

Dutch Insolvency Proceedings

- **Dutch Bankruptcy Act:**
 1. Bankruptcy;
 2. Suspension of payment;
 3. A debt rescheduling scheme.

Netherlands Insolvency Law The Netherlands Bankruptcy Act And The Most Important Legal Concepts

Dr. Susanti Adi Nugroho, S.H., M.H.



Netherlands Insolvency Law The Netherlands Bankruptcy Act And The Most Important Legal Concepts:

Netherlands Insolvency Law: The Netherlands Bankruptcy Act and the Most Important Legal Concepts Peter

Declercq, 2012-02-29 The great novelty of Netherlands Insolvency Law is that it is the first book in the English language covering the Netherlands insolvency law as a whole It is a practical book for use by internal and external legal counsel Dutch and non Dutch companies students academics and practitioners alike presenting not only the principal concepts but also the current state of affairs of the Netherlands in solvency law The reader is offered not only the black letter law but also impartial discussions presenting differing views on particular aspects of the insolvency law Furthermore Netherlands Insolvency Law briefly addresses recent developments such as the EU Insolvency Regulation and the progress made on the ongoing total revision of the Netherlands Bankruptcy Act in the Marktwerking Dereguleren en Wetgevingskwaliteit MDW project Declercq has successfully managed to strike such a balance that on the one hand the book offers the reader more than an average introduction while on the other hand it is not weighed down in a quagmire of technical detail Declercq's experience and international exposure as an insolvency lawyer in one of the most reputable law firms in the Netherlands has probably contributed in this respect Netherlands Insolvency Law promises to become a standard textbook to a wide ranging audience ANTONIUS I M vAN MIERLO Professor of Law Erasmus University Rotterdam January 2002 VII TABLE OF CONTENTS

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Netherlands Bankruptcy Act and the Most Important Legal Concepts Peter Declercq, 2002-06-15 With a Preface by

Antonius I M van Mierlo Professor of Law Erasmus University Rotterdam This is the first book in the English language covering the Netherlands insolvency law as a whole with a focus on bankruptcy and the most important legal concepts pertaining to bankruptcy It provides the reader with an understanding of the Netherlands Bankruptcy Act the main source of insolvency law in the Netherlands by laying out the primary law in a logical and comprehensive manner Where necessary guidance has been sought in the parliamentary notes and the interpretation of the law in landmark cases Concepts covered include actio pauliana set off corporate liability and wrongful act Pledges and mortgages being the most important security rights in the Netherlands are also discussed as is the EU Insolvency Regulation 2000 and its impact on the Netherlands insolvency practice Summaries are included to highlight key points throughout and the book is complemented by a further reading section bibliography and a table of cases A practical book for use by internal and external legal counsel Dutch and non Dutch companies students academics and practitioners alike **Netherlands International Law Review** ,2001

Guide to International Legal Research ,2009 *Business in Indonesia* M. Chatib Basri,2003-08-01 This book examines Indonesia s business environment since reformasi began in 1985 what stayed the same what changed and would could change Economic recovery has been hesitant Regime change and political reform have created uncertainties that have deepened reluctance to invest A raft of government instigated changes have left their imprint decentralization privatization new company legislation anti corruption efforts nationalization of debt ridden banks and firms being forced into receivership More cautious lending practices by remaining financial institutions have imposed a credit crunch Increased worker militancy and minimum wage rises have led some international firms to reconsider their presence in Indonesia Changes in the business environment have caused a redefinition of private enterprise government relations inducing firms to re examine their organization and management The book includes insights of distinguished and stimulating speakers from business independent research organizations and academic institutions in Indonesia Australia and elsewhere **Hukum Kepailitan dan Keadilan Pancasila - Kajian Filsafat Hukum atas Kepailitan Badan Hukum Perseroan Terbatas di Indonesia** Prof. Dr. Nindyo Pramono, S.H., M.S.,Sularto, S.H., CN., M.Hum., Di dalam buku ini banyak diulas mengenai konsepsi keadilan Pancasila sebagai norma tertinggi yang menjadi dasar hukum positif Keadilan Pancasila pada akhirnya menjadi batu uji hukum kepailitan di Indonesia Buku ini dapat menjadi jangkar dan sekaligus kompas untuk menentukan akan dibawa kearah mana nantinya hukum kepailitan negeri ini *Key Concept Kepailitan Korporasi* Dr. Asra, S.H., M.H.,2024-05-01 Jika suatu korporasi perseroan terbatas mengalami kesulitan keuangan financial distress kepailitan merupakan exit from financial distress dengan dua kemungkinan dilikuidasi atau disehatkan continue the business or operation UU Kepailitan Nomor 37 Tahun 2004 lebih cenderung kepada konsep likuidasi debitur yang tidak membayar utang dinyatakan pailit Tidak membayar utang merupakan presumption of insolvent debitur dianggap tidak mampu membayar utang utangnya Syarat ini lebih memudahkan debitur dinyatakan pailit dan lebih memiliki kepastian hukum dalam penagihan utang Berbeda dengan di

