

## Avaleht>Äriregistrid, kinnistusraamatud ja maksejõuetuse registrid>Pankroti ja maksejõuetuse registrid

## Pankroti ja maksejõuetuse registrid

Kõigil ELi liikmesriikidel on maksejõuetus- ja pankrotiregistrid, mille kohta Te võite teavet leida. Need registrid on ühendamisel ja hakkavad võimaldama otsingut keskse pääsupunkti kaudu.

Registrites registreeritakse, analüüsitakse ja talletatakse maksejõuetust käsitlevat teavet ning tehakse see üldsusele kättesaadavaks (sõltuvalt riigist eri viisil): riigid, kellel on spetsiaalne maksejõuetusregister, avaldavad teavet maksejõuetusmenetluste kõikide etappide ja menetlusosaliste kohta;

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riigid, kes kasutavad muid registreid, järgivad eri tavasid. Mõned neist avaldavad üksnes äriühingu nime ja staatuse, teised lisavad teabe menetluse kõikide etappide kohta.

## Teave riiklike registrite kohta

Riigi kohta üksikasjaliku teabe saamiseks klõpsake paremas servas selle lipukesel.

#### Otsing omavahel ühendatud maksejõuetusregistritest

Klõpsake allpool esitatud lingil, et otsida – ükskõik millises ELi ametlikus keeles – riiklikest maksejõuetusregistritest:

maksejõuetusmenetlusi käsitlevat teavet ja dokumente;

võlgnikega seotud dokumente.

## Otsing riiklikest registritest

Neist registritest otsitav teave ja otsitavad dokumendid peaksid olema tasuta kättesaadavad.

Praegu ei ole kõikide ELi riikide registrid selle teenuse kaudu juurdepääsetavad. Maksejõuetusregistrite ühendamise süsteem sisaldab maksejõuetusmenetluste kohta eelnevalt kindlaks määratud kooskõlastatud andmeid (kohustuslik teave), olenemata sellest, millises liikmesriigis menetlus

# algatatakse.

# Seonduvad lingid

# Maksejõuetus/pankrot

Viimati uuendatud: 26/03/2024

Käesolevat lehekülge haldab Euroopa Komisjon. Sellel veebisaidil avaldatud teave ei kajasta tingimata Euroopa Komisjoni ametlikku seisukohta. Komisjon ei võta mingit vastutust ega kohustusi seoses käesolevas dokumendis esitatud või viidatud teabe ega andmetega. Palun lugege õigusteabe viida alt ELi

# veebilehtede autoriõiguste eeskirjade kohta.

# Bankruptcy and insolvency registers - Belgium

This section provides information on registers concerning cases of insolvency in Belgium.

## What is the situation regarding insolvency registers in Belgium?

In Belgium, a distinction must be made between businesses, which may be legal persons or natural persons, and natural persons who are not businesses (individuals).

As regards businesses, there is a central national insolvency register known as the Central Solvency Register (*Registre Central de la Solvabilité / Centraal Register Solvabiliteit*) for businesses which are the subject of insolvency proceedings, namely judicial reorganisation *(réorganisation judiciaire l gerechtelijke reorganisatie*) or bankruptcy proceedings Image: https://www.regsol.be/

As regards individuals, Belgium has a database which centralises certain information relating to over-indebted persons who have chosen to initiate collective debt settlement proceedings. This database has been set up at the **National Bank of Belgium** but is not public.

## Is consultation of insolvency registers in Belgium a paid-for service?

No, there are no charges for consultation.

Yes, there are charges for the filing of certain documents and the management of files.

## See the following link: Mattheward https://dp-a.be/fr/tarifs-dpa-regsol

How to search an insolvency register in Belgium

The first step is to  $\mathbb{R}^n$  create an account.

Anyone can ask to consult an ongoing file. You search for it by clicking on 'Request access to an open file' on the homepage. Your request for access is examined by:

the receiver (curateur/curator) - for bankruptcies before 1 May 2018

the supervisory judge (juge-commissaire / rechter-commissaris) - for bankruptcies after 1 May 2018

the delegated judge (juge délégué / gedelegeerd rechter) - for judicial reorganisation proceedings where the request for access is made by a party other than a creditor

the debtor (or their counsel) - for judicial reorganisation proceedings where the request for access is made by a party other than a creditor

the debtor in the judicial reorganisation or bankruptcy proceedings, only when:

the request for access is made by the debtor's counsel

the debtor is actually associated with the file in question

If no debtor is associated with the file, requests for access made by the debtor's counsel are dealt with by the following persons (see above also):

the delegated judge (judicial reorganisation proceedings)

the supervisory judge (for bankruptcies with a judgment date after 1 May 2018)

the receiver (for bankruptcies with a judgment date before 1 May 2018)

You will receive an email and a notification as soon as you have been granted access. If you are refused access, the reason is given in the notification and the email.

If you have access to a file and the file is closed, you can continue to have access in the RegSol archives.

If you do not yet have access to a file which has been closed in the meantime, the request goes to the registry of the commercial court (*tribunal de l'entreprise* / ondernemingsrechtbank) concerned, which may then grant you access by inviting you to consult a closed file in the archives.

#### Period covered by insolvency registers in Belgium

The register contains all information and documents relating to insolvency cases, i.e. all ongoing bankruptcies and judicial reorganisation proceedings opened from 1 May 2018 which have not been closed.

#### **Related links**

#### RegSol

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#### Bankruptcy and insolvency registers - Bulgaria

This page provides a brief overview of the Bulgarian insolvency register

What does the Bulgarian insolvency register offer?

The Bulgarian insolvency register consists of three parts:

The Er list of receivers - accessible via the website of the Bulgarian Ministry of Justice.

The sales and auctions bulletin - fully accessible from the website of the Bulgarian Ministry of the Economy.

The register of insolvency proceedings - held in a centralised database.

Is access to the Bulgarian insolvency register free of charge?

Access to the Bulgarian insolvency register is free of charge.

How can I search the Bulgarian insolvency register?

You can search for a R receiver by name on the website.

## How to carry out a search by sale

The sales bulletin can be found on the website of the Ministry of the Economy.

## History of the Bulgarian insolvency register

The system was set up in 2009 as part of the project entitled 'Transparency and efficiency of insolvency proceedings', sub-priority 1.5 'Transparent and efficient judicial system' of the Operational Programme 'Administrative Capacity' (OPAC) implemented under grant agreement No K09-15-5-C/9.10.2009. The project is funded by the European Social Fund and the state budget of the Republic of Bulgaria.

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#### Bankruptcy and insolvency registers - Czechia

This section provides a brief introduction to the Czech Republic's insolvency register.

What does the Czech insolvency register offer?

The 🖃 insolvency register of the Czech Republic is owned and maintained by the 🔄 Czech Ministry of Justice.

Is access to the Czech insolvency register free of charge?

Access to the register is free of charge

Searching the Czech insolvency register

Using the advanced search engine, you can access the full content of documents on the register, in PDF format.

## History of the Czech insolvency register

The register contains information dating from 1st January 2008 onwards.

