

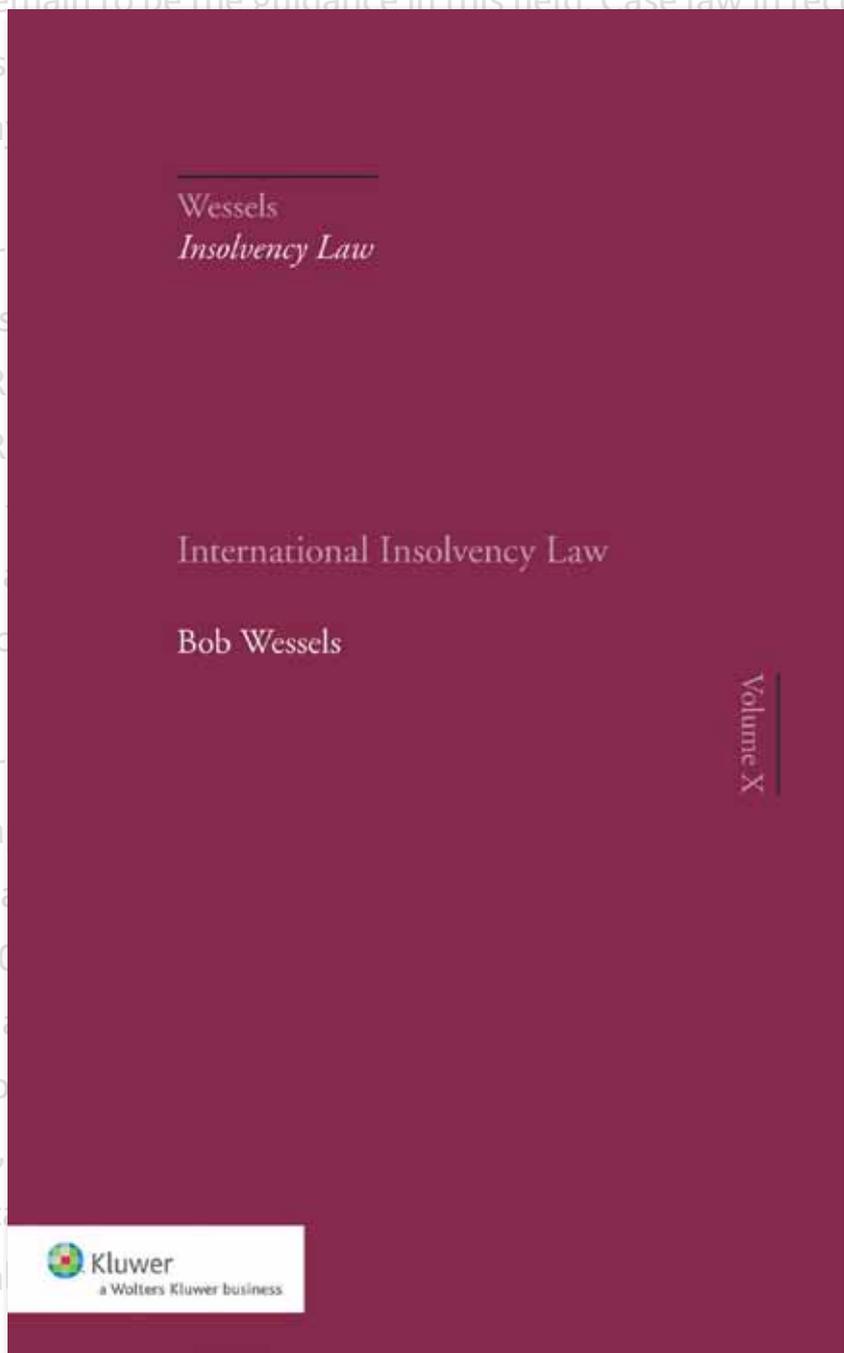
International Insolvency Law

Bob Wessels



A Very Good Buy!

- Complete and accurate treatment of global legislative developments
- Identifies key issues likely to arise in application of these legislative texts and covers over 300 court cases
- Delivers clarity and rigorous analysis of legal rules and concepts allowing practitioners to anticipate problems and solutions when advising corporate clients



The text of Wessels *International Insolvency Law*, 3rd ed., 2012, is completed by a refreshed Bibliography and a set of comprehensive appendices containing the most recent texts of hard and soft law.

Wessels *International Insolvency Law*, 3rd ed., 2012, is known as the authoritative and practical guide on the law of international insolvency. It covers its huge and vast increasing body of legislative rules, case law, scholarly literature and other available sources.

UPDATED

Chapter I sets out historical and doctrinal perspectives and forms of regulation of international insolvency law, including regional conventions, such as the Nordic Bankruptcy Convention and the Organization of the Harmonization of Business Law in Africa (OHADA). It intends to present a complete and accurate portrait of the ongoing efforts of international institutions and organizations, mainly in the private sector, in the area of insolvency reform and standard setting principles in international insolvency law, such as the use of Protocols or cross-border insolvency agreements.