Indonesia di negara common law dan trending international corporate rescue menjadi key concept kepailitan korporasi. Intinya untuk menghindari dipailitkannya atau dilikuidasinya korporasi yang masih solven. Dengan adanya trending international dalam kepailitan korporasi konsep yang diterapkan UU Nomor 37 Tahun 2004 sudah sepatutnya dipertimbangkan kembali. Buku ini menguraikan dua konsep dalam kepailitan korporasi yaitu konsep likuidasi dan corporate rescue. Kedua konsep kepailitan korporasi tersebut mempunyai kelebihan dan kekurangan. Konsep likuidasi lebih mengutamakan kepastian hukum dalam penyelesaian utang-utang korporasi, sedangkan konsep corporate rescue lebih mengutamakan kemanfaatan. Lebih jauh di dalamnya juga membahas permasalahan penerapan konsep likuidasi terhadap pailitnya korporasi yang masih sehat atau solvable dalam penerapan UU Kepailitan di Indonesia serta key concept kepailitan korporasi sebagai suatu perbandingan dengan negara lain. Buku yang berasal dari penelitian disertasi ini tentunya layak dijadikan bahan bacaan bagi para Hakim Tinggi pada Pengadilan Tinggi juga sebagai buku referensi bagi para praktisi hukum pada Badan Litbangdiklatkumdil Mahkamah Agung RI yang sekarang menjadi Mahkamah Agung Corporate University. Buku persembahan penerbit PrenadaMediaGroup Kencana.

Das neue tschechische Insolvenzrecht aus der Sicht des deutschen Gläubigers Stephan Sicklinger, 2009

Hukum Kepailitan Dr. M. Handi Shubhan., SH., MH., M.Si., 2015-04-01

Buku *Hukum Kepailitan Prinsip Norma dan Praktik di Peradilan* ini menyajikan secara menyeluruh dan sistematis masalah kepailitan baik yang berlaku umum maupun khusus dalam hukum positif Indonesia. Pemaparan diawali dengan prinsip-prinsip kepailitan dalam berbagai sistem hukum dan penormaan berbagai prinsip tersebut dalam hukum positif Indonesia. Pembahasan selanjutnya adalah aspek hukum kepailitan dalam perseroan terbatas di Indonesia dan bagaimana penerapan prinsip dan norma hukum kepailitan di Indonesia. Untuk menjembatani pemaparan teoretis dan aplikasi praktis di lapangan, buku ini dilengkapi dengan sejumlah studi kasus yang amat menarik.

Buku Persembahan Penerbit PrenadaMedia Kencana

The British National Bibliography Arthur James Wells, 2002

KEPAILITAN BUMN PERSERO

BERDASARKAN ASAS KEPASTIAN HUKUM DR. ANDRIANI NURDIN, S.H., M.H., 2023-07-17

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Legal Aspects of Regulatory Treatment of Banks in Distress Mr. T. M. C. Asser, 2001-04-18

This book analyzes and compares the laws of selected industrial countries that are representative of the different approaches to the treatment of banks in distress. It addresses only those banking and economic policy issues that are required for a proper understanding of the banking law or the legal strategies, procedures and practices.

that have evolved in the treatment of banking problems The book does not cover international aspects of bank insolvency but rather has a domestic focus given that bank regulation and supervision are still largely a national endeavor *Eksistensi, Fungsi, dan Tujuan Hukum: Dalam Perspektif Teori dan Filsafat Hukum* Oemar Moechthar, 2020-02-01 Prof Dr Frans Limahelu S H LL M merupakan salah seorang Guru Besar Emiritus Fakultas Hukum Universitas Airlangga dalam matakuliah Filsafat Hukum maupun Metode dan Teknik Perancangan Perundang undangan MTPU Meskipun Prof Frans 10 tahun yang lalu telah menikmati suasana purna tugas sebagai Pegawai Negeri Sipil namun sebagai akademisi rasanya beliau tidak pernah merasa pensiun Terbukti hingga saat ini beliau masih tetap menjalani dan menikmati profesinya sebagai akademisi Tulisan yang berhasil dihimpun dalam buku ini merupakan kontribusi para kolega dosen para praktisi profesi maupun para sahabat beliau Mereka para alumnus Program S 1 S 2 maupun S 3 Fakultas Hukum Universitas Airlangga maupun yang berasal dari kampus lain Judul berbagai tulisan dalam buku ini sangat beragam sesuai dengan latar belakang keahlian dan perspektif masing masing kontributor naskah Hal itu tidak menjadi soal justru menggambarkan keberagaman pemikiran yang sejatinya saling melengkapi satu sama lain Keberagaman tersebut sejalan dengan karakter pemikiran Prof Frans sebagai seorang akademisi yang selalu terbuka dan toleran terhadap keberagaman pemikiran dan pandangan tentang hukum Buku persembahkan penerbit PrenadaMedia Kencana **Akibat Pembatalan Perjanjian Perdamaian: Perspektif**