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## Bankruptcy and insolvency registers - Denmark

## Denmark does not maintain an insolvency register.

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## Bankruptcy and insolvency registers - Germany

This page provides you with a brief overview of the German insolvency register.

## German insolvency register

The Cerman insolvency register gives you access to the declarations of insolvency (*Insolvenzbekanntmachungen*) issued by all German insolvency courts, in line with § 9 of the Insolvency Code (*Insolvenzordnung*). This information is legally binding and publicly accessible.

The register is owned and maintained by the Federal Government/Länder Commission on Information Technology in the Justice System, represented by the Ministry of Justice of the Land of North Rhine Westphalia.

## Is access to the German insolvency register free of charge?

Yes

## How to search the German insolvency register

The insolvency register is accessible only at the E<sup>T</sup> German insolvency register website. Where necessary, instructions on how to search are given on the website. Information is available only in German. Please note that an unrestricted search in the data of all German insolvency courts is only possible in the first two weeks following the first day of publication. After this time you have to search for the place where the insolvency court sits and at least one of the following: the name of the person or firm; the debtor's registered office (*Sitz*) or habitual residence (*Wohnsitz*); the case number; or the court of registration, type of register and registration number.

## History of the insolvency register in Germany

The insolvency register website has provided information on insolvencies since 1 April 2002. Detailed information on the periods covered and the proceedings for which data are available can be found on the website.

The information relates to cases where the insolvency procedure is not yet completed.. The data is deleted six months at the latest after the finalisation of the procedure

## **Related links**

## German insolvency register

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Bankruptcy and insolvency registers - Estonia

This page provides a brief overview of the information offered on insolvency by the Estonian commercial register and the official publication Ametlikud Teadaanded [Official Announcements]

## What information is available in Estonia on insolvency?

Estonia does not have a separate insolvency register, but information on bankruptcy proceedings and debt adjustment proceedings of legal entities and natural persons is available in the official electronic publication 🖃 Ametlikud Teadaanded. In addition, the 🖃 Estonian commercial register and the register of non-profit associations and foundations contain information on the bankruptcy of legal entities and self-employed persons.

The following are examples of what is entered in Ametlikud Teadaanded by the courts and trustees in bankruptcy:

the time and place of reviewing a bankruptcy petition, and a notice communicating the prohibition on disposal of assets;

a notice concerning a declaration of bankruptcy;

a notice concerning a general meeting of creditors;

a notice concerning approval of a preliminary distribution proposal;

a notice concerning closure of bankruptcy proceedings;

a notice concerning approval of a debt adjustment plan.

A full list of the announcements to be published can be found on the Ametlikud Teadaanded 2 website.

The following are entered in the Estonian commercial register and the register of non-profit associations and foundations on the basis of a court judgment: discontinuation of bankruptcy proceedings without declaring bankruptcy;

the declaration of bankruptcy together with the name and personal identification code of the trustee in bankruptcy, as well as a note stating that he or she is representing the company;

discontinuation of a declaration of bankruptcy together with an entry showing continued activity by the company;

discontinuation of a declaration of bankruptcy and deletion of the company from the register;

termination of bankruptcy proceedings and the deletion of the company from the register or continuation of the company's activities;

a compromise and the term for this, with an entry showing continued activity;

cancellation of a compromise and re-opening of the proceedings to declare bankruptcy, with a note that the company is represented by a trustee in bankruptcy;

end of the compromise when it has expired, and discharge of the trustee in bankruptcy;

appointment of a cover pool administrator in accordance with the Covered Bonds Act, together with their name and personal identification code, and a note that they represent the credit institution as regards management and disposal of the covered bond portfolio.

Details of trade bans imposed on a debtor or the person with power to represent them or prohibitions on the pursuit of commercial activities imposed on that person are not entered in the register.

The Estonian commercial register contains the following information on bankrupt legal entities:

name of the legal entity;

registry code;

address:

details of the trustee in bankruptcy;

details of the members of the management board;

details of the cover pool administrator;

date of the bankruptcy order/ruling and the number of the order or civil case.

Is access to information regarding insolvency free of charge?

Registry data can be accessed *I* online and at *I* notaries' offices.

Access to Ametlikud Teadaanded is free of charge.

No fee is charged online for searches concerning legal entities, self-employed persons and branches of foreign companies, for information about court proceedings or for access to registry card data. However, a fee is charged for all other searches, including historical registry card data and access to annual reports, articles of association and other documents. The rates charged for using the computer data in the commercial register are laid down in a 🖃

Regulation of the Minister for Justice.

A fee is charged for consulting registry data and file documents at a notary's office. The fees are set out in the 🖉 Notary Fees Act. Pursuant to the Notaries Act, the Chamber of Notaries is to ensure access free of charge to public files and business files at a notary's office in the counties of Harjumaa, Tartumaa, Pärnumaa and Ida-Virumaa.

Details of trade bans are published and can be accessed free of charge and can be accessed and c

#### How to search for information on insolvency

You can search in Ametlikud Teadaanded for information concerning the insolvency of a legal entity or natural person by name or personal identification code /registry code, and on the general search page you can also search by keyword. Using the search function, all published announcements concerning insolvency proceedings can be found easily. When the proceedings come to an end, the announcements are archived, with the exception of announcements concerning the termination of proceedings, which remain public for three years.

You can search for a legal entity or self-employed person in the e-commercial register by business name, name or registry code. The status of a legal entity or self-employed person indicates whether or not that person or entity is bankrupt.

The commercial register is linked to the insolvency registers search interface of the e-Justice portal, enabling companies, lenders and investors wishing to invest in other Member States to carry out background checks directly in those registers of other countries which contain insolvency data. As a result of the multilingual solution that has been put in place, the process of acquiring insolvency information across borders is more transparent and the information itself is easier to access. The information is available free of charge. The portal has a basic search function, which enables searches to be made in all the interconnected registers by debtor name, and also advanced search functionality, where the search criteria depend on which country's register is being searched in. In the future (expected to be in 2021), *Ametlikud Teadaanded* will be linked to the e-Justice portal, which contains all the mandatory information about the publication of insolvency proceedings under Article 24 of Regulation (EU) 2015/848 of the European Parliament and of the Council. For Estonia, it is possible to search by debtor name and by personal identification code/registry code.

## History of the insolvency information service

The Estonian insolvency service has been available since 1 September 1995.

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## Bankruptcy and insolvency registers - Ireland

This section provides you with information on Ireland's insolvency register.

The R Insolvency Service of Ireland (ISI) is an independent statutory body which was established on 1 March, 2013. Their objective is to restore insolvent persons to solvency.

The ISI carries out its remit through a number of Business Areas. These are:-

Case Management,

Bankruptcy,

**Regulation & Policy** 

Legal,

## Corporate Affairs.

The ISI publishes the following information to its Registers under the Personal Insolvency Act. (Please note, the ISI Registers are not accessible through Internet Explorer/Edge browsers. We suggest using Chrome, Firefox or Safari to view the Register.)

