

Uncitral Legislative Guide On Insolvency Law

[#UNCITRAL](#) [#Insolvency Law](#) [#Legislative Guide](#) [#Cross-Border Insolvency](#) [#Bankruptcy Law](#)

Explore the UNCITRAL Legislative Guide on Insolvency Law, a crucial resource for understanding and implementing effective insolvency frameworks. This guide provides comprehensive analysis and recommendations for modernizing insolvency laws, covering topics such as corporate restructuring, cross-border insolvency, and the treatment of creditors. It serves as a valuable tool for policymakers, legal professionals, and academics seeking to improve insolvency regimes and promote economic stability.

Each paper contributes unique insights to the field it represents.

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UNCITRAL Legislative Guide on Insolvency Law

Part three addresses the treatment of enterprise groups in insolvency, both nationally and internationally. While many of the issues addressed in parts one and two are equally applicable to enterprise groups, there are that only apply in the enterprise group context. Part three thus builds upon and supplements parts one and two. At the domestic level, the commentary and recommendations of part three cover various mechanisms that can be used to streamline insolvency proceedings involving two or more members of the same enterprise group. These include: procedural coordination of multiple proceedings concerning different debtors; issues concerning post-commencement and post-application finance in a group context; avoidance provisions; substantive consolidation of insolvency proceedings affecting two or more group members; appointment of a single or the same insolvency representative to all group members subject to insolvency; and coordinated reorganization plans.

Uncitral Legislative Guide on Insolvency Law

Introduction to part three -- General features of enterprise groups -- Addressing the insolvency of enterprise groups: Domestic issues -- Addressing the insolvency of enterprise groups: International issues -- Decision of the United Nations commission on international trade law on part three and general assembly resolution 65/24

UNCITRAL Legislative Guide on Insolvency Law

This book focuses on the obligations regarding management of an enterprise when it faces imminent insolvency or insolvency becomes unavoidable. The aim of imposing such obligations, which become enforceable once insolvency proceedings commence, is to protect the legitimate interests of creditors and other stakeholders and encourage timely action to address financial distress and minimize its effects. This publication addresses the key elements of provisions imposing such obligations, as well as the nature of the obligations, the time at which the obligations should arise, the persons to

whom the obligations would attach, liability for breach of the obligations and enforcement of those obligations, specifically applicable defences, remedies, the persons who may bring an action to enforce the obligations and how those actions might be funded.

UNCITRAL Legislative Guide on Insolvency Law

This publication seeks to assist the establishment of a legal framework for an efficient and effective national corporate insolvency regime which strikes a balance between the financial difficulties of debtors and the interests of creditors and other relevant parties, as well as addressing public policy concerns. The text of this draft legislative guide was adopted by UNCITRAL in June 2004 and approved by UN General Assembly resolution 59/40 in December 2004.

Sakakawea Collection

Two introductions (a general one to the contributions and other on the UNCITRAL Insolvency Instruments history) with a foreword are followed by three sections: 1) each one of the seven UNCITRAL Instruments; 2) its continental impact (with the added division between America North, USA-Canada, and the rest); 3) global perspective with different focus: Common Law, Civil Law, Soft Law and treaties, and other methods. All chapters are written by experts having been UNCITRAL's Working Groups and Plenaries representatives from their Countries or from International Organizations.

Legislative Guide on Insolvency Law

International Cooperation in Bankruptcy and Insolvency is published in cooperation with the International Insolvency Institute and the American College of Bankruptcy. The Honorable Bruce A. Markell, Dr. Bob Wessels and Prof. Jason Kilborn provide readers with invaluable insights into the origin, development and future of communication and cooperation in cross-border insolvency cases between insolvency practitioners and the courts. The globalization of the world's economy has led to highly complex international aspects of financial reorganization and restructuring. This publication analyzes the structures, systems, and practices that have developed and are quickly emerging to coordinate and enhance international administrations.