Chapter II covers the area of international insolvency law in the Netherlands. Without having a proper legislative framework in the Netherlands general rules of private international law, developed in court cases, remain to be the guidance in this field. Case law in recent years have been dominated greatly by legal disputes related to the insolvent Russian corporate giant Yukos Oil Company having shares in a company, incorporated in the Netherlands, which holds large assets in several countries.

Chapter III contains an extensive treatment of the UNCITRAL Model Law on Cross-Border Insolvency, the considerations to weigh when a State is in the process of enacting it and a commentary upon the UNCITRAL Legislative Guide (2004), specifically its 2010 addition, Part Three of the Legislative Guide, UNCITRAL's recommendation regarding enterprise groups, and the Practice Guide of 2009. In this chapter the analyses of the Model Law could be broadened and deepened with a commentary of some 50 USA and UK cases and a critical comment of the ever growing literature, mainly from sources in the USA and the UK.

Chapter IV provides an in-depth article-by-article analyses of the EU Insolvency Regulation. In this chapter the author has taken account of the enormous volume of literature (mainly from the Netherlands, Austria, Belgium, England, France, Germany and the USA). Since the last edition of 2006 some 300 cases have been included on many of the (detailed) questions that come up in practice. Special attention in this chapter has been given to the main themes in recent debates, such as the definition of "collective insolvency proceedings", the meaning of the term centre of main interest (COMI), including the treatment of group insolvencies, the system of conflict of law rules, the rather complicated system of recognition and enforcement of other (insolvency related) judgments and practical tools and recommendations for communication and cooperation in cross-border insolvency cases.

The text of Wessels *International Insolvency Law*, 3rd ed., 2012, is completed by a refreshed Bibliography and a set of comprehensive appendices containing the most recent texts of hard and soft law.

The law is stated as at September 1, 2011.



"In this third edition I have done my utmost to provide the publication of choice for each insolvency practitioner, especially by including commentaries on over 300 court cases and my personal know how gained with my involvement in many cross-border cases."

Wessels *International Insolvency Law*, 3rd ed., 2012, not only aims to be a first port of call on any question on international insolvency law for specialists (such as practitioners, judges and scholars), but also for those who are relatively new to the subject, including legislators and students. Guidance is offered on all concepts and complexities in international practice. The book:

- Offers a comprehensive and critical statement on current and controversial matters
- Takes into account legislative developments, such as enactment of the Model Law and the EU Insolvency Regulation
- Identifies key issues likely to arise in application of these legislative texts
- Delivers clarity and rigorous analysis of procedural or substantive rules
- Includes expert interpretation of legal principles and concepts
- Allows practitioners to anticipate problems and solutions when advising corporate clients
- Considers all relevant case law, including cases related to e.g. *Alitalia*, *Eurodis*, *Lehman Brothers*, *Nortel Network*, *Qimonda*, *Rodenstock* and *Stanford Bank* as well as the cases decided by the Court of Justice of the European Union
- Contains an extensive bibliography and a comprehensive selection of all the relevant hard law and soft law texts

ABOUT THE AUTHOR



Professor Dr. Bob Wessels is an independent (international) legal counsel, arbitrator and Professor of International Insolvency Law, Leiden University, The Netherlands. Since 1987 he is also a Deputy Justice at the Court of Appeal, The Hague. He has been an advisor to the IMF and the Worldbank. He is Chairman of the Netherlands Association for Comparative and International Insolvency Law, Member of the Joint Board of Appeal of the three European Supervisory Authorities (ESAs), ESMA, EBA and EIOPA respectively and Member of the Insolvency Law Expert Group (ILEG) to advise the European Commission on an EU Framework for Crisis Management in the Financial Sector. He is International Fellow of the American College of Bankruptcy, Honorary Member of INSOL Europe, Fellow of the European Law Institute (ELI), Member of the American Law Institute

(ALI) and is/was Visiting Professor of International and Comparative Insolvency Law in Law Schools in Riga (Latvia), New York (St. John's University), Pretoria and Frankfurt.

BIBLIOGRAPHIC DETAILS



International Insolvency Law

Author: prof. dr. B. Wessels
Publisher: Kluwer (NL)
Language: English
Published: March 2012
Edition: 3rd
Pages: 1232
ISBN: 9789013077070
Price: €180,-

The book also appears as Volume X in the (Dutch) series Wessels Insolventierecht

ORDERING:

To order International Insolvency Law go to www.kluwer.nl
(search by keyword 'insolvency').

DEEPLINK:

http://shop.kluwer.nl/boeken_products/international-insolvency-law/prod10159889.html