

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 603/2005****of 12 April 2005****amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings<sup>(1)</sup>, and in particular Article 45 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Annexes to Regulation (EC) No 1346/2000 list the designations given in the national legislation of the Member States to the proceedings and liquidators to which that Regulation applies. Annex A to that Regulation lists the insolvency proceedings referred to in Article 2(a) of that Regulation. Annex B of that Regulation lists the winding-up proceedings referred to in Article 2(c) and Annex C of that Regulation lists the liquidators referred to in Article 2(b) of that Regulation.

(2) Annexes A, B and C to Regulation (EC) No 1346/2000 were amended by the 2003 Act of Accession so as to include the insolvency proceedings, the winding-up proceedings and the liquidators of the new Member States.

(3) Belgium, Spain, Italy, Latvia, Lithuania, Malta, Hungary, Austria, Poland, Portugal and the United Kingdom have notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to the lists set out in Annexes A, B and C to that Regulation.

(4) The United Kingdom and Ireland, in accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and the Treaty establishing the European Community, have given notice of their wish to take part in the adoption and application of this Regulation.

(5) Denmark, in accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty establishing the European Community, is not participating in the adoption of this Regulation, and is therefore not bound by it nor subject to its application.

(6) Regulation (EC) No 1346/2000 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1346/2000 is amended as follows:

1. Annex A is replaced by the text set out in Annex I to this Regulation;

2. Annex B is replaced by the text set out in Annex II to this Regulation;

3. Annex C is replaced by the text set out in Annex III to this Regulation.

<sup>(1)</sup> OJ L 160, 30.6.2000, p. 1. Regulation as amended by the 2003 Act of Accession.

*Article 2*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at Luxembourg, 12 April 2005.

*For the Council*  
*The President*  
J.-C. JUNCKER

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## ANNEX I

## ‘ANNEX A

**Insolvency proceedings referred to in Article 2(a)**

## BELGIË/BELGIQUE

- Het faillissement/La faillite
- Het gerechtelijk akkoord/Le concordat judiciaire
- De collectieve schuldenregeling/Le règlement collectif de dettes
- De vrijwillige vereffening/La liquidation volontaire
- De gerechtelijke vereffening/La liquidation judiciaire
- De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet/Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites

## ČESKÁ REPUBLIKA

- Konkurs
- Nucené vyrovnání
- Vyrovnání

## DEUTSCHLAND

- Das Konkursverfahren
- Das gerichtliche Vergleichsverfahren
- Das Gesamtvollstreckungsverfahren
- Das Insolvenzverfahren

## EESTI

- Pankrotimenetus

## ΕΛΛΑΣ

- Η πτώχευση
- Η ειδική εκκαθάριση
- Η προσωρινή διαχείριση εταιρείας. Η διοίκηση και διαχείριση των πιστωτών
- Η υπαγωγή επιχείρησης υπό επίτροπο με σκοπό τη σύναψη συμβιβασμού με τους πιστωτές

## ESPAÑA

- Concurso

## FRANCE

- Liquidation judiciaire
- Redressement judiciaire avec nomination d'un administrateur

## IRELAND

- Compulsory winding up by the court
- Bankruptcy
- The administration in bankruptcy of the estate of persons dying insolvent
- Winding-up in bankruptcy of partnerships
- Creditors' voluntary winding up (with confirmation of a Court)

- Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution
- Company examinership

## ITALIA

- Fallimento
- Concordato preventivo
- Liquidazione coatta amministrativa
- Amministrazione straordinaria

## ΚΥΠΡΟΣ

- Υποχρεωτική εκκαθάριση από το Δικαστήριο
- Εκούσια εκκαθάριση από πιστωτές κατόπιν Δικαστικού Διατάγματος
- Εκούσια εκκαθάριση από μέλη
- Εκκαθάριση με την εποπτεία του Δικαστηρίου
- Πτώχευση κατόπιν Δικαστικού Διατάγματος
- Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

## LATVIJA

- Bankrots
- Izlīgums
- Sanācija

## LIETUVA

- įmonės restruktūrizavimo byla
- įmonės bankroto byla
- įmonės bankroto procesas ne teismo tvarka