Insolvency Law in UNCITRAL: Instruments and comments

International insolvencies are a common feature worldwide in business and finance sectors and the scale and frequency of such occurrences have caught the attention of many academics and commentators. Following on from the 2008 book, *International Insolvency Law: Themes and Perspectives*, this book presents up-to-date accounts of themes in the field of insolvency law. It deals with reforms in and challenges to the subject in relation to its comparative and international aspect. The cutting edge contributions include chapters from common law, civil and mixed traditions and have been conceived to increase awareness of the impact of insolvency law within domestic, regional and global contexts. Useful and thought-provoking, the chapters take an innovative approach and give new interpretations to hitherto available material. This book will be invaluable for those wishing to keep abreast of developments in jurisdictions representing all legal traditions and is a useful guide to the improvement and reform of insolvency laws and frameworks.

Legislative Guide on Insolvency Law

The UNCITRAL Model Law on Secured Transactions (the "Model Law") deals with security interests in all types of tangible and intangible movable property, such as goods, receivables, bank accounts, negotiable instruments, negotiable documents, non-intermediated securities and intellectual property with few exceptions, such as intermediated securities. The Model Law follows a unitary approach using one concept for all types of security interest, a functional approach under which the Model Law applies to all types of transaction that fulfil security purposes, such as a secured loan, retention-of-title sale or financial lease, and a comprehensive approach under which the Model Law applies to all types of asset, secured obligation, borrower and lender.

Legislative Guide on Insolvency Law

We live in an age of economic turmoil. The recent crises emphasize the need for modern, sophisticated rules to govern businesses in financial distress in order to realize value from distressed companies and to protect economic institutions. This book provides information for legislators, policymakers, lawyers,

accountants, academics, and administrators who seek to understand the workings of insolvency laws. Guided by the World Bank's Principles and Guidelines, it supplements the work in this field done by UNCITRAL.

International Cooperation in Bankruptcy and Insolvency Matters

UNCITRAL model law on cross-border insolvency -- Guide to enactment and interpretation of the UNCITRAL model law on cross-border insolvency -- General assembly resolution 52/158 of 15 december 1997 -- decision of the united nations commission on international trade law

International Insolvency Law

This is the first volume in the new Oxford International and Comparative Insolvency Law Series. The series will provide a comparative analysis of all important aspects of insolvency proceedings and domestic insolvency laws in the main economically developed and emerging countries, starting with the opening of proceedings. This volume addresses the commencement of insolvency proceedings over business debtors and the conditions in which they may arise. It explains the types of proceedings available and the participants involved. The book also analyses the effect of such action on the various players, assets and liabilities concerned. The detail and uniform nature of the treatment of topics helps practitioners to understand specific features of a foreign legal system and effectively brief foreign counsel. For all readers, the book provides access, through analysis in the detailed commentary, to material that was previously only available in a foreign language. Most major legal families (including various mixed legal systems) are covered to reflect the needs of the international insolvency community and intergovernmental organizations. This is the only book that offers a thorough comparative analysis of existing domestic insolvency laws concerning the opening of insolvency proceedings in the main economically developed and emerging countries.

UNCITRAL Model Law on Secured Transactions

This book explores the possibilities of harmonisation of avoidance rules in insolvency at European Union level by way of a comparative and historical research. The following aspects of transaction avoidance are (historically) examined in particular: the acts subject to transaction avoidance provisions, the voidability of security rights, the conditions set for avoidance of an act, the existence and duration of a suspect period, the treatment of acts performed in favour of related persons of the debtor, the persons entitled to bring an avoidance action, the effects of avoidance regarding the litigious act and, lastly, the acts exempted from nullification. The author first examines the transaction avoidance rules of the Netherlands and France as they stand after which the divergence (and convergence) between the rules of these states is assessed. In order to examine how this divergence came to be, the most notable developments of the provisions on transaction avoidance in insolvency are mapped out by the author. Post-classical Roman law forms the starting point of this research, followed by ancient Dutch and French law. Subsequently, the author describes the development of the practice of and provisions on transaction avoidance during the age of codification. Lastly, the provisions laid down in modern insolvency laws are touched upon. From the comparative-historical examination, the possibilities to harmonise transaction avoidance provisions are assessed. Finally, these possibilities are checked against the recommendations regarding transaction avoidance provisions of the UNCITRAL Legislative Guide on Insolvency Law.