#### **Protective Certificates**

Where a protective certificate is issued under section 61 of the Personal Insolvency Act 2012 (the "Act"), the Insolvency Service of Ireland must record, in addition to the information prescribed in the Personal Insolvency Act 2012 (Additional Information to be contained in the Registers) Regulations 2012 (S.I. 356 of 2013), the following information:

the name and address of the debtor and the date of issue of the protective certificate;

where applicable, the extension under section 61 of the Act of the protective certificate;

where applicable, the making by the court of an order under section 63 of the Act, and the creditor in respect of whom the order has been made; and the date on which the protective certificate ceases, under Chapter 3 of the Act, to be in force.

Register of Protective Certificates

## Register of Debt Relief Notices

Under section 33 (4) of the Personal Insolvency Act 2012, the ISI must record on the Register of Debt Relief Notices (DRNs)

the fact that a Debt Relief Notice has been issued,

the date on which the Debt Relief Notice was issued,

the name and address of the specified debtor concerned, and

such other details as may be prescribed under section 133 (3) (b).

# Register of Debt Relief Notices

## **Register of Debt Settlement Arrangements**

Under section 76(1) of the Personal Insolvency Act 2012, the ISI must record on the Register of Debt Settlement Arrangements (DSAs):

details with the result of the vote taken at the creditors meeting;

the fact that Debt Settlement Arrangement has been issued,

where applicable, where there is any variation made to the Debt Settlement Arrangement

where applicable, where the ISI receives a notification of default on the arrangement;

the successful completion of the arrangement.

Register of Debt Settlement Arrangements

## Register of Personal Insolvency Arrangements

Under section 113(1) of the Personal Insolvency Act 2012, the ISI must comply by recording on the Register of Personal Insolvency Arrangements (PIAs): the fact that a Personal Insolvency Arrangement has been issued;

details with the result of the vote taken at the creditors meeting;

where applicable, where there is any variation made to the Personal Insolvency Arrangement;

where applicable, where the ISI receives a notification of default on the arrangement;

the successful completion of the arrangement.

## Register of Personal Insolvency Arrangements

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Bankruptcy and insolvency registers - Greece

Greece has had an electronic solvency register since 1 June 2021.

What does the Greek insolvency register offer?

According to Greek legislation, insolvency procedures, in which the electronic solvency register is used, are: bankruptcy (*ptóchefsi*) (Articles 75-211 of Law 4738/2020 — Book II)

small-scale bankruptcy (ptóchefsi mikroú antikeiménou) (Articles 172-188 of Law 4738/2020 — Book II, Part VI)

pre-bankruptcy resolution (proptocheftiki diadikasia exygiansis) (Articles 31-64 of Law 4738/2020 — Book I, Part II, Chapter II)

The local courts of first instance (protodikeía) are responsible for considering cases and issuing decisions on bankruptcy requests.

The local district civil courts (eirinodike(a) are responsible for declaring bankruptcy in small-scale bankruptcies.

The local courts of first instance are responsible for procedures in the context of pre-bankruptcy resolution.

All publications, disclosures or registrations of insolvency proceedings are made in the Electronic Solvency Register. If so provided, registrations are also

entered in the 🖾 General Trade Register (*Genikó Emporikó Mitróo – GEMI*).

# Is access to the Greek insolvency register free of charge?

Yes, via the website:

📓 https://www.gov.gr/ipiresies/periousia-kai-phorologia/diakheirise-opheilon/elektroniko-metroo-pheregguotetas-demosieuseis

#### How to search the Greek insolvency register

By searching **I** here.

## History of the Greek insolvency register

All publications from 1 June 2021 onwards are publicly available via the register on the above website.

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## Bankruptcy and insolvency registers - Spain

#### The Spanish insolvency register

Public information on insolvencies and insolvency proceedings is an essential element of transparency and legal certainty. In Spain, this is provided by means of the Public Insolvency Register (*Registro Público Concursal*), which is regulated by Article 198 of the Insolvency Law. This Law was implemented by Royal Decree 892/2013 of 15 November 2013, under which the Public Insolvency Register is managed by the Association of Registrars (*Colegio de Registradores*), attached to the Ministry of Justice.

The Public Insolvency Register has a threefold purpose:

Dissemination and publication of the decisions and acts issued under the Insolvency Law, and of the register entries arising from the insolvency proceedings. Coordination between the various public registers in which the declaration of insolvency and the progress of the proceedings must be recorded. Generation of the list of insolvency administrators that meet the legal and regulatory requirements. However, this function has not yet been implemented.

The Public Insolvency Register is on an internet portal: Et https://www.publicidadconcursal.es/concursal-web/.

The purpose of the Public Insolvency Register is to group together the relevant information generated in the course of insolvency proceedings, for purposes purely of information and public disclosure.

## ¿Is access to the insolvency register free of charge?

Access to the Public Insolvency Register is free of charge.

#### ¿Searching the insolvency register

The Public Insolvency Register is structured in four sections within which the entries are ordered by party subject to insolvency proceedings, or debtor, in chronological order:

Section 1 (insolvency notices): this contains decisions that must be published in accordance with Article 23 of the Insolvency Law and decisions recording the opening of negotiations in accordance with Article 5 *bis* of that Law. It also contains information on the opening of insolvency proceedings initiated in another Member State in accordance with EU law on insolvency proceedings.

Section 2 (information in public registers): includes annotations and entries made in any of the public registers of persons that are referred to in Article 24 of the Insolvency Law.

Section 3 (out-of-court agreements): contains information regarding steps taken to reach out-of-court agreements on payments under Title X of the Insolvency Law and regarding the court approval of refinancing agreements under the fourth additional provision of the Insolvency Law.

Section 4 (insolvency administrators and their delegated assistants - still to be created and developed).

In searches, the names of the insolvent debtor or the insolvency administrator can be entered: this will find the information available on them in any of the sections.

#### History of the insolvency register

The 2003 Insolvency Law did not provide for a register to give information on insolvency proceedings in general. The question came under the arrangements for publication laid down at the time in Spanish company law, which were based on the publication of notices in the highest-circulation daily newspapers in the province in question. This increasingly meant that proceedings were brought to a standstill, since the costs of publication had to be borne by the insolvency estate, which was not always able to pay them.

Article 198 of the Insolvency Law did make provision for a public register of cases of culpable insolvency and the appointment or disqualification of insolvency administrators. That register was expanded and given the name 'Public Insolvency Register' by Royal Decreelaw 3/2009 of 29 March 2009 on urgent measures in taxation, financial and insolvency matters to address the changing economic situation. Since then, the provision has been amended several times, and there have also been changes affecting other legislation providing for the publication of certain steps through the Register. The current rules implementing Article 198 of the Insolvency Law are set out in Royal Decree 892/2013 of 15 November 2013 on the Public Insolvency Register. **Related links** 

## Ittps://www.mjusticia.gob.es

#### https://www.publicidadconcursal.es/concursal-web/

#### Mattheway Market Market

#### Last update: 26/02/2024

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France has no register specifically dedicated to insolvency. It has several registers containing decisions concerning the insolvency of debtors. These include decisions on the opening or extension of insolvency proceedings, the extension of the observation period, the conversion of proceedings, the termination or amendment of a restructuring plan or the closure of proceedings, or decisions declaring a person bankrupt or disqualified from managing a company. The names of the judicial officers are also given.

