

Regulation (EU) 2015/848 of the European Parliament and of  
the Council of 20 May 2015 on insolvency proceedings (recast)

CHAPTER V

**INSOLVENCY PROCEEDINGS OF MEMBERS OF A GROUP OF COMPANIES**

*SECTION 1*

***Cooperation and communication***

*Article 60*

**Powers of the insolvency practitioner in proceedings  
concerning members of a group of companies**

1 An insolvency practitioner appointed in insolvency proceedings opened in respect of a member of a group of companies may, to the extent appropriate to facilitate the effective administration of the proceedings:

- a be heard in any of the proceedings opened in respect of any other member of the same group;
- b request a stay of any measure related to the realisation of the assets in the proceedings opened with respect to any other member of the same group, provided that:
  - (i) a restructuring plan for all or some members of the group for which insolvency proceedings have been opened has been proposed under point (c) of Article 56(2) and presents a reasonable chance of success;
  - (ii) such a stay is necessary in order to ensure the proper implementation of the restructuring plan;
  - (iii) the restructuring plan would be to the benefit of the creditors in the proceedings for which the stay is requested; and
  - (iv) neither the insolvency proceedings in which the insolvency practitioner referred to in paragraph 1 of this Article has been appointed nor the proceedings in respect of which the stay is requested are subject to coordination under Section 2 of this Chapter;
- c apply for the opening of group coordination proceedings in accordance with Article 61.

2 The court having opened proceedings referred to in point (b) of paragraph 1 shall stay any measure related to the realisation of the assets in the proceedings in whole or in part if it is satisfied that the conditions referred to in point (b) of paragraph 1 are fulfilled.

Before ordering the stay, the court shall hear the insolvency practitioner appointed in the proceedings for which the stay is requested. Such a stay may be ordered for any period, not exceeding 3 months, which the court considers appropriate and which is compatible with the rules applicable to the proceedings.

---

**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2015/848 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

The court ordering the stay may require the insolvency practitioner referred to in paragraph 1 to take any suitable measure available under national law to guarantee the interests of the creditors in the proceedings.

The court may extend the duration of the stay by such further period or periods as it considers appropriate and which are compatible with the rules applicable to the proceedings, provided that the conditions referred to in points (b)(ii) to (iv) of paragraph 1 continue to be fulfilled and that the total duration of the stay (the initial period together with any such extensions) does not exceed 6 months.

### Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2015/848 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

#### Changes and effects yet to be applied to :

- Art. 6-83 omitted by virtue of S.I. 2019/146, Sch. para. 7 (as substituted) by S.I. 2019/1459 Sch. para. 3
- Art. 26-83 omitted by S.I. 2019/146 Sch. para. 7 (This amendment not applied to legislation.gov.uk. Sch. para. 7 substituted before it comes into force by S.I. 2019/1459, reg. 1(2), Sch. para. 3)

#### Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/146 Sch. para. 13
- Annex A omitted by S.I. 2019/146 Sch. para. 14
- Annex B words omitted by S.I. 2019/146 Sch. para. 15
- Art. 1(1)-(1B) substituted for Art. 1(1) by S.I. 2019/146 Sch. para. 2(3)
- Art. 2(1) omitted by S.I. 2019/146 Sch. para. 3(b)
- Art. 2(1A) inserted by S.I. 2019/146 Sch. para. 3(a)
- Art. 2(3) omitted by S.I. 2019/146 Sch. para. 3(b)
- Art. 2(4) words substituted by S.I. 2019/146 Sch. para. 3(c)
- Art. 2(6)(i) omitted by S.I. 2019/146 Sch. para. 3(d)(i)
- Art. 2(6)(ii) words omitted by S.I. 2019/146 Sch. para. 3(d)(ii)
- Art. 2(9) omitted by S.I. 2019/146 Sch. para. 3(e)
- Art. 2(10) word omitted by S.I. 2019/146 Sch. para. 3(f)
- Art. 2(11)-(14) omitted by S.I. 2019/146 Sch. para. 3(g)
- Art. 85(3)(a) words omitted by S.I. 2019/146 Sch. para. 9(b)(i)
- Art. 92(c) omitted by S.I. 2019/146 Sch. para. 12