A Global View of Business Insolvency Systems

The overall objective of the UNCITRAL Legislative Guide on Secured Transactions (the Guide) is to promote low-cost credit by enhancing the availability of secured credit. In line with this objective, the Supplement on Security Rights in Intellectual Property (the Supplement) is intended to make credit more available and at a lower cost to intellectual property owners and other intellectual property rights holders, thus enhancing the value of intellectual property rights as security for credit. The Supplement, however, seeks to achieve that objective without interfering with fundamental policies of law relating to intellectual property.

UNCITRAL Model Law on Cross-border Insolvency with Guide to Enactment and Interpretation

The UNCITRAL Model Law on Secured Transactions (the "Model Law") deals with security interests in all types of tangible and intangible movable property, such as goods, receivables, bank accounts,

negotiable instruments, negotiable documents, non-intermediated securities and intellectual property with few exceptions, such as intermediated securities. The Model Law follows a unitary approach using one concept for all types of security interest, a functional approach under which the Model Law applies to all types of transaction that fulfil security purposes, such as a secured loan, retention-of-title sale or financial lease, and a comprehensive approach under which the Model Law applies to all types of asset, secured obligation, borrower and lender. In this way, the Model Law is intended to address the main problem of secured transactions laws around the world, that is, the multiplicity of regimes that creates gaps and inconsistencies. The Model Law includes a set of Model Registry Provisions (the "Model Provisions") that can be implemented in a statute or other type of legal instrument, or in both. The Model Provisions deal with the registration of notices of security interests in a publicly accessible Registry to make a security interest effective against third parties and to provide an objective basis for determining the priority of a security interest over the rights of competing claimants. By providing a transparent, comprehensive and rational legislative framework of secured financing, the Model Law is expected to have a beneficial impact on the availability and the cost of credit, in particular to small and medium-size enterprises in developing countries. This will not only assist in their market inclusion and alleviating poverty, but also contribute to achieving Goal 1 of the 17 Sustainable Development Goals on ending poverty. The Model Law is based on the United Nations Convention on the Assignment of Receivables in International Trade, the UNCITRAL Legislative Guide on Secured Transactions, the Supplement on Security Interests in Intellectual Property and the UNCITRAL Guide on the Implementation of a Security Rights Registry. For the treatment of security interests in insolvency, the Model Law relies on the recommendations of the UNCITRAL Legislative Guide on Secured Transactions and the UNCITRAL Legislative Guide on Insolvency Law.

Commencement of Insolvency Proceedings

Sealy & Milman: Annotated Guide to the Insolvency Legislation is widely regarded as the definitive work for those advising on Insolvency. This long-established legislation handbook provides annotated commentary and clarification on the legal and practical implications of the latest insolvency legislation

Transaction Avoidance in Insolvency Law. Past, Present and Future of the Actio Pauliana

This book presents problems that often arise in the context of international/cross-border insolvencies; analyzes and compares national legislations and jurisprudence; elucidates the solutions offered by international/regional instruments; and explores the differences in the implementation of these instruments by various countries and the consequences of these differences. It examines in detail a number of famous and less famous cases tried by national courts, in which it became readily apparent that insolvency law remains one of the bastions of national law. In addition, the book discusses the notion of transplanting foreign [international] insolvency rules and especially the influence that US insolvency law has exerted on other countries' insolvency [and international insolvency] law. Far from adopting an unrealistically optimistic stance, it soberly examines the complications of cross-border insolvencies, while also presenting potential solutions.