The existing registers are:

The trade and companies register (*registre du commerce et des sociétés*), for traders who are natural persons and for commercial companies; The register of trades (*répertoire des métiers*) for craft/trade professionals who are natural or legal persons;

The business register (*répertoire des entreprises*) in the departments of Bas-Rhin, Haut-Rhin and Moselle, for craft undertakings located there; The farming register (*registre de l'agriculture*) for agricultural undertakings.

Moreover, some of the decisions referred to above are published in the Official Bulletin of civil and commercial announcements (*Bulletin officiel des annonces civiles et commerciales*) and in a journal of legal notices.

#### How to search the French insolvency register

The information in journals of legal notices, the Official Bulletin of civil and commercial announcements and the trade and companies register is centralised by the '*Publicité Légale des Entreprises*', a public portal giving access to companies' legal information accessible via: 🖃 https://www.bodacc.fr/

#### Is the French insolvency register free?

The above-mentioned information is free

#### What is the period covered by the French insolvency registers?

The portal can be used to access legal notices published since 1 January 2010 and items published in the Official Bulletin of civil and commercial announcements since 1 January 2008.

The website of the trade and companies register can be found here: Matthew infogreffe.fr/

Most of the information it contains can be accessed in return for a fee.

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## Bankruptcy and insolvency registers - Croatia

The Rational Insolvency Register is a publicly accessible electronic register that improves the provision of information to relevant creditors and courts on ongoing insolvency proceedings and prevents parallel insolvency proceedings from being launched.

On 26 June 2018 the Ministry of Justice completed the first phase of the project entitled 'Insolvency Register Interconnection (IRI) for Europe', partly funded under the European Commission's Connecting Europe Facility programme (Connecting Europe Facility in the field of trans-European Telecommunications networks: CEF-TC-2016-2: European e-Justice Portal), for which Croatia applied as part of a consortium with Germany, France, Italy and Romania. The CEF's priority is to finance and implement e-services necessary for communication within the system interconnecting bankruptcy registers.

The Insolvency Register was established in accordance with Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings.

The data in the Insolvency Register are refreshed at least daily and cover:

pre-bankruptcy and bankruptcy proceedings for which a decision to launch proceedings was adopted no earlier than **1 September 2015** consumer bankruptcy proceedings for which a decision to launch proceedings was adopted no earlier than **1 January 2016**.

All data in the Register lie within the jurisdiction of the courts hearing the case.

In the second phase of the Insolvency Register Interconnection (IRI) for Europe project, national insolvency registers were interconnected through the European e-Justice Portal.

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#### Bankruptcy and insolvency registers - Italy

The Italian Ministry of Justice is setting up a new electronic system to manage data related to insolvencies.

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#### Bankruptcy and insolvency registers - Cyprus

This section of the website contains a brief introduction to the Cyprus Register of Bankruptcies and Liquidations (Μητρώο Πτωχευσάντων και Εκκαθαρίσεων Εταιρειών).

The E<sup>T</sup> Bankruptcies Section (Κλάδος Πτωχεύσεων και Εκκαθαρίσεων) is responsible for receiving and administering the assets of insolvent natural and legal persons and reports to the E<sup>T</sup> Department of Registrar of Companies and Official Receiver (Τμήμα Εφόρου Εταιρειών και Επίσημου Παραλήπτη) of the E<sup>T</sup> Ministry of Commerce, Industry and Tourism (Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού). This section keeps a file of bankrupt natural persons. If a company is wound up, it is reported in the Business Register. For further information, please contact the E<sup>T</sup> Department of Registrar of Companies and

#### Official Receiver.

What does the insolvency register offer? Not applicable. Is access to the insolvency register free of charge? Not applicable. How to search the insolvency register Not applicable. History of the insolvency register

The Insolvency Register contains information on insolvencies from 1931 to date.

#### **Related Links**

🖃 Department of Registrar of Companies and Official Receiver (Τμήμα Εφόρου Εταιρειών και Επίσημου Παραλήπτη)

Ministry of Commerce, Industry and Tourism (Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού)

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## Juhime tähelepanu sellele, et käesoleva lehekülje Iv originaalkeelset

versiooni on hiljuti muudetud. Valitud keeleversiooni meie töötajad parajasti

tõlgivad.

#### Bankruptcy and insolvency registers - Latvia

This section provides a brief overview of Latvia's insolvency register.

#### What does the Latvian insolvency register offer?

The E<sup>A</sup> Latvian insolvency register contains information on:

administrators;

insolvency proceedings in respect of natural and legal persons;

legal protection proceedings;

out-of-court redress proceedings;

Anybody can access the insolvency register, and its entries have the status of official records. The insolvency register is curated by the 🗷 Register of

## enterprises of the Republic of Latvia

## Is access to the Latvian insolvency register free of charge?

Yes, the access to the Latvian insolvency register is free of charge.

## How to carry out searches in the Latvian insolvency register

#### Administrators

This section contains information on administrators, namely:

first name;

surname;

local address and contact information of the practice;

certificate number;

certificate expiry date.

Information on administrators whose certificates have expired can be found via the link 🖃 Vēsturiskie dati [historical data]. For each administrator, the 'Izziņa' [certificate] link gives all information that was entered on the administrator in question in the insolvency register.

## Search

A search can be carried out for information on a specific subject (natural or legal person) in the '**Meklēt**' [search] section of the insolvency register. A search for information can be carried out using the following criteria:

debtor's registration number (for legal persons) or personal identification number (for natural persons);

debtor's first name/surname or title;

period of commencement of proceedings;

type of proceedings (insolvency proceedings, legal protection proceedings, out-of-court redress proceedings);

nature of proceedings (local, cross-border primary, cross-border secondary);

status of proceedings (current, terminated, all proceedings);

Search results feature a link to 'Izziņa' [certificate], which provides free access to all entries made in the insolvency register of the Latvian enterprise register regarding specific proceedings, including scanned versions of the documents referred to in 🖾 Article 9(4) of the Law on the enterprise register of the

Republic of Latvia: agenda of creditors' meeting and notification to creditors by the administrator about the creditors' meeting.

## Journal

Information on the entries made on a specific date can be found in the 'Žumāls' [journal] section of the insolvency register. By default, the entries are for the current day. To view entries made on other dates, use can be made of the calendar or of the 'Mēneša žumāls' [monthly journal] section. Each entry contains a link to 'Izziņa' [certificate], where more detailed information can be found on the insolvency proceedings in question.

#### Statistics

Statistical data on the insolvency proceedings of legal persons and on legal protection proceedings are available free of charge in the Maksātnespējas procesi [insolvency proceedings] section of the Latvian open data portal.

## History of the Latvian insolvency register

Information has been available on the insolvency register since 1 January 2008.

