

Council Implementing Regulation (EU) No 583/2011 of 9 June 2011 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B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation (repealed)

COUNCIL IMPLEMENTING REGULATION (EU) No 583/2011

of 9 June 2011

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B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation (repealed)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) Annexes A, B and C 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 lists the insolvency proceedings referred to in Article 2(a) of that Regulation. Annex B lists the winding-up proceedings referred to in Article 2(c) of that Regulation and Annex C lists the liquidators referred to in Article 2(b) of that Regulation.
- (2) On 15 September 2010, Austria notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to be made to the lists set out in Annexes A, B and C to that Regulation.
- (3) On 23 November 2010, Latvia notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to be made to the lists set out in Annexes A and B to that Regulation.
- (4) As a consequence of the amendments to be made to Annexes A, B and C to Regulation (EC) No 1346/2000 following the abovementioned notifications by Austria and Latvia, Annexes A, B and C to that Regulation should be codified in order to provide all parties involved in insolvency proceedings covered by that Regulation with the necessary legal certainty.
- (5) The United Kingdom and Ireland are bound by Regulation (EC) No 1346/2000 and, by virtue of Article 45 of that Regulation, are therefore taking part in the adoption and application of this Regulation.
- (6) In accordance with Articles 1 and 2 of the Protocol on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European

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Changes to legislation: There are currently no known outstanding effects for the Council Implementing Regulation (EU) No 583/2011 (repealed). (See end of Document for details)

Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

- (7) Annexes A, B and C to Regulation (EC) No 1346/2000 should therefore be amended and codified accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) in Annex A:
- (a) the designations for Latvia are replaced by the following:
LATVIJA
- Tiesiskās aizsardzības process,
 - Juridiskās personas maksātnespējas process,
 - Fiziskās personas maksātnespējas process.;
- (b) the designations for Austria are replaced by the following:
ÖSTERREICH
- Das Konkursverfahren (Insolvenzverfahren),
 - Das Sanierungsverfahren ohne Eigenverwaltung (Insolvenzverfahren),
 - Das Sanierungsverfahren mit Eigenverwaltung (Insolvenzverfahren),
 - Das Schuldenregulierungsverfahren,
 - Das Abschöpfungsverfahren,
 - Das Ausgleichsverfahren.;
- (2) in Annex B:
- (a) the designations for Latvia are replaced by the following:
LATVIJA
- Juridiskās personas maksātnespējas process,
 - Fiziskās personas maksātnespējas process.;
- (b) the designations for Austria are replaced by the following:
ÖSTERREICH
- Das Konkursverfahren (Insolvenzverfahren).;
- (3) in Annex C, the designations for Austria are replaced by the following:
ÖSTERREICH
- Masseverwalter,
 - Sanierungsverwalter,
 - Ausgleichsverwalter,
 - Besonderer Verwalter,
 - Einstweiliger Verwalter,
 - Sachwalter,
 - Treuhänder,
 - Insolvenzgericht,

Status: Point in time view as at 09/06/2011.

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— Konkursgericht..

Article 2

Annexes A, B and C to Regulation (EC) No 1346/2000 as amended in accordance with Article 1 of this Regulation are hereby codified and replaced by the texts set out in Annexes I, II and III to this Regulation.

Article 3

This Regulation shall enter into force on the 20th 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 Treaties.

Done at Luxembourg, 9 June 2011.

For the Council

The President

PINTÉR S.

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ANNEX I

ANNEX Insolvency proceedings referred to in Article 2(a)

A

BELGIQUE/BELGIË

- Het faillissement/La faillite,
- De gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire par accord collectif,
- De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice,
- 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,

БЪЛГАРИЯ

- Производство по несъстоятелност,

ČESKÁ REPUBLIKA

- Konkurs,
- Reorganizace,
- Oddlužení,

DEUTSCHLAND

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

EESTI

- Pankrotimenetus,

ÉIRE/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,

ΕΛΛΑΔΑ

- 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

- Sauvegarde,
- Redressement judiciaire,

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Changes to legislation: There are currently no known outstanding effects for the Council Implementing Regulation (EU) No 583/2011 (repealed). (See end of Document for details)

— Liquidation judiciaire,

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

— Tiesiskās aizsardzības process,

— Juridiskās personas maksātnespējas process,

— Fiziskās personas maksātnespējas process,

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 (Insolvenzverfahren),

— Das Sanierungsverfahren ohne Eigenverwaltung (Insolvenzverfahren),

— Das Sanierungsverfahren mit Eigenverwaltung (Insolvenzverfahren),

— Das Schuldenregulierungsverfahren,

— Das Abschöpfungsverfahren,

— Das Ausgleichsverfahren,

POLSKA

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

PORTUGAL

- Processo de insolvência,
- Processo de falência,
- Processos especiais de recuperação de empresa, ou seja:
- Concordata,
- Reconstituição empresarial,
- Reestruturação financeira,
- Gestão controlada,

ROMÂNIA

- Procedura insolvenței,
- Reorganizarea judiciară,
- Procedura falimentului,

SLOVENIJA

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

SLOVENSKO

- Konkurzné konanie,
- Reštrukturalizačné konanie,

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

B

BELGIQUE/BELGIË

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

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— De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice,

