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Oxford Private International Law Series. Description. This set deals with the problems generated by those cases of insolvency (either of an individual or of a company) where the presence of contacts with more than one system of law brings into operation the principles and methods of private international law (also known as conflict of laws). Part I of the main work is mainly devoted to an examination of the body of rules and practice that has evolved in England during the course of the past ...

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This supplement to the second edition of Insolvency in Private International Law covers the key developments in case law and legislation in the subject up to October 2006, and is an essential purchase for all who have already bought the main work. It includes the full text of the Cross-Border Insolvency Regulations 2006, along with commentary on the regulations.

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This book is intended for scholars and practitioners of private international law, insolvency and company law. (source: Nielsen Book Data) Subjects. Subject Conflict of laws > Bankruptcy. Bibliographic information. Publication date 1999 Series Oxford monographs in private international law

[Insolvency in private international law : national and ...](#)
Cross-Border Insolvency and Private International Law by Prof. Toshiyuki Kono Kyushu University, Japan ABSTRACT In this lecture, three major approaches on cross-border insolvency will be revisited and critically analyzed together with the practice of UNCITRAL. ABOUT THE SPEAKER

[Cross-Border Insolvency and Private International Law](#)
some of the practical issues (of private international law) faced by different players in a cross-border insolvency; and which issues have emerged, or have become increasingly common, over the last...

[Practical issues of private international law arising in ...](#)
Mason, Rosalind (2008) Cross-border insolvency law: where private international law and insolvency law meet. In: International insolvency law: themes and perspectives. Markets and the Law. Ashgate Publishing, Aldershot, United Kingdom, pp. 27-60. ISBN 0754624277, 9780754624271

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Initiatives such as the EU's Directive on Preventive Restructuring Framework are concerned with harmonization of domestic laws. But as many large restructurings transcend national boundaries, the purpose of our article is to consider the treatment of pre-insolvency proceedings in private international law. While, to date, cross-border insolvency instruments have tended to define insolvency proceedings quite expansively, discussion of the cross-border implications of pre-insolvency ...

[The Characterization of Pre-Insolvency ... - Faculty of Law](#)
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Cross-border insolvency regulates the treatment of financially distressed debtors where such debtors have assets or creditors in more than one country. Typically, cross-border insolvency is more concerned with the insolvency of companies that operate in more than one country rather than bankruptcy of individuals. Like traditional conflict of laws rules, cross-border insolvency focuses upon three areas: choice of law rules, jurisdiction rules and enforcement of judgment rules. However, in relatio

[Cross-border insolvency - Wikipedia](#)
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Insolvency is typically excluded from international instruments harmonizing the private international law of commercial and civil law matters. Footnote 1 It is a 'unique' sub-system of commercial law, linked to issues of public interest and aiming to promote a fair process taking account of interests of multiple groups of stakeholders, to maximize value, minimize waste, and, enable rescue of viable businesses.

[The Characterization of Pre-insolvency Proceedings in ...](#)
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This supplement covers all the key developments in case law and legislation in insolvency in private international law up to October 2006.

International insolvency is a newly-established branch of the study of insolvency that owes much to the phenomenon of cross-border incorporations and the conduct of business in more than one jurisdiction. It is largely the offspring of globalization and involves looking at both law and economic rules. This book is a compendium of essays by eminent academics and practitioners in the field who trace the development of the subject, give an account of the influences of economics, legal history and private international law, and chart its relationship with finance and security issues as well as the importance of business rescue as a phenomenon. Furthermore, the essays examine how international instruments introduced in recent years function as well as how the subject itself is continually being innovated by being confronted by the challenges of other areas of law with which it becomes entangled.

This classic textbook provides a thorough overview of European private international law. It is essential reading for private international law students who need to study the European perspective in order to fully get to grips the subject. Opening with foundational questions, it clearly explains the subject's central tenets: the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort), Additional chapters explore the Succession Regulation, private international law and insolvency, freedom of establishment, and the impact of PIL on corporate social responsibility. The new edition includes a new chapter on the Hague instruments and an opening discussion on the impact of Brexit. Drawing on the author's rich experience, the new edition retains the book's hallmarks of insight and clarity of expression ensuring it maintains its position as the leading textbook in the field.

As one of the most definitive texts on the market, European Private International Law provides an essential guide for both students and practitioners to the complex field of international litigation within the EU. The private international law of the Member States is increasingly regulated by European law, making private international law ever less 'national' and ever more EU based. Consequently EU law in this area has penetrated national law to a very high degree, making it an essential area of study and an area of increasing importance to practising lawyers. This book provides a thorough overview of core European private international law, including the Brussels I, Rome I and Rome II Regulations (jurisdiction, applicable law for contracts and tort), while additional chapters deal with the recently adopted Succession Regulation, private international law and insolvency, freedom of establishment, and the impact of PIL on corporate social responsibility. From the reviews of the first edition: 'As a result of his broad knowledge on the subject and rich professional experience, Mr van Calster provides great insight into current issues within international law. The book is practical as both a student textbook and a general introduction for legal professionals'. Vladimir Cuprysak, Association for International Arbitration 'Excellent overview of European Private International Law issues, as well as a very helpful introduction to basic concepts of conflicts of laws and jurisdictions'. Professor Stavros Brekoulakis, Queen Mary University of London 'This is a most useful book. I recommend it to my students as a great way to come to terms with the EU elements of Private International Law'. Dr David Kenny, Trinity College Dublin 'This book is essential reading for law students in Europe and abroad. It provides a coherent overview of all main elements of European private international law; concepts, legal instruments and practice'. Professor Kim Talus, UEF Law School, Finland 'Well-written, clear and understandable. Excellent value for money'. Dr Jan Oster, King's College London, UK