#### Links

Additional information on the Latvian insolvency register

Inttp://www.mna.gov.lv/mnae/index.jspIP Maksatnespejas kontroles dienests

We would also point out that information on any legal entity registered in the register is available on the Register's information website https://info.ur.gov.lv/ . Up-to-date information can be viewed/printed out free of charge and without authorisation, but historical information may be viewed, and documents in the public section viewed/downloaded, only after users have authenticated themselves on the website.

If copies of information certificates or documents prepared by the Enterprise Register are needed, a written request for information must be made, and a fee paid for the service (further information is available on the Enterprise Register on the website 🖾 https://www.ur.gov.lv/lv/sanem-informaciju/maksas-

#### pakalpojumi/izzinas/izzina/sagatavo-informacijas-pieprasijumu/).

Information may be requested and payment information submitted via the following channels:

1) electronically (information request must be signed with a secure electronic signature and bear a time stamp):

Email address: 🖾 pasts@ur.gov.lv;

2) by post (Pērses iela 2, Riga, LV-1011).

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## Bankruptcy and insolvency registers - Lithuania

There is no separate insolvency register in Lithuania. You can check the status of companies in this respect on the website of the Register of Legal entities (Juridinių asmenų registras). Company status in the Register of Legal entities can be viewed **free of charge**.

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Bankruptcy and insolvency registers - Luxembourg

Luxembourg does not have registers for cases of insolvency.

What is the situation regarding insolvency registers in Luxembourg?

Luxembourg does not have registers for cases of insolvency. Courts making declarations of bankruptcy notify them to the **business register**, which enters the information in its database.

Is access to the Luxembourg bankruptcies list free of charge?

The list of declared bankruptcies is published on a monthly basis in Mémorial B (the administrative and economic digest) and may be consulted free of charge on E<sup>T</sup> Legilux, the Luxembourg Law Portal.

Moreover, the business register places a statistical package for public consultation free of charge on 🖃 its internet site in the section entitled 'Consultations - statistiques de dépôt', providing information on declarations of bankruptcy which have been filed with the business register during a certain month. This information is available in the form of **lists of filings made**. The service also offers the facility of exporting this information in flat file format.

## How to search the business register for information on bankruptcies in Luxembourg

1st method: It is possible to carry out a search via the business register Internet site (ERCS) using the name (or part of the name) or the registration number of the person registered.

The search engine of the site then displays a list of names matching the search criteria.

On clicking on the name of listed persons, the following basic information is displayed free of charge:

business register number,

date of registration,

name,

legal form,

registered office address,

a list of documents filed since 2003,

and bankruptcy if any.

2nd method: It is possible to perform a search via the business register Internet site (RCS) in the section entitled 'Consultations - statistiques de dépôt', using the statistical module providing information on **declarations of bankruptcy** that have been filed with the business register during a certain month. 3rd method: It is possible to perform a search via the R Luxembourg Bar Internet site, in the 'Bankruptcies' section ('Faillites'), using the company name, the date of the bankruptcy judgment, or the name of the receiver (*curateur*).

**Related Links** 

## Business register

Luxembourg Bar

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Bankruptcy and insolvency registers - Hungary

This section provides a brief overview of Hungary's insolvency register.

## What does Hungary's insolvency register offer?

In Hungary, the Government has designated the Company Information and Electronic Company Registration Service (Céginformációs és az Elektronikus Cégeljárásban Közreműködő Szolgálat) of the Ministry of Justice as the body responsible for establishing and operating the insolvency register. This body uses Magyar Közlöny Lap- és Könyvkiadó Kft. [the Hungarian official publications office] to carry out data processing, IT development, technical operation and technical database security tasks.

The insolvency register is available at I https://fizeteskeptelenseg.im.gov.hu/.

The insolvency register contains details of all economic operators and civil society organisations against which insolvency proceedings have been opened in Hungary.

Insolvency proceedings in Hungary are governed by Act XLIX of 1991 on bankruptcy and liquidation proceedings. Act CLXXV of 2011 on civil society organisations applies to bankruptcy and liquidation proceedings against civil society organisations (associations and foundations), but all other aspects are governed by Act XLIX of 1991.

## Is access to Hungary's insolvency register free of charge?

No fees or expenses are charged for access to data in the insolvency register. Anyone consulting the insolvency register must declare in advance that the data searched for in the register will not be used for commercial purposes or to create a database to be used for such purposes.

In line with Section 6/N of Act XLIX of 1991, the register contains the following information:

the date of the opening of insolvency proceedings;

the court opening insolvency proceedings and the case reference number;

the subtype of insolvency proceedings opened – in Hungary, bankruptcy or liquidation proceedings;

the jurisdiction rules allowing the proceedings to be opened (main insolvency proceedings or secondary insolvency proceedings);

if the debtor is a company or a legal person, the debtor's name, registration number, registered office or, if different, postal address;

the name, postal address or e-mail address of the insolvency practitioner (receiver or liquidator) appointed in the proceedings;

the time limit for lodging claims, if any, or a reference to the criteria for calculating that time limit;

the date of closing main insolvency proceedings, if any;

the court before which and, where applicable, the time limit within which a challenge of the decision opening insolvency proceedings is to be lodged in accordance with Article 5, or a reference to the criteria for calculating that time limit;

the opening and closing of avoidance actions concerning the debtor's assets, the name of the relevant court and the case number;

the opening and closing of actions to establish the liability of a debtor's directors, former directors, its legal person members or owners for activities on their part that harmed creditors' interests, the name of the relevant court and the case number;

whether the proceedings were carried out as simplified liquidation proceedings.

## How to search in Hungary's insolvency register

The search criterion can be chosen from a drop-down menu. Using the drop-down menu, it is possible to search in the insolvency register by entering one of the following:

the debtor's name;

the company registration number/civil society organisation registration number;

the case number of the proceedings.

Detailed information about searching can be found at market https://fizeteskeptelenseg.im.gov.hu/.

Direct bulk data searches or data downloads from the insolvency register are not possible under current legislation.

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#### Bankruptcy and insolvency registers - Malta What does the insolvency service of Malta offer?

The insolvency service of Malta offers details on cases in the Maltese Courts that concern the insolvency of companies or bankruptcy of individuals, as well as details of the information received by the Business Registry on declarations of insolvency from the directors of insolvent companies.

Is access to the insolvency register free of charge?

Access to the insolvency register is free of charge and it is accessible via the following link:

#### https://ecourts.gov.mt/onlineservices/Insolvencies

How to search the insolvency register

You can search the insolvency register either by the debtor's name or ID card number or by the company's registration number.

#### History of the insolvency service of Malta

Before this insolvency register came into being, information on insolvent companies was held by the Business Registry while information on insolvency and bankruptcy cases was held by the Court. The information held by the Court was published on a website alongside information on cases in general. The insolvency register was made accessible to the public in January 2018, and contains details of insolvencies and bankruptcies going back to 1 January 2014. **Related links** 

#### https://ecourts.gov.mt/onlineservices/Insolvencies

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#### Bankruptcy and insolvency registers - Netherlands

This page gives a short introduction to the Dutch Insolvency Register.