UNCITRAL Legislative Guide on Secured Transactions

Written by IMF's Legal Department, this book outlines the key issues involved in designing and implementing orderly and effective insolvency procedures, which play a critical role in fostering growth and competitiveness and may also assist in the prevention and resolution of financial crises. The book draws on lessons learned from firsthand experience by some of the IMF's 182 member countries. It includes an analysis of the major policy choices that countries need to address when designing an insolvency system, a discussion of the advantages and disadvantages of these choices, and a number of specific recommendations.

UNCITRAL Model Law on Secured Transactions (Chinese language)

"This book offers an empirically grounded theory that reframes the study of law and society from a predominantly national context, which dichotomizes the study of international law and national compliance into a dynamic perspective that places national, international, and transnational lawmaking and practice within a coherent single frame. By presenting and elaborating on a new concept, transnational legal orders it offers an original approach to the emergence of legal orders beyond nation-states. It shows how they originate, where they compete and cooperate, and how they settle on institutions that legally order fundamental economic and social behaviors that transcend national borders. This original

theory is applied and developed by distinguished scholars from North America and Europe in business law, regulatory law and human rights"--

Annotated Guide to the Insolvency Legislation

The latest release contains the following information. - CYPRUS: Introduction; Objectives of Secured Transactions Regime; Basic Approaches to Security; Creation of Security Interest; Filing System; Publicity; Priority; Pre-Default Rights and Obligations; Consumer Protection; Default and Enforcement; Insolvency; Conflict of Laws and Territorial Application; Conclusion - DENMARK: Introduction; Objectives of Secured Transactions Regime; Basic Approaches to Security; Creation; Filing System; Insolvency; Conclusion - GERMANY: Introduction; Basic Approaches to Security; Creation of Security Rights; Publicity and Filing Systems; Enforcement; Insolvency; Conflict of Laws and Territorial Application; Recognition and Enforcement of Foreign Judgments and Arbitral Awards; Conclusion - POLAND: Introduction; Basic Approaches to Security; Creation; Filing System; Priority; Default and Enforcement; Insolvency - UKRAINE: Key Objectives of Secured Transactions Regime; Basic Approaches to Security; Creation of Security Interests; Priority; Pre-Default Rights and Obligations of the Parties; Default and Enforcement; Insolvency; Conflicts of Law and Territorial Application International Secured Transactions examines the UNCITRAL Draft Guide on Secured Transactions which is designed to promote increased access to low-cost credit by encouraging the introduction of effective and efficient domestic secured transactions laws around the world. This publication also offers an analysis of current secured transactions law in over 30 commercial jurisdictions. Many of the jurisdictions covered have laws that significantly track the UNCITRAL Draft Guide. Leading practitioners from major law firms in North and South America, Europe, and Asia provide insightful, practical commentary on their respective security interests' regimes, comparing them with the provisions of the UNCITRAL legislative guidelines and, ultimately, advising on the status of their implementation in their respective countries. About the Center for International Legal Studies The Center for International Legal Studies (CILS) is a non-profit research, training, and law publications institute, established and operating under Austrian law. Its international headquarters are in Salzburg, Austria, having operated from there since 1976. CILS cooperates internationally with numerous institutions of higher legal education, lawyers' professional associations and international organizations such as UNCITRAL, the ITU, and WIPO, and is participating - with a 16 member delegation in the United Nations' Information Technology Summits (WSIS) in Geneva and Tunis. The essential purpose of the Center for International Legal Studies is the promotion of the dissemination of information among members of the international legal community through legal research and publication projects, post-graduate and professional training programs, and annual legal education conferences. Countries covered include Argentina, Australia, Brazil, Canada, Colombia, Czech Republic, Denmark, Germany, Hungary, Ireland, Israel, Italy, Japan, Jersey, New Zealand, Philippines, Romania, Russian Federation, Slovak Republic, Spain, Sweden, Switzerland, Thailand, United States, and Venezuela. Additional countries to be added are Austria, Belgium, Chile, China, Finland, France, Greece, Luxembourg, Mexico, Peru, Portugal, Serbia, Singapore, South Africa, Taiwan, United Kingdom, and the Ukraine. The publication will include special reports on European Union aspects and UNIDROIT, an introductory chapter prepared by UNCITRAL, and appendices provided by UNCITRAL.

