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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B - General approach

I. INTRODUCTION

1. On 12 February 2025, the Commission adopted a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2015/848 on insolvency proceedings, to replace its Annexes A and B.
2. The proposal adapts the name of the insolvency procedures and practitioners, listed in the Annexes of Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015, to the latest changes in national insolvency procedures.

3. The proposal was first presented in the meeting of the Working Party on Civil Law Matters on 13 February 2025. The discussion of the proposal took place on 23 April 2025. The Working Party then confirmed its agreement on the text through an informal silence procedure, which concluded without objections on 15 May 2025.
4. Ireland has notified the Council of its intention to take part in the adoption and application of the proposed Regulation, through a letter received by the Council on 12 May 2025, in accordance with Article 3 of Protocol (No 21) to the Treaties on the Position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice. In application of Protocol (No 22) to the Treaties on the Position of Denmark, Denmark is not taking part in the adoption of the proposed Regulation.

II. MAIN ELEMENTS OF THE PRESIDENCY COMPROMISE TEXT

5. The Presidency took into account comments made by delegations concerning the names of insolvency procedures and practitioners. The names listed in the proposal now reflect the current state of all national laws.

III. CONCLUSION

6. The Permanent Representatives Committee is therefore invited to:
 - confirm agreement on the text of the general approach as set out in the Annexes to this note, and
 - recommend that the Council reach a general approach on this text.
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2025/0023 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**amending Regulation (EU) 2015/848 on insolvency proceedings to replace its Annexes A and B**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(2), points (a), (c) and (f) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Annexes A and B to Regulation (EU) 2015/848 of the European Parliament and of the Council¹ list the designations given in national law of the Member States, respectively, to the insolvency proceedings and to the insolvency practitioners to which that Regulation applies. Annex A lists the insolvency proceedings referred to in Article 2, point (4), of Regulation (EU) 2015/848 and Annex B lists the insolvency practitioners referred to in Article 2, point (5), of that Regulation.

¹ Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141 5.6.2015, p. 19, ELI: <http://data.europa.eu/eli/reg/2015/848/oj>).

(2) In July 2022, Slovakia notified the Commission of recent changes of its domestic insolvency law introducing a new preventive restructuring procedure and a new type of insolvency practitioner. That notification was followed by notifications from Estonia, Spain, ~~Malta~~ and Italy in September 2022, from Belgium in July 2023, **from Malta in September 2023** and from Luxembourg in January 2024, all relating to recent changes to their domestic law that introduce new types of insolvency proceedings or insolvency practitioners. Those new types of insolvency proceedings and insolvency practitioners comply with the requirements set out in Regulation (EU) 2015/848 and make it necessary to amend Annexes A and B to that Regulation.

(2a) After the Commission presented its proposal, further notifications were received from, Bulgaria, the Czech Republic and France relating to recent changes to their domestic law that introduce new types of insolvency proceedings or insolvency practitioners

~~(2a) Since Regulation (EU) 2015/848 only applies to public insolvency proceedings in those Member States in which public or confidential proceedings may be requested under the same name, only the former should be included in Annex A.~~

(3) In accordance with ~~[Articles 1 and 2] [in case of non participation]~~ [Article 3] ~~[in case of participation]~~ and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, ~~Ireland has notified [, by letter of ---12 May 2025,] its wish to take part in the adoption and application of this Regulation]~~~~[without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Regulation and is not be bound by it or subject to its application].~~

(4) In accordance with Articles 1 and 2 of Protocol No 22 on the 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) Regulation (EU) 2015/848 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Annexes A and B to Regulation (EU) 2015/848 are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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,