## What information does the Dutch Insolvency Register contain?

In the Netherlands, there are five kinds of insolvency proceedings:

Bankruptcy

Moratorium (or 'suspension of payment')

Debt relief for natural persons

Public non-bankruptcy settlement procedure

Restricted non-bankruptcy settlement procedure

The **courts** are responsible for deciding on these types of insolvency proceedings. They are also responsible for the (automated) transmission of notifications relating to these insolvency proceedings to the **Council for the Judiciary** (*Raad voor de rechtspraak*). Only for restricted non-bankruptcy settlement procedures is there no notification, owing to the restricted nature of such procedures. The Council for the Judiciary uses these notifications for the **Central** 

## Insolvency Register (CIR)

The CIR contains all information from published insolvency notifications, including:

Personal details

Company names

Chamber of Commerce (Kamer van Koophandel) numbers

Details of curators and administrators

All previous notifications

In addition, for payment suspensions and debt relief, the courts keep this information in their own registers.

## Disclaimer of the Dutch Insolvency Register

The Central Insolvency Register contains information provided by the various courts on bankruptcies, payment suspensions, and cancellations of debts relating to natural persons (private individuals), and public non-bankruptcy settlement procedures.

Is access to the Dutch Insolvency Register free of charge?

## Yes, access is free of charge

There are no restrictions on access to the CIR online.

An online service is available to business users to inform them more quickly of the latest publications from the register.

#### How can the Dutch Business Register be searched?

You can only search for natural persons by:

Name and date of birth

Name, postcode and house number

Date of birth, postcode and house number

You can search for legal persons / company names by: Name of legal person / company name

Chamber of Commerce number

Postcode and house number / PO box number

You can also search by date, district court, type of publication, publication reference or insolvency number.

The CIR contains a separate overview of public non-bankruptcy settlement procedures.

#### History of the Dutch Insolvency Register

The CIR officially came into being on 1 January 2005. All cases occurring or notified after that date can be consulted in the CIR and remain accessible there until 6 months after the closure of the insolvency proceedings.

#### **Related links**

## Central Insolvency Register in the Netherlands

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#### Bankruptcy and insolvency registers - Austria

#### This part of the portal gives a short introduction to Austria's insolvency register.

What information does the insolvency register contain?

The Raustrian insolvency register, referred to as 'Insolvenzdatei', is owned and maintained by the Federal Ministry of Justice. It contains information on the initiation of insolvency proceedings and key procedural steps in the process.

# The register is published under the heading Ediktsdatei.

Is access to the insolvency register free of charge?

Yes.

#### How to search the Austrian insolvency register

Detailed information is available, in German only, on the website of the Federal Ministry of Justice, under the heading E<sup>T</sup> Ediktsdatei [legal notices database]. History of the insolvency register

The Austrian insolvency register has been kept since 1999.

#### **Related links**

#### Organisation of the courts - Austria

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Bankruptcy and insolvency registers - Poland

This section provides you with a brief introduction to the Polish bankruptcy register.

#### What does the Polish insolvency register offer?

The Polish insolvency register (the National Register of Debtors) is maintained by the Minister of Justice in an IT system. The Register has existed since 1 December 2021 and replaced the register of insolvent debtors that had been part of the National Court Register. The Register provides information on entities that are insolvent, entities at risk of insolvency, and entities against which unsuccessful enforcement has been discontinued. The Register provides information on:

natural persons, legal persons and organisational units which are not legal persons but which have been granted legal personality by law and that are or were subject of:

restructuring procedures within the meaning of the Restructuring Law Act of 15 May 2015, or procedures to enter an arrangement at a creditors' meeting within the meaning of Article 491(25) of the Bankruptcy Act of 28 February 2003,

bankruptcy proceedings or secondary bankruptcy proceedings,

concluded by final imposition of the prohibition referred to in Article 373(1) of the Bankruptcy Act of 28 February 2003,

proceedings for recognition of a ruling initiating foreign insolvency proceedings;

partners of commercial partnerships bearing unlimited liability with all their assets for the partnership's obligations in cases in which the partnership has been declared bankrupt, secondary bankruptcy proceedings have been initiated in respect of the partnership or an application for the declaration of bankruptcy has been rejected pursuant to Article 13(1) or (2) of the Bankruptcy Act of 28 February 2003;

natural persons, legal persons and organisational units which are not legal persons but which have been granted legal personality by law, in respect of which enforcement proceedings conducted by a court bailiff or by a court have been discontinued on the grounds that enforcement will not yield an amount greater than the costs of enforcement or in respect of which enforcement proceedings conducted by a head of the revenue office or by a director of a ZUS branch [Zakład Ubezpieczeń Społecznych - the Polish Social Insurance Institution] have been discontinued on the grounds that enforcement will not yield an amount greater than the costs of enforcement;

natural persons subject to recovery of maintenance or recovery of State-budget receivables arising from benefits paid in the event of ineffective enforcement of maintenance orders and who have been in arrears with the payment of maintenance for more than 3 months.

The information stored in the Register is available in Polish.

Is access to the Polish insolvency register free of charge?

Yes, access to the register is free of charge.

How to search in the Polish Insolvency Register

The data in the register can be accessed on-line through the website of the office supporting the Minister for Justice. Entity search in the register is possible using the full reference number of the proceedings.

You can also search in the register by entering:

1) the company or identifier (i.e. PESEL, NIP or another identifier) or the name and surname

when querying a catalogue of data of natural persons conducting business activity;

2) the identifier (i.e. PESEL, NIP or another identifier)

when querying a catalogue of data of natural persons not conducting business activity;

3) the entity's name or identifier (i.e. KRS, NIP or another identifier)

when querying a catalogue data of entities that are not natural persons.

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Bankruptcy and insolvency registers - Portugal

This page provides a short introduction to the Portuguese register of insolvencies.

What does the register of insolvencies include?

The electronic **P** register of insolvencies includes the following information:

Case number of the insolvency

Identification of the court where the insolvency case was or is being heard

Identification of the insolvent person

Identification of the administrator for the insolvency

Time limit for lodging claims

Date on which the insolvency was declared

The electronic register provides detailed information on insolvency cases (see below).

#### Is there a fee for consulting the Portuguese register of insolvencies?

No, consultation of the register of insolvencies is free.

#### Register of insolvencies legislation

The Portuguese register of insolvencies is regulated by Article 38 of the *Código da Insolvência e da Recuperação de Empresas* (Insolvency and Corporate Recovery Code), adopted by Decree-Law No 53/2004 of 18 March 2004, as amended.

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## Bankruptcy and insolvency registers - Romania

This section provides an overview of the Insolvency Proceedings Bulletin – Romanian Insolvency Register, set up by the Ministry of Justice – National Trade Register Office

#### What information does the Romanian Insolvency Register provide?

#### Insolvency proceedings in Romania

The Insolvency Proceedings Bulletin (BPI), published electronically by the National Trade Register Office, summons parties, issues notices and convocations, and provides notifications of procedural acts issued by courts and insolvency administrators/liquidators in the course of insolvency proceedings in accordance with Law No 85/2014 on insolvency prevention and insolvency proceedings.