International Insolvency Law

As Asian markets are now increasingly integrated in the world economy their domestic insolvency systems need to meet the expectations of international investors and lenders. Many Asian jurisdictions are responding by reforming insolvency laws, introducing new procedures and strengthening institutions, but others are much less active. These conference proceedings include papers showing how far various Asian countries have come in building effective and predictable insolvency systems and shows to what extent their systems provide confidence to investors and lenders.--Publisher's description.

Orderly and Effective Insolvency Procedures

This comprehensive book provides a clear analysis of the European Restructuring Directive, which aims to improve national frameworks governing business restructuring and insolvency as well as to provide debt relief for individuals. Gerard McCormack explores the key aspects of the Directive including the moratorium on litigation and enforcement claims against the financially-troubled business, the provision for new financing, the division of creditors into classes, the introduction of a restructuring plan and the rules for approval of the plan by a court or administrative authority.

Transnational Legal Orders

Executory Contracts in Insolvency Law offers a unique and wide-ranging transnational study of the treatment of ongoing contracts when one of the parties becomes insolvent. This second edition not only updates existing material, but also extends the analysis to key developing economies and restructuring hubs. Written by experts with extensive practical and scholarly knowledge in the field, this is a cutting-edge investigation into the philosophies and rationales behind the different policy choices adopted by more than 30 jurisdictions across the globe.

UNCITRAL Conciliation Rules

A fresh and insightful guide to post-financial crisis cross-border insolvency, this book interrogates the current regime and sets out a pattern to improve its future. In recent decades, and especially since the global financial crisis, a number of important initiatives have focused on developing effective solutions for managing the insolvency of multinational enterprises and financial institutions. Irit Mevorach here takes stock of the varying success of previous policy, and identifies the gaps and biases that could be bridged by a new approach. The book first sets out the theoretical debates regarding cross-border insolvency and surveys the strengths and weaknesses of the prevailing method - modified universalism - synthesizing divergences into a rubric for both commercial entities and financial institutions. Adhering to these norms more robustly, Mevorach argues, would enhance global welfare and produce the best outcomes for businesses and institutions. Drawing upon sources from international law as well as behavioural and economic theory, Mevorach considers how to translate modified universalism into binding international law and how to choose the right instrument for cross-border insolvency; the impact instrument design has on decisions and choices, and how to encourage compliance. In particular, the book proposes guidelines that could potentially overcome, or at least take into account, behavioural biases in decision-making in order to create a system that works for businesses, and offers a blueprint for the future of cross-border insolvency.

International Secured Transactions

As a result of resumption of sovereignty over Hong Kong and Macao as well as the uncertain relationship between the Mainland and Taiwan, China has become a country composed of peculiar political compounds, resulting in four independent jurisdictions. This makes inter-regional legal cooperation a complicated yet compelling topic. Divided into five parts, this book considers possible solutions to problems in China's inter-regional cross-border insolvency cooperation. These solutions are developed on the basis of two groups of comparative studies, including comparison among the cross-border insolvency systems of the four independent jurisdictions in China and comparison between EU Insolvency Regulation and the UNCITRAL Model Law. The author discusses the advantages and disadvantages of the two systems and presents original recommendations for the way forward. The book will be a valuable resource for academics and policy makers in insolvency law, Asian law and comparative law.

Asian Insolvency Systems

Now in its second edition, this handy title is written by practising barristers and is practically orientated with a user-friendly approach. Comprehensive and authoritative, this text provides complete annotation of all legislation including the Insolvency Rules and the Enterprise Act. With the reform of insolvency law, this is an essential tool for practitioners working in insolvency and bankruptcy law.