For the European Parliament
The President

For the Council
The President

ANNEX A**INSOLVENCY PROCEEDINGS REFERRED TO IN ARTICLE 2, POINT (4)****BELGIQUE/BELGIË**

- Het faillissement/La faillite,
- De openbare gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire publique par accord collectif,
- De openbare gerechtelijke reorganisatie door een minnelijk akkoord/La réorganisation judiciaire publique par accord amiable,
- De overdracht onder gerechtelijk gezag/Le 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 het beheer, als bedoeld in artikel XX.32 van het Wetboek van economisch recht/Le dessaisissement provisoire de la gestion, visé à l'article XX.32 du Code de droit économique,
- De voorlopige ontneming als bedoeld in artikel XX.49/1 van het Wetboek van economisch recht/Le dessaisissement provisoire visé à l'article XX.49/1 du Code de droit économique,

БЪЛГАРИЯ

- Производство по несъстоятелност,
- Производство по стабилизация на търговеца,

- **Производство по несъстоятелност на предприемача,**
- **Производство по погасяване на задължения,**
- **Производство по стабилизация на предприемача**

ČESKÁ REPUBLIKA

- Konkurs,
- Reorganizace,
- Oddlužení,
- **Veřejná preventivní restrukturalizace,**

DEUTSCHLAND

- Das Konkursverfahren,
- Das gerichtliche Vergleichsverfahren,
- Das Gesamtvollstreckungsverfahren,
- Das Insolvenzverfahren,
- Die öffentliche Restrukturierungssache,

EESTI

- Pankrotimenetus,
- Võlgade ümberkujundamise menetlus,
- Saneerimismenetlus,

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,
- 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,
- Διαδικασία εξυγίανσης,

ESPAÑA

- Concurso de acreedores,
- Comunicación pública de apertura de negociaciones con los acreedores,
- Planes de reestructuración **(con publicidad registral)**,
- Procedimiento especial para microempresas,

FRANCE

- Sauvegarde,
- Sauvegarde accélérée,
- ~~— Sauvegarde financière accélérée,~~
- Redressement judiciaire,
- Liquidation judiciaire,

HRVATSKA

- Stečajni postupak,
- Predstečajni postupak,
- Postupak stečaja potrošača,
- Postupak izvanredne uprave u trgovačkim društvima od sistemskog značaja za Republiku Hrvatsku,

ITALIA

- Fallimento [until 14 July 2022],
- Liquidazione giudiziale [from 15 July 2022],

- Concordato preventivo,
- Liquidazione coatta amministrativa,
- Amministrazione straordinaria,
- Accordi di ristrutturazione,
- Concordato semplificato per la liquidazione del patrimonio all'esito della composizione negoziata,
- Piano di ristrutturazione soggetto ad omologazione,
- Procedure di composizione della crisi da sovraindebitamento del consumatore (accordo o piano) [until 14 July 2022],
- Liquidazione dei beni [until 14 July 2022],
- Ristrutturazione dei debiti del consumatore [from 15 July 2022],
- Concordato minore [from 15 July 2022],
- Liquidazione controllata del sovraindebitato [from 15 July 2022],

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,

- Διορισμός Εξεταστή,
- Προσωπικά Σχέδια Αποπληρωμής,

LATVIJA

- Tiesiskās aizsardzības process,
- Juridiskās personas maksātnespējas process,
- Fiziskās personas maksātnespējas process,

LIETUVA

- Juridinio asmens restruktūrizavimo byla,
- Juridinio asmens bankroto byla,
- Juridinio asmens bankroto procesas ne teismo tvarka,
- Fizinio asmens bankroto procesas,

LUXEMBOURG

- Faillite,
- Gestion contrôlée [until 1 November 2023],
- Concordat préventif de faillite (par abandon d’actif) [until 1 November 2023],
- Régime spécial de liquidation du notariat,
- Procédure de règlement collectif des dettes dans le cadre du surendettement,
- Réorganisation judiciaire par accord collectif,

- Réorganisation judiciaire par transfert par décision de justice,
- Réorganisation judiciaire aux fins d'obtenir un sursis en vue de permettre la conclusion d'un accord amiable,

MAGYARORSZÁG

- Csődeljárás,
- Felszámolási eljárás,
- Nyilvános szerkezetátalakítási eljárás [from 1 July 2022],