'Debtors — natural persons with obligations not arising from the operation of an undertaking' is a section of the Insolvency Proceedings Bulletin, published electronically by the National Trade Register Office, the purpose of which is to publish, in compliance with personal data protection legislation, the decisions of the insolvency committee and the judgments of the court, as well as other acts the publication of which is provided for by the provisions of Law No 151 /2015 on the insolvency of natural persons;

#### Insolvency procedure for legal persons:

The general insolvency procedure applies to:

1. Professionals (all those operating an undertaking), with the exception of those practising liberal professions and those for whom there are special

provisions relating to the insolvency regime.

The simplified insolvency procedure applies to:

1. Professionals;

sole traders;

sole proprietorships and family businesses.

2. Debtors meeting a number of specific criteria, namely:

they do not hold assets;

the constituting or accounting documents cannot be found;

the administrator cannot be found;

the registered office no longer exists or is no longer the same as that recorded in the trade register; they did not submit the documents required by law; they are the subject of dissolution before the application initiating proceedings is submitted;

they have declared their intention to go bankrupt or are not entitled to judicial reorganisation.

Since the end of June 2014, the insolvency procedure for legal persons has been governed by Law No 85/2014 on insolvency prevention and insolvency proceedings, the provisions of which apply to legal processes initiated after its entry into force. Legal processes initiated before the entry into force of Law No 85/2014 remain subject to the provisions of Law No 85/2006 on insolvency proceedings.

The insolvency procedure for natural persons, governed by the provisions of Law No 151/2015 on the insolvency of natural persons, in force since 1 January 2018, shall apply to a natural person debtor whose obligations do not arise from the operation of an undertaking and who:

has been domiciled/resident/habitually resident in Romania for at least 6 months prior to the submission of the application;

is insolvent;

has a total amount of outstanding obligations at least equal to the threshold value (15 minimum wages per economy).

The insolvency procedure for natural persons may be:

proceedings on the basis of the debt repayment plan;

judicial insolvency proceedings through the liquidation of assets;

simplified insolvency proceedings.

Insolvency Proceedings Bulletin

## What information does it include?

The Insolvency Proceedings Bulletin contains all procedural acts issued by the courts and insolvency administrators/liquidators in the course of insolvency proceedings, namely:

summonses;

communications:

notices:

notices of meetings;

judgments;

other procedural documents required by law (reports issued by the insolvency administrator/liquidator, judicial reorganisation plans, announcements). The 'Debtors — natural persons with obligations not arising from the operation of an undertaking' section of the Insolvency Proceedings Bulletin contains procedural documents provided for publication under Law No 151/2015 on the insolvency of natural persons.

## How is the website of the Insolvency Proceedings Bulletin structured?

The website of the Insolvency Proceedings Bulletin provides access to the following:

free information;

information regarding the structure of the National Trade Register Office, Directorate for the Insolvency Proceedings Bulletin;

specific legislation, forms provided/published by the Bulletin and procedural documents.

The website of the Insolvency Proceedings Bulletin (BPI) has the following sections:

information regarding the establishment of the BPI;

legislative acts;

organisational chart of the National Trade Register Office, the trade register offices attached to courts and the BPI;

a legal dictionary (insolvency);

BPI statistical data;

fees;

contact information.

The Insolvency Proceedings Bulletin's forms are available in the 🔄 e-services portal of the National Trade Register Office in the section dedicated to the Insolvency Proceedings Bulletin, structured as follows:

#### 1. BPI services:

'Insolvency Proceedings Bulletin online' (fee-based);

'BPI issue summary' (free information);

'Persons published in the BPI' (free information).

## 2. Forms relating to BPI's publication activities:

Online forms for publication in the BPI;

Offline forms for publication in the BPI.

# 3. Forms relating to BPI's information dissemination activities:

Online forms for providing BPI with information;

Offline forms for providing BPI with information.

## 4. Statistics

#### Is access to Romania's Insolvency Register free of charge?

The Insolvency Proceedings Bulletin is published in electronic format. The electronic version of the Bulletin can be accessed online on:

Rational Trade Register Office e-services portal, Insolvency Proceedings Bulletin section

Access to services provided by the BPI is differentiated:

users can access the official website of the Insolvency Proceedings Bulletin free of charge and without registration;

access to the e-services portal of the National Trade Register Office requires user registration;

access to 'Insolvency Proceedings Bulletin online' is granted upon registration as a user and payment of a subscription;

access to 'BPI issue summary' and 'Persons published in the BPI' is free of charge and requires only user registration.

Access to services: The 'Persons published in the BPI' service and the 'Debtors — natural persons with obligations not arising from the operation of a business' section require authentication and are free of charge for debtors, creditors, administrators of the proceedings and liquidators (in each insolvency case in which they hold one of these capacities), and for insolvency committees and courts access to all insolvency cases is free of charge.

## How to search in the Romanian Insolvency Register

In 'Insolvency Proceedings Bulletin online', searches can be carried out using: the number and year of publication of a BPI issue, the name of the person published in the BPI, the tax identification number, the Trade Register registration number, the reference number of the court case or the BPI publication interval. With a paid subscription, subscribers can access BPI back issues containing procedural acts in full.

The 'BPI issue summary' can be searched using the number and date of the BPI issue. The following information can be accessed free of charge: type of procedural act published in the Bulletin (for example: summonses, ruling to open insolvency proceedings, notification of the opening of insolvency proceedings, convocation to meetings of creditors, activity report, reorganisation plan, ruling to open bankruptcy proceedings, notification of the opening of bankruptcy proceedings, distribution plan, final report, ruling to close insolvency proceedings, etc.);

name of the person published in the BPI;

county in whose jurisdiction the legal person published in the BPI has its registered office;

tax reference number;

entry number in the register.

The 'Persons published in the BPI' service can be searched using the number and year of publication of a BPI issue, the name of the debtor, the tax identification number, the Trade Register registration number, the reference number of the court case or the BPI publication interval. The following information can be accessed free of charge:

name;

tax reference number;

registration number of persons published in the BPI;

county in whose jurisdiction the legal person published in the BPI has its registered office;

number of the insolvency case and the name of the court with which the case is registered;

the numbers/years of the bulletins in which the procedural documents were published;

the type of insolvency proceedings;

first court date set after insolvency proceedings have opened, where applicable.

The 'Persons published in the BPI' service in the 'Debtors — natural persons with obligations not arising from the operation of a business' section can be searched by name, first name, personal identification number, date of birth and place of birth of the debtor, number and year of publication of a BPI issue, insolvency file number, publication interval. The following information is accessible:

name and first name of the natural person debtor;

personal identification number of the debtor;

address of the debtor;

procedural administrator/liquidator identification data and address;

published procedural documents - name, number and date, court/insolvency committee, number and date of the bulletin, type of insolvency proceedings. The BPI 'Debtors — natural persons with obligations not arising from the operation of a business' section can be searched by name, first name, personal identification number, date of birth and place of birth of the debtor, number and year of publication of a BPI issue, insolvency file number, publication interval. In that section the numbers in which the procedural documents are given are accessible.