The European Restructuring Directive

Focusing on the Global Financial Crisis 2007-2010 and the new emerging Covid-19 crisis in 2020, this book examines the discourse on risk and uncertainty in the markets through the lens of financial crises. Such crises represent a failure of the law to regulate, and constitute the basis through which a new theory of legal constants can be introduced in comparative law. Crisis impose a dramatic reformulation of the law, the Covid-19 confirms this trend, and new out-of-law instances are appearing beyond a paternalistic approach of direct State regulation. Restructuring procedures are playing a vital role in businesses' survival, and new out-of-law mechanisms such as moratorium agreements and private workouts have become essential to preserve businesses. It is clear that the role of the law has completely changed, and this book argues that constants outside of the law are new ways to promote an "uncodified-codification" of the law. The case for uncodified uncertainty in the Covid-19 crisis is a primary example of how no codification process can ignore the importance of out-of-law instances in the act of making law. This book explores how this approach influences the harmonisation

process of international economic law between national insolvency regimes and international agreed frameworks, demonstrating the role of comparative law in formulating legal constants using Covid-19 and the complexity of modern financial markets as the criterion to introduce the reader to this new theory, which claims a new role for comparative law in policy making processes within the framework of international economic law.

Executory Contracts in Insolvency Law

The UNCITRAL Model Law on Cross-Border Insolvency, adopted in 1997, is designed to assist States to equip their insolvency laws with a modern, harmonized & fair framework to address more effectively, instances of cross-border insolvency. Those instances include cases where the insolvent debtor has less assets in more than one State or where some of the creditors are not from the State where insolvency proceeding is taking place.

The Future of Cross-Border Insolvency

The roles of the public and private sectors in the development of infrastructure have evolved considerably. In the 19th century, private companies, licensed by the government, developed many public services (energy, transport etc.); for most of the 20th century the trend was towards public provision of infrastructure and services, but in the later years a reverse trend towards private sector participation and competition was evident. This guide sets out recommended legislative principles designed to assist in the establishment of a framework favourable to privately financed infrastructural projects. The guide aims to achieve a balance between facilitating and encouraging private involvement in this field, and the various public concerns (such as continuity of service, health and safety, environmental protection).

China's Insolvency Law and Interregional Cooperation

Since the adoption of the EU Regulation on Insolvency Proceedings in 2000 and its recast in 2015, it has become clear that lawyers engaged in consumer insolvency proceedings are increasingly expected to have a basic understanding of foreign insolvency proceedings, as well as knowledge of the foreign country's court and legal system, legislation and judicial practice. Written by 50 highly qualified insolvency experts from 30 European countries, A Guide to Consumer Insolvency Proceedings in Europe provides the necessary information in the largest, most up-to-date and comprehensive book on this topic. Assisting the readers in their navigation through the differences, similarities, and peculiarities of insolvency proceedings in all Member States of the European Union, Switzerland and Russia, this book is a unique guide to insolvency proceedings across Europe. With contributions by both academics and practitioners, it provides truly multinational coverage of the economic, legal, social, political, and demographic issues in consumer insolvency. Illustrating the numerous practices across Europe, this book allows the reader to evaluate each aspect both on its own merits, as well as in comparison to the approaches applied in other European jurisdictions. This book will be an invaluable tool for insolvency practitioners, judges, lawyers, creditors and debtors throughout Europe, especially those participating in cross-border proceedings.

