Council Implementing Regulation (EU) 2016/1792 of 29 September 2016 replacing Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings

COUNCIL IMPLEMENTING REGULATION (EU) 2016/1792

of 29 September 2016

replacing 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 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), Annex B lists the winding-up proceedings referred to in Article 2(c) and Annex C lists the liquidators referred to in Article 2(b) of that Regulation.

(2) Slovakia and Poland, on 28 October 2014 and 4 December 2015 respectively, notified the Commission, for the purposes of Article 45 of Regulation (EC) No 1346/2000, of amendments to the lists set out in Annexes A, B and C to that Regulation. Those amendments comply with the requirements set out in that Regulation. Since those amendments are already in force, this Regulation should therefore enter into force as soon as possible.

(3) 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.

(4) In accordance with Articles 1 and 2 of Protocol No 22 on position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexes A, B and C to Regulation (EC) No 1346/2000 are replaced by the text set out in the Annex to this Regulation.

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1792. (See end of Document for details)*

Article 2

This Regulation shall enter into force on the day following that of 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 Brussels, 29 September 2016.

For the Council

The President

P. ŽIGA

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1792. (See end of Document for details)*

ANNEX

ANNEX A

Insolvency proceedings referred to in Article 2(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

— Pankrotimenetlus

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

— Debt Relief Notice

— Debt Settlement Arrangement

— Personal Insolvency Arrangement

ΕΛΛΑΔΑ

— Η πτώχευση

— Η ειδική εκκαθάριση εν λειτουργία

— Σχέδιο αναδιοργάνωσης

— Απλοποιημένη διαδικασία επί πτωχεύσεων μικρού αντικειμένου

ESPAÑA

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1792. (See end of Document for details)*

— Concurso

FRANCE

— Sauvegarde
— Redressement judiciaire
— Liquidation judiciaire

HRVATSKA

— Stečajni postupak

ITALIA

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

ΚΥΠΡΟΣ

— Υποχρεωτική εκκαθάριση από το Δικαστήριο
— Εκούσια εκκαθάριση από μέλη
— Εκούσια εκκαθάριση από πιστωτές
— Εκκαθάριση με την εποπτεία του Δικαστηρίου
— Διάταγμα Παραλαβής και πτώχευσης 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
— Fizinio asmens bankroto byla

LUXEMBOURG

— Faillite
— Gestion contrôlée
— Concordat préventif de faillite (par abandon d'actif)
— Régime spécial de liquidation du notariat
— Procédure de règlement collectif des dettes dans le cadre du surendettement

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

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1792. (See end of Document for details)*

ÖSTERREICH
— Das Konkursverfahren (Insolvenzverfahren)
— Das Sanierungsverfahren ohne Eigenverwaltung (Insolvenzverfahren)
— Das Sanierungsverfahren mit Eigenverwaltung (Insolvenzverfahren)
— Das Schuldenregulierungsverfahren
— Das Abschöpfungsverfahren
— Das Ausgleichsverfahren
POLSKA
— Postępowanie naprawcze
— Upadłość obejmująca likwidację
— Upadłość z możliwością zawarcia układu
— Upadłość
— Przyspieszone postępowanie układowe
— Postępowanie układowe
— Postępowanie sanacyjne
PORTUGAL
— Processo de insolvência
— Processo especial de revitalização
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
— Oddlženie
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