Perlindungan Hukum terhadap Kreditor Konkuren dalam Pembagian Harta Pailit Tata Wijayanta, 2024-11-01 Hukum kepailitan mempunyai peranan yang sangat penting dalam lalu lintas kegiatan dunia usaha Oleh sebab itu hukum kepailitan berperan dalam memberikan jaminan kepastian penyelesaian sengketa utang piutang di antara pelaku usaha dengan mengatur perlindungan terhadap kepentingan debitor dan semua para kreditor Pada prinsipnya merupakan sita umum atas seluruh kekayaan debitor pailit baik yang telah ada maupun yang akan ada di kemudian hari dengan tujuan utamanya adalah menggunakan hasil penjualan harta kekayaan tersebut untuk membayar seluruh utang debitor pailit secara proporsional prinsip Pari Passu Prorata Parte dan sesuai dengan struktur kreditor prinsip Paritas Creditorium kecuali di antara para kreditor ada yang menurut undang undang harus didahulukan dalam menerima pembayaran tagihannya sehingga lebih terjamin keamanannya dan terjamin juga kepentingan para pihak yang bersangkutan Pembahasan dalam buku ini meliputi asas asas hukum kepailitan pembagian harta pailit kepada kreditor perjanjian penanggungan kreditor konkuren dan implikasi perlindungan kreditor konkuren Buku ini sangat bermanfaat bagi para mahasiswa S 1 S 2 dan S 3 Fakultas Hukum serta praktisi hukum khususnya kurator dan pembaca lainnya yang ingin mengetahui dan mempelajari hal hal yang terkait dengan perjanjian penanggungan kreditor konkuren dan formulasi norma hukum perlindungan kreditor konkuren

Principles of International Insolvency Philip R. Wood, 2007 This title covers the essentials of international insolvency with a very practical slant providing the reader with a comparative overview of insolvency law and practice in the key jurisdictions of the world The intention is to illustrate how the concepts and analyses raised throughout The Law and Practice

of International Finance series may be applied in a real world setting Hukum Kepailitan Di Indonesia Dr. Susanti Adi Nugroho, S.H., M.H.,2018-09-01 Kajian dan pembahasan buku ini tidak hanya secara teoretis tetapi juga implementasi praktik pelaksanaannya yang dimulai dari awal berlakunya Undang Undang Kepailitan di Indonesia sampai mekanisme penyelesaian sengketa jika diajukan permohonan pailit Pembahasan posisi masing masing kreditur dalam proses kepailitan konsekuensi keadaan insolvensi yang parah nilai utang jauh lebih besar dari harta kekayaan serta beberapa alternatif penyelesaian masalah yang penulis bahas dalam beberapa bab yang berbeda Dalam tulisan ini penulis juga membahas mengenai masalah kepailitan lintas batas negara cross border insolvency dan juga yang berkaitan dengan posisi upah buruh dalam hal perusahaan di mana buruh bekerja dinyatakan pailit dan juga masalah yang berkaitan dengan pembayaran terhadap pajak pajak yang terutang jika perusahaan dinyatakan pailit Sebuah buku tentang perekonomian negara persembahkan penerbit Kencana PrenadamediaGroup ,2006 Intermediated Securities Louise Gullifer,Jennifer Payne,2010-06-17 Globally there has been a shift from securities being held directly by an investor to a situation in which many securities are held via an intermediary The existence of one or more intermediaries between the investor and the issuer has a potentially significant impact on the rights of the investor the role and obligations of the issuer and on the position and responsibilities of the intermediary However different jurisdictions have dealt with the issues arising from intermediation in a variety of ways In the UK for example the concept of a trust is used to explain the different rights and obligations which arise in this scenario whereas in the US the issues have been addressed by legislation in the form of UCC Article 8 This variety is problematic given that it is possible for an investor to hold securities in a number of different jurisdictions A new UNIDROIT Convention on the issue of Intermediated Securities the Geneva Securities Convention 2009 aims to create a common framework for dealing with these issues This collection of essays explores the issues that arise when securities are held via an intermediary and in particular assesses the solutions put forward by the new Convention on this issue It will be essential reading for practitioners and academics *Labour and Employment Compliance in the Netherlands* Els de Wind,Cara Pronk,2018-11-29 Detailed attention to compliance with labour and employment laws is crucial for success in setting up business in a foreign country This book one of a series derived from Kluwer s matchless publication International Labour and Employment Compliance Handbook focuses on the relevant laws and regulations in the Netherlands It is thoroughly practical in orientation Employers and their counsel can be assured that it fulfills the need for accurate and detailed knowledge of laws in the Netherlands on all aspects of employment from recruiting to termination working conditions compensation and benefits to collective bargaining The volume proceeds in a logical sequence through such topics as the following written and oral contracts interviewing and screening evaluations and warnings severance pay reductions in force temporary workers trade union rights wage and hour laws employee benefits workers compensation safety and environmental regulations immigration law compliance restrictive covenants anti discrimination laws employee

privacy rights dispute resolution recordkeeping requirements A wealth of practical features such as checklists of do s and don ts step by step compliance measures applicable fines and penalties and much more contribute to the book s day to day usefulness Easy to understand for lawyers and non lawyers alike this book is sure to be welcomed by business executives and human resources professionals as well as by corporate counsel and business lawyers

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