Annotated Guide to Insolvency Legislation and Practice

Article 1 - original version [Scope of application] --Article 1 - as amended [Scope of application] --Article 2 [Definitions and rules of interpretation] --Article 2A - as added [International origin and general principles] --Article 3 [Receipt of written communications] --Article 4 [Waiver of right to object] --Article 5 [Extent of court intervention] --Article 6 [Court or other authority for certain functions of arbitration assistance and supervision] --Article 7 - original version [Definition and form of arbitration agreement] --Article 7 - as amended [Definition and form of arbitration agreement] --Article 8 [Arbitration agreement and substantive claim before court] --Article 9 [Arbitration agreement and interim measures by court] --Article 10 [Number of arbitrators] --Article 11 [Appointment of arbitrators] --Article 12 [Grounds for challenge] --Article 13 [Challenge procedure] --Article 14 [Failure or impossibility to act] --Article 15 [Appointment of substitute arbitrator] --Article 16 [Competence of arbitral tribunal to rule on its jurisdiction] --Article 17 - original version [Power of arbitral tribunal to order interim measures] --(Articles 17 - 17J) - as amended [Interim measures and preliminary orders] --Article 18 [Equal treatment of parties] --Article 19 [Determination of rules of procedure] --Article 20 [Place of arbitration] --Article 21 [Commencement of arbitral proceedings] --Article 22 [Language] --Article 23 [Statements of claim and defence] --Article 24 [Hearings and written proceedings] --Article 25 [Default of a party] --Article 26 [Expert appointed by arbitral tribunal] --Article 27 [Court assistance in taking evidence] --Article 28

[Rules applicable to substance of dispute] --Article 29 [Decision making by panel of arbitrators] --Article 30 [Settlement] --Article 31 [Form and contents of award] --Article 32 [Termination of proceedings] --Article 33 [Correction and interpretation of award; additional award] --Article 34 [Application for setting aside as exclusive recourse against arbitral award] --Article 35 - original version [Recognition and enforcement] --Article 35 - as amended [Recognition and enforcement] --Article 36 [Grounds for refusing recognition or enforcement].

International Insolvency and Finance Law

How an economy handles financial and business distress has a major impact on confidence in business, the availability of investment, the cost of credit, and economic growth. The financial crisis of 2007-2008 and its aftermath was a catalyst to legal reform in the field of bankruptcy and restructuring law and brought an added focus to the systemic threat of bank failure to the financial system. This book explores the general principles and practice of legal reform within bankruptcy. From a variety of specialists including practitioners, lawyers, bankers, accountants and judges from the United Arab Emirates, the UK and Singapore, it provides a variety of perspectives on the topic. Chapters include topics such as the 'Four Pillars of Regulatory Framework', the history and application of the UNCITRAL Model Law on Cross-Border Insolvency, the challenges for financial institutions and the treatment of the insolvency of natural persons. The book also offers a comparative study of Islamic Shari'ah principles with modern bankruptcy regimes, an analysis of bankruptcy in the UAE and an evaluation of the legal infrastructure of the DIFC Courts. The authors explore core questions surrounding bankruptcy law, including its ability to facilitate the turnaround of business, to enable efficient reallocation of capital, to provide coherent rules for entrepreneurs, investors, employees, and creditors, and to provide for both appropriate sanctions and for rehabilitation. ?

UNCITRAL Model Law on Cross-border Insolvency, with Guide to Enactment

Written by specialists from each jurisdiction, this new edition provides an in-depth, article-by-article analysis of the local enactment and application of the model law in each of the jurisdictions concerned, alongside consideration of the relationship between the model law and any existing cross-border insolvency jurisprudence. Each chapter adopts the same format for ease of reference, addressing key concepts such as the centre of main interests, court-to-court communication, enforcement of security interests and the protection of debtors and creditors.

UNCITRAL Legislative Guide on Privately Financed Infrastructure Projects

Corporate law and governance are at the forefront of regulatory activities worldwide, and subject to increasing public attention in the wake of the Global Financial Crisis. Comprehensively referencing the key debates, the Handbook provides a much-needed framework for understanding the aims and methods of legal research in the field.

A Guide to Consumer Insolvency Proceedings in Europe

A Guide to the UNCITRAL Model Law on International Commercial Arbitration