This book comprises contributions relating to the Insolvency Regulation Recast, which recently entered into force. The authors analyse the changes introduced and give their views on the improvements that are thereby achieved. In other words, they assess to what extent the amendments have mitigated the disadvantages of the previous insolvency Regulation. Three of the chapters concentrate on the issues pertaining to jurisdiction, such as the problem of forum shopping by re-locating the debtor's centre of main interests. Furthermore, the extent to which the parties have the freedom to contract within the framework of the Insolvency Regulation Recast is discussed. Also, the relevance and consequences of recent developments in corporate law for the current cross-border insolvency framework, as well as the jurisdictional issues concerning approval requirements are amongst the matters addressed. Aside from the jurisdictional matters, the question of the law applicable to so-called 'avoidance actions' is analysed and cross-border cooperation between national authorities in the field of insolvency is touched upon. To conclude, this book covers a range of specific and intriguing topics brought up by the Insolvency Regulations Recast. This third volume in the Short Studies in Private International Law Series is primarily aimed at legal academics dealing with cross-border insolvency, but it will also prove useful to insolvency judges and practitioners, as well as those specialised in financial and fiscal law. Finally, advanced students as well as those with a general interest in insolvency law will also find it of added value. /div Vesna Lazic is Senior Researcher at the T.M.C. Asser Institute and Associate Professor of Private Law at Utrecht University in The Netherlands. Steven Stuij is an expert in private international law and PhD Candidate at the Erasmus School of Law, Rotterdam. /div

This book presents problems that often arise in the context of international/cross-border insolvencies; analyzes and compares national legislations and jurisprudence; elucidates the solutions offered by international/regional instruments; and explores the differences in the implementation of these instruments by various countries and the consequences of these differences. It examines in detail a number of famous and less famous cases tried by national courts, in which it became readily apparent that insolvency law remains one of the bastions of national law. In addition, the book discusses the notion of transplanting foreign [international] insolvency rules and especially the influence that US insolvency law has exerted on other countries' insolvency [and international insolvency] law. Far from adopting an unrealistically optimistic stance, it soberly examines the complications of cross-border insolvencies, while also presenting potential solutions.

A unique reference work covering the whole of English private law, this book provides a lucid, concise, and authoritative overview of all important areas of private law. Each section is written by an acknowledged expert who provides a clear distillation and analysis of the subject.

Der 17. Band (2015/2016) des Yearbook of Private International Law bietet wie jedes Jahr hochinteressante Informationen zu allen wichtigen Entwicklungen auf dem Gebiet des Internationalen Privatrechts. Wie wird sich der Brexit auf das IPR auswirken? Obwohl es sehr schwierig ist, bereits Einschätzungen zu treffen, befasst sich ein interessanter Beitrag mit den Folgen des Brexit auf das Zivil-, Handels- und grenzüberschreitende Familienrecht. Auch der Markt für Rechtsstreitigkeiten (litigation market) wird thematisiert. Bislang ist London ein Zentrum für internationale Schieds-, Handels-, Insolvenz- und auch Scheidungsverfahren. Wird das so bleiben? Umfassend informieren mehrere Beiträge aktuell zum grenzüberschreitenden Insolvenzrecht, einschließlich der insolvenzrechtlichen Gesetzesentwürfe der Nicht-EU-Staaten Schweiz und Norwegen. Lesenswert sind auch die diversen Informationen zu den Entwicklungen im Gewohnheitsrecht in einzelnen Staaten, die Sie zusammengefasst in dieser Form nur im Yearbook XVII finden. Hinweis: Der Band erscheint in englischer Sprache. "

Shareholders' Agreements have a growing influence on the general understanding of corporate law since they bind not only the shareholders but also affect the constitution of the corporation and can have a severe impact on capital markets. Therefore, Shareholders' Agreements are more and more subject to regulation in corporate, capital market and also insolvency law on the national, the European and the international level. This handbook provides a general examination of conceptual questions of Shareholders' Agreements and provides an analysis of the regulation of Shareholders' Agreements in European and international law and of the national law of more than 20 jurisdictions. Readers will get a general understanding of the theoretical and practical problems involved with Shareholders' Agreements and detailed information on the regulation of Shareholders' Agreements in several jurisdictions and the applicable law in the case of transnational corporations and cross-border transactions.

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