MALTA

- Xoljiment,
- Amministrazzjoni,
- Stralċ volontarju mill-membri jew mill-kredituri,
- Stralċ mill-Qorti,
- Falliment f'każ ta' kummerċjant,
- Proċedura biex kumpanija tirkupra,
- Proċedura bażika ta' ristrutturar preventive,
- Proċedura ta' ristrutturar preventiv ifformulata minn qabel,
- Proċedura ta' ristrutturar preventiv approvata minn qabel,

NEDERLAND

- Het faillissement,
- De surseance van betaling,
- De schuldsaneringsregeling natuurlijke personen,
- De openbare akkoordprocedure buiten faillissement,

ÖSTERREICH

- Das Konkursverfahren (Insolvenzverfahren),
- Das Sanierungsverfahren ohne Eigenverwaltung (Insolvenzverfahren),
- Das Sanierungsverfahren mit Eigenverwaltung (Insolvenzverfahren),
- Das Schuldenregulierungsverfahren,
- Das Abschöpfungsverfahren,
- Das Europäische Restrukturierungsverfahren,

POLSKA

- Upadłość,
- Postępowanie o zatwierdzenie układu,
- Postępowanie o zatwierdzenie układu na zgromadzeniu wierzycieli przez osobę fizyczną nieprowadzącą działalności gospodarczej,
- Przyspieszone postępowanie układowe,
- Postępowanie układowe,
- Postępowanie sanacyjne,



PORTUGAL

- Processo de insolvência,
- Processo especial de revitalização,
- Processo especial para acordo de pagamento,

ROMÂNIA

- Procedura insolvenței,
- Reorganizarea judiciară,
- Procedura falimentului,
- Concordatul preventiv,

SLOVENIJA

- Postopek preventivnega prestrukturiranja,
- Postopek prisilne poravnave,
- Postopek poenostavljene prisilne poravnave,
- Stečajni postopek: stečajni postopek nad pravno osebo, postopek osebnega stečaja in postopek stečaja zapuščine,

SLOVENSKO

- Konkurzné konanie,
- Reštrukturalizačné konanie,
- Oddĺženie,
- Verejná preventívna reštrukturalizácia,



SUOMI/FINLAND

- Konkurssi/konkurs,
- Yrityssaneeraus/företagssanering,
- Yksityishenkilön velkajärjestely/skuldsanering för privatpersoner,

SVERIGE

- Konkurs,
- Företagsrekonstruktion,
- Skuldsanering.

ANNEX B

INSOLVENCY PRACTITIONERS REFERRED TO IN ARTICLE 2, POINT (5)

BELGIQUE/BELGIË

- De curator/Le curateur,
- De gerechtsmandataris/Le mandataire de justice,
- De schuldbemiddelaar/Le médiateur de dettes,
- De vereffenaar/Le liquidateur,
- De voorlopige bewindvoerder/L'administrateur provisoire,
- Herstructureringsdeskundige/Praticien de la réorganisation,
- Vereffeningsdeskundige/Praticien de la liquidation,

БЪЛГАРИЯ

- Назначен предварително временен синдик,
- Временен синдик,
- (Постоянен) синдик,
- Служебен синдик,
- Доверено лице,

ČESKÁ REPUBLIKA

- Insolvenční správce,
- Předběžný insolvenční správce,

- Oddělený insolvenční správce,
- Zvláštní insolvenční správce,
- Zástupce insolvenčního správce,
- **Restrukturalizační správce**

DEUTSCHLAND

- Konkursverwalter,
- Vergleichsverwalter,
- Sachwalter (nach der Vergleichsordnung),
- Verwalter,
- Insolvenzverwalter,
- Sachwalter (nach der Insolvenzordnung),
- Treuhänder,
- Vorläufiger Insolvenzverwalter,
- Vorläufiger Sachwalter,
- Restrukturierungsbeauftragter,