## LUXEMBOURG

- Faillite
- Gestion contrôlée
- Concordat préventif de faillite (par abandon d'actif)
- Régime spécial de liquidation du notariat

## MAGYARORSZÁG

- Csődeljárás
- Felszámolási eljárás

## MALTA

- Xoljiment
- Amministrazzjoni
- Stralċ volontarju mill-membri jew mill-kredituri
- Stralċ mill-Qorti
- Falliment f'każ ta' negozjant

## NEDERLAND

- Het faillissement
- De surséance van betaling
- De schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Das Konkursverfahren
- Das Ausgleichsverfahren

## POLSKA

- Postępowanie upadłościowe
- Postępowanie układowe
- Upadłość obejmująca likwidację
- Upadłość z możliwością zawarcia układu

## PORTUGAL

- O processo de insolvência
- O processo de falência
- Os processos especiais de recuperação de empresa, ou seja:
  - À concordata
  - A reconstituição empresarial
  - A reestruturação financeira
  - A gestão controlada

## SLOVENIJA

- Stečajni postopek
- Skrajšani stečajni postopek
- Postopek prisilne poravnave
- Prisilna poravnava v stečaju

## SLOVENSKO

- Konkurzné konanie
- Vyrovnanie

## SUOMI/FINLAND

- Konkurssi/konkurs
- Yrityssaneeraus/företagssanering

## SVERIGE

- Konkurs
- Företagsrekonstruktion

## UNITED KINGDOM

- Winding up by or subject to the supervision of the court
  - Creditors' voluntary winding up (with confirmation by the court)
  - Administration, including appointments made by filing prescribed documents with the court
  - Voluntary arrangements under insolvency legislation
  - Bankruptcy or sequestration'
-

## ANNEX II

## ‘ANNEX B

**Winding-up proceedings referred to in Article 2(c)**

## BELGIË/BELGIQUE

- Het faillissement/La faillite
- De vrijwillige vereffening/La liquidation volontaire
- De gerechtelijke vereffening/La liquidation judiciaire

## ČESKÁ REPUBLIKA

- Konkurs
- Nucené vyrovnání

## DEUTSCHLAND

- Das Konkursverfahren
- Das Gesamtvollstreckungsverfahren
- Das Insolvenzverfahren

## EESTI

- Pankrotimenetus

## ΕΛΛΑΣ

- Η πτώχευση
- Η ειδική εκκαθάριση

## ESPAÑA

- Concurso

## FRANCE

- Liquidation judiciaire

## IRELAND

- Compulsory winding up
- Bankruptcy
- The administration in bankruptcy of the estate of persons dying insolvent
- Winding-up in bankruptcy of partnerships
- Creditors' voluntary winding up (with confirmation of a court)
- Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution

## ITALIA

- Fallimento
- Liquidazione coatta amministrativa
- Concordato preventivo con cessione dei beni

## ΚΥΠΡΟΣ

- Υποχρεωτική εκκαθάριση από το Δικαστήριο
- Εκκαθάριση με την εποπτεία του Δικαστηρίου
- Εκούσια εκκαθάριση από πιστωτές (με την επικύρωση του Δικαστηρίου)
- Πτώχευση
- Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

## LATVIJA

- Bankrots

## LIETUVA

- įmonės bankroto byla
- įmonės bankroto procesas ne teismo tvarka

## LUXEMBOURG

- Faillite
- Régime spécial de liquidation du notariat

## MAGYARORSZÁG

- Felszámolási eljárás

## MALTA

- Stralċ volontarju
- Stralċ mill-Qorti
- Falliment inkluż il-hruġ ta' mandat ta' qbid mill-Kuratur f'każ ta' negozjant fallut

## NEDERLAND

- Het faillissement
- De schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Das Konkursverfahren