## History of Romania's Insolvency Register

The Insolvency Proceedings Bulletin was set up in 2006, pursuant to Law No 86/2006 on insolvency proceedings.

The section entitled 'Debtors — natural persons with obligations not arising from the operation of a business' has been included in the BPI since 2018. The main objective of the Romanian Insolvency Proceedings Bulletin is the ongoing optimisation of the electronic system of summonses, notices,

## convocations and notifications of procedural acts published.

## Benefits of the Romanian Insolvency Register

The publication of the Insolvency Proceedings Bulletin has clear benefits:

it accelerates insolvency proceedings and simplifies the communication of summonses, convocations, notifications, court decisions and other procedural acts issued by the courts and insolvency administrators/liquidators, thereby establishing an electronic communication procedure;

it unifies and standardises procedural acts issued by the courts and insolvency administrators/liquidators;

it contributes to the development of a national database of procedural acts issued by the courts and insolvency administrators/liquidators (i.e. summonses, notices, court decisions, convocations, notifications, reports, reorganisation plans);

it facilitates rapid entry in the Trade Register/other registers of insolvency notifications issued under Law No 85/2014 on insolvency prevention and insolvency proceedings to be registered in the register;

it gives interested persons access to procedural acts issued by the courts and insolvency administrators/liquidators.

## **Relevant links**

#### Contract of Romania's Insolvency Proceedings Bulletin

Provide the second seco

## 🖻 'Debtors — natural persons with obligations not arising from the operation of a business' section of the Insolvency Proceedings Bulletin

## E-services portal of Romania's National Trade Register Office

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## Bankruptcy and insolvency registers - Slovenia

This section provides you with an introduction to the Slovenian insolvency register. Information on the review and publication of Slovenian insolvency proceedings is accessible online.

## What does the Slovenian insolvency register offer?

The E e-INSOLV database provides information on the review of insolvency proceedings. It also provides the following data on insolvency proceedings: selected identification data on the insolvent debtor,

the court conducting the proceedings and the serial number of the case,

selected identification data on the administrator of the insolvency proceedings,

the start of the proceedings, the expiry of the deadline for lodging a claim and data on other procedural acts in the proceedings,

in the case of bankruptcy proceedings, also data on the value of the bankruptcy estate and proportions for repayments to creditors.

The Republications database provides access to:

all court orders (singular: *sklep*; plural: *sklep*i) issued in insolvency proceedings, except for orders on the collection of regular remuneration, orders on the seizure of financial assets, orders on the termination of collection of regular remuneration or of seizure of financial assets;

notices of the initiation of proceedings, notices fixing a hearing, and other notices or calls for a vote issued under the law by a court;

all minutes of hearings and meetings of the creditors' committee;

administrator's reports and attached documents;

in compulsory settlement proceedings, also the reports of the insolvent debtor and attached documents;

lists of tested claims;

lodgements by parties to the proceedings and other court records, whose publication is provided for;

in bankruptcy proceedings, also all calls for public auction and invitations to make offers in relation to the realisation of the bankruptcy estate.

In addition, a list of all administrators (*seznam vseh upraviteljev*) and the insolvency proceedings they are dealing with can be obtained from the e-Publications database. The lists are updated daily. Both databases are owned and maintained by AJPES, 🖾 the Agency of the Republic of Slovenia for Public Legal Records and Related Services (*Agencija Republike Slovenije za javnopravne evidence in storitve*).

Is access to the Slovenian insolvency register free of charge?

Yes, access is **free of charge**. In order to access it, however, you must register as a user on the AJPES website and obtain a username and password. **How to search the Slovenian insolvency records** 

Both databases, including the search engines, are only available in Slovenian. It is possible to search for data and documents on insolvency proceedings concerning legal persons and sole traders using all the search criteria available, whereas in the case of searches for data and documents on consumers (natural persons who are not sole traders) only certain combinations of data may be used, in order to protect personal information.

The It account to search for documents published in connection with insolvency proceedings. Published documents can be searched by:

Debtor type (legal person, natural person, etc.),

Proceeding type (bankruptcy, compulsory settlement, etc.),

## Document type,

Debtor (search by company name, tax number or identification number),

Legal form (public limited company, private limited company, etc.)

#### Serial number,

## Court,

Date of the act or of the publication of the document.

Search results are arranged by date of publication.

In *I* e-INSOLV it is possible to search for data on insolvency proceedings by:

## Serial number,

Debtor (first name and family name or company name, identification number, address, date of birth)

## History of the Slovenian insolvency register

Data in the register has been available since 1 October 2008. Before that, some information, such as public notices of the beginning of insolvency proceedings, was published in the Official Gazette of the Republic of Slovenia (*Uradni list Republike Slovenije*; UL RS).

#### **Related links**

#### Insolvency register

#### Last update: 23/03/2018

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## Bankruptcy and insolvency registers - Slovakia

This page provides you with a brief overview of Slovakia's Insolvency Register.

#### What does the Slovak insolvency register offer?

The Insolvency Register (*Register úpadcov*) is an information system of the public administration available on the website of the Ministry of Justice of the Slovak Republic, which is administered and operated by the Ministry of Justice. The Insolvency Register information system contains information on insolvency proceedings, restructuring proceedings and debt discharge proceedings pursuant to §10a(2) of Act No 7/2005 on bankruptcy and restructuring and amending some other acts, as amended.

#### The following data are available in the Insolvency Register:

Information on proceedings pursuant to Act No 7/2005 with the details as follows:

name of the court;

file reference of the proceedings;

name and surname of the judge in charge of the proceedings;

names of the applicant and of the debtor; in the case of

4.1 a natural person, the first name, surname, date of birth, address,

4.2 a natural person engaged in business, the business name, first name, surname if different from the business name, identification number or any other identification, place of business,

4.3 a legal person, the business name, identification number or any other identification, and registered office;

name of the appointed administrator or trustee;

office address of the appointed administrator or trustee;

date of opening of insolvency proceedings or of restructuring proceedings or date of granting protection from creditors;

date of declaration of bankruptcy, approval of restructuring or assignment of a repayment plan;

date of end of insolvency proceedings or of restructuring proceedings;

information as to whether or not the bankruptcy at issue is a small bankruptcy;

information on the claims lodged, under the content requirements for a list of claims;

information on the claims lodged as post-adjudication claims, under the content requirements for a list of post-adjudication claims;

information on a draft repayment plan established by the trustee;

information on the debtor's assets, under the content requirements for an inventory of insolvency assets;

information on the creditors' meeting and the meeting of the creditors' committee, with details of the venue, time and subject of the creditors' meeting, the first name and surname of creditors in the case of natural persons, or the business name of creditors in the case of legal persons, information as to whether the creditor is a member of the creditors' committee, information on the extent of the creditor's voting rights, and the minutes of the meeting of the creditors' committee;

information on the creditors' meeting in the case of insolvency proceedings pursuant to Division Four of this Act, with details of the venue, time and subject of the creditors' meeting;

distribution of the proceeds;

date of the decision on discharge of the debtor if bankruptcy was declared or a repayment plan was established pursuant to Division Four of this Act; information on imposing a monitoring trