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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

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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

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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 ...

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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

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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.

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