## POLSKA

- Postępowanie upadłościowe
- Upadłość obejmująca likwidację

## PORTUGAL

- O processo de insolvência
- O processo de falência

## SLOVENIJA

- Stečajni postopek
- Skrajšani stečajni postopek

## SLOVENSKO

- Konkurzné konanie
- Vyrovnanie

## SUOMI/FINLAND

- Konkurssi/konkurs

## SVERIGE

- Konkurs

## UNITED KINGDOM

- Winding up by or subject to the supervision of the court
  - Winding up through administration, including appointments made by filing prescribed documents with the court
  - Creditors' voluntary winding up (with confirmation by the court)
  - Bankruptcy or sequestration'
-

## ANNEX III

## ANNEX C

## Liquidators referred to in Article 2(b)

## BELGIË/BELGIQUE

- De curator/Le curateur
- De commissaris inzake opschorting/Le commissaire au sursis
- De schuldbemiddelaar/Le médiateur de dettes
- De vereffenaar/Le liquidateur
- De voorlopige bewindvoerder/L'administrateur provisoire

## ČESKÁ REPUBLIKA

- Správce podstaty
- Předběžný správce
- Vyrovnací správce
- Zvláštní správce
- Zástupce správce

## DEUTSCHLAND

- Konkursverwalter
- Vergleichsverwalter
- Sachwalter (nach der Vergleichsordnung)
- Verwalter
- Insolvenzverwalter
- Sachwalter (nach der Insolvenzordnung)
- Treuhänder
- Vorläufiger Insolvenzverwalter

## EESTI

- Pankrotihaldur
- Ajutine pankrotihaldur
- Usaldusisik

## ΕΛΛΑΣ

- Ο σύνδικος
- Ο προσωρινός διαχειριστής. Η διοικούσα επιτροπή των πιστωτών
- Ο ειδικός εκκαθαριστής
- Ο επίτροπος

## ESPAÑA

- Administradores concursales

## FRANCE

- Représentant des créanciers
- Mandataire liquidateur
- Administrateur judiciaire
- Commissaire à l'exécution de plan

## IRELAND

- Liquidator
- Official Assignee
- Trustee in bankruptcy
- Provisional Liquidator
- Examiner

## ITALIA

- Curatore
- Commissario
- Liquidatore giudiziale

## ΚΥΠΡΟΣ

- Εκκαθαριστής και Προσωρινός Εκκαθαριστής
- Επίσημος Παραλήπτης
- Διαχειριστής της Πτώχευσης
- Εξεταστής

## LATVIJA

- Maksātnespējas procesa administrators

## LIETUVA

- Bankrutuojančių įmonių administratorius
- Restruktūrizuojamų įmonių administratorius

## LUXEMBOURG

- Le curateur
- Le commissaire
- Le liquidateur
- Le conseil de gérance de la section d'assainissement du notariat

## MAGYARORSZÁG

- Csődeljárás
- Felszámolási eljárás

## MALTA

- Amministratur Proviżorju
- Riċevitur Uffiċjali
- Stralċjarju
- Manager Speċjali
- Kuraturi f'każ ta' proceduri ta' falliment

## NEDERLAND

- De curator in het faillissement
- De bewindvoerder in de surséance van betaling
- De bewindvoerder in de schuldsaneringsregeling natuurlijke personen

## ÖSTERREICH

- Masseverwalter
- Ausgleichsverwalter
- Sachverwalter
- Treuhänder
- Besondere Verwalter
- Konkursgericht

## POLSKA

- Syndyk
- Nadzorca sądowy
- Zarządca

## PORTUGAL

- Administrador da insolvência
- Gestor judicial
- Liquidatário judicial
- Comissão de credores

## SLOVENIJA

- Upravitelj prisilne poravnave
- Stečajni upravitelj
- Sodišče, pristojno za postopek prisilne poravnave
- Sodišče, pristojno za stečajni postopek

## SLOVENSKO

- Správca
- Predbežný správca
- Nútený správca
- Likvidátor

## SUOMI/FINLAND

- Pesänhoitaja/boförvaltare
- Selvittäjä/utredare

## SVERIGE

- Förvaltare
- God man
- Rekonstruktör

## UNITED KINGDOM

- Liquidator
  - Supervisor of a voluntary arrangement
  - Administrator
  - Official Receiver
  - Trustee
  - Provisional Liquidator
  - Judicial factor'
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