developments in corporate law for the current crossborderinsolvency framework, as well as the jurisdictional issues concerning approval requirements are amongst the matters addressed. Aside from the jurisdictional matters, the question of the law applicable to so-called 'avoidance actions' is analysed and crossborder cooperation between national authorities in the field of insolvency is touched upon. To conclude, this book covers a range of specific and intriguing topics brought up by the Insolvency Regulations Recast. This third volume in the Short Studies in Private International Law Series is primarily aimed at legal academics dealing with cross-border insolvency, but it will also prove useful to insolvency judges and practitioners, as well as those specialised in financial and fiscal law. Finally, advanced students as well as those with a general interest in insolvency law will also find it of added value. Vesna Lazić is Senior Researcher at the T.M.C.

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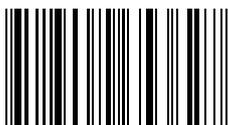
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