EESTI

- Pankrotihaldur,
- Ajutine pankrotihaldur,
- Usaldusisik,
- Saneerimisn ustaja,



ÉIRE/IRELAND

- Liquidator,
- Official Assignee,
- Trustee in bankruptcy,
- Provisional Liquidator,
- Examiner,
- Personal Insolvency Practitioner,
- Insolvency Service,

ΕΛΛΑΔΑ

- Ο σύνδικος,
- Ο εισηγητής,
- Η επιτροπή των πιστωτών,
- Ο ειδικός εκκαθαριστής,

ESPAÑA

- Administrador concursal,
- Experto en la reestructuración,

FRANCE

- Mandataire judiciaire,
- Liquidateur,



- Administrateur judiciaire,
- Commissaire à l'exécution du plan,

HRVATSKA

- Stečajni upravitelj,
- Privremeni stečajni upravitelj,
- Stečajni povjerenik,
- Povjerenik,
- Izvanredni povjerenik,

ITALIA

- Curatore,
- Commissario giudiziale,
- Commissario straordinario,
- Commissario liquidatore,
- Ausiliario nel concordato semplificato per la liquidazione del patrimonio all'esito della composizione negoziata,
- Liquidatore giudiziale,
- Professionista nominato dal Tribunale,
- Organismo di composizione della crisi nella procedura di composizione della crisi da sovraindebitamento del consumatore [until 14 July 2022],



- Organismo di composizione della crisi nella procedura di composizione della crisi da sovraindebitamento [from 15 July 2022],

- Liquidatore,

KYΠΡΟΣ

- Εκκαθαριστής και Προσωρινός Εκκαθαριστής,
- Επίσημος Παραλήπτης,
- Διαχειριστής της Πτώχευσης,
- Εξεταστής,
- Σύμβουλος Αφερεγγυότητας,

LATVIJA

- Maksātnespējas procesa administrators,
- Tiesiskās aizsardzības procesa uzraugošā persona,

LIETUVA

- Nemokumo administratorius,

LUXEMBOURG

- Le curateur,
- Le commissaire,
- Le liquidateur,
- Le conseil de gérance de la section d’assainissement du notariat,

- Le liquidateur dans le cadre du surendettement,
- Le mandataire de justice,

MAGYARORSZÁG

- Vagyongfelügyelő,
- Felszámoló,
- Szerkezetátalakítási szakértő [from 1 July 2022],

MALTA

- Amministratur,
- Amministratur Proviżorju,
- Riċevitur Uffiċjali,
- Stralċjarju / Likwidatur,
- Manager Speċjali,
- Kuratur,
- Kontrollur Speċjali,
- Prattikant fl-insolvenza,
- Trustee tal-falliment,

NEDERLAND

- De curator in het faillissement,
- De bewindvoerder in de surseance van betaling,
- De bewindvoerder in de schuldsaneringsregeling natuurlijke personen,



- De herstructureringsdeskundige in de openbare akkoordprocedure buiten faillissement,
- De observator in de openbare akkoordprocedure buiten faillissement,

ÖSTERREICH

- Masseverwalter,
- Sanierungsverwalter,
- Restrukturierungsbeauftragter,
- Besonderer Verwalter,
- Einstweiliger Verwalter,
- Sachwalter,
- Treuhänder,
- Insolvenzgericht,
- Konkursgericht,

POLSKA

- Syndyk,
- Nadzorca sądowy,
- Zarządca,
- Nadzorca układu,
- Tymczasowy nadzorca sądowy,
- Tymczasowy zarządca,
- Zarządca przymusowy,

PORTUGAL

- Administrador da insolvência,
- Administrador judicial provisório,

ROMÂNIA

- Practician în insolvență,
- Administrator concordatar,
- Administrator judiciar,
- Lichidator judiciar,

SLOVENIJA

- Upravitelj,

SLOVENSKO

- Predbežný správca,
- Správca,
- Špeciálny správca,

SUOMI/FINLAND

- Pesähoitaja/boförvaltare,
- Selvittäjä/utredare,

SVERIGE

- Förvaltare,
- Rekonstruktör.’