БЪЛГАРИЯ

— Производство по несъстоятелност,

ČESKÁ REPUBLIKA

— Konkurs,

DEUTSCHLAND

— Das Konkursverfahren,

— Das Gesamtvollstreckungsverfahren,

— Das Insolvenzverfahren,

EESTI

— Pankrotimenetus,

ÉIRE/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,

ΕΛΛΑΔΑ

— Η πτώχευση,

— Η ειδική εκκαθάριση,

ESPAÑA

— Concurso,

FRANCE

— Liquidation judiciaire,

ITALIA

— Fallimento,

— Concordato preventivo con cessione dei beni,

— Liquidazione coatta amministrativa,

— Amministrazione straordinaria con programma di cessione dei complessi aziendali,

— Amministrazione straordinaria con programma di ristrutturazione di cui sia parte integrante un concordato 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

— Juridiskās personas maksātnespējas process,

— Fiziskās personas maksātnespējas process,

LIETUVA

— Įmonės bankroto byla,

— Įmonės bankroto procesas ne teismo tvarka,

LUXEMBOURG

— Faillite,

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- Régime spécial de liquidation du notariat,
- MAGYARORSZÁG
- Felszámolási eljárás,
- MALTA
- Stralè volontarju,
- Stralè 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 (Insolvenzverfahren),
- POLSKA
- Postępowanie upadłościowe,
- Upadłość obejmująca likwidację,
- PORTUGAL
- Processo de insolvência,
- Processo de falência,
- ROMÂNIA
- Procedura falimentului,
- SLOVENIJA
- Stečajni postopek,
- Skrajšani stečajni postopek,
- SLOVENSKO
- Konkurzné konanie,
- 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 Liquidators referred to in Article 2(b)

C

BELGIQUE/BELGIË

- De curator/Le curateur,
- De gedelegeerd rechter/Le juge-délégué,
- De gerechtsmandataris/Le mandataire de justice,
- De schuldbemiddelaar/Le médiateur de dettes,
- De vereffenaar/Le liquidateur,

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— De voorlopige bewindvoerder/L'administrateur provisoire,

БЪЛГАРИЯ

— Назначен предварително временен синдик,

— Временен синдик,

— (Постоянен) синдик,

— Служебен синдик,

ČESKÁ REPUBLIKA

— Insolvenční správce,

— Předběžný insolvenční správce,

— Oddělený insolvenční správce,

— Zvláštní insolvenční správce,

— Zástupce insolvenčního správce,

DEUTSCHLAND

— Konkursverwalter,

— Vergleichsverwalter,

— Sachwalter (nach der Vergleichsordnung),

— Verwalter,

— Insolvenzverwalter,

— Sachwalter (nach der Insolvenzordnung),

— Treuhänder,

— Vorläufiger Insolvenzverwalter,

EESTI

— Pankrotihaldur,

— Ajutine pankrotihaldur,

— Usaldusisik,

ÉIRE/IRELAND

— Liquidator,

— Official Assignee,

— Trustee in bankruptcy,

— Provisional Liquidator,

— Examiner,

ΕΛΛΑΔΑ

— Ο σύνδικος,

— Ο προσωρινός διαχειριστής. Η διοικούσα επιτροπή των πιστωτών,

— Ο ειδικός εκκαθαριστής,

— Ο επίτροπος,

ESPAÑA

— Administradores concursales,

FRANCE

— Mandataire judiciaire,

— Liquidateur,

— Administrateur judiciaire,

— Commissaire à l'exécution du plan,

ITALIA

— Curatore,

— Commissario giudiziale,

— Commissario straordinario,

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— Commissario liquidatore,

— Liquidatore giudiziale,

KYΠPOΣ

— 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

— Vagyongfelügyelő,

— Felszámoló,

MALTA

— Amministratur Provizorju,

— Riċevitur Uffiċjali,

— Stralċjarju,

— Manager Speċjali,

— Kuraturi f'każ ta' proċeduri ta' falliment,

NEDERLAND

— De curator in het faillissement,

— De bewindvoerder in de surséance van betaling,

— De bewindvoerder in de schuldsaneringsregeling natuurlijke personen,

ÖSTERREICH

— Masseverwalter,

— Sanierungsverwalter,

— Ausgleichsverwalter,

— Besonderer Verwalter,

— Einstweiliger Verwalter,

— Sachwalter,

— Treuhänder,

— Insolvenzgericht,

— Konkursgericht,

POLSKA

— Syndyk,

— Nadzorca sądowy,

— Zarządca,

PORTUGAL

— Administrador da insolvência,

— Gestor judicial,

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- Liquidatário judicial,
 - Comissão de credores,
- ROMÂNIA
- Practician în insolvență,
 - Administrator judiciar,
 - Lichidator,
- SLOVENIJA
- Upravitelj prisilne poravnave,
 - Stečajni upravitelj,
 - Sodišče, pristojno za postopek prisilne poravnave,
 - Sodišče, pristojno za stečajni postopek,
- SLOVENSKO
- Predbežný správca,
 - Správca,
- SUOMI/FINLAND
- Pesänhoitaja/boförvaltare,
 - Selvittäjä/utredare,
- SVERIGE
- Förvaltare,
 - Rekonstruktör,
- UNITED KINGDOM
- Liquidator,
 - Supervisor of a voluntary arrangement,
 - Administrator,
 - Official Receiver,
 - Trustee,
 - Provisional Liquidator,
 - Judicial factor.

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- (1) OJ L 160, 30.6.2000, p. 1.

Status:

Point in time view as at 09/06/2011.

Changes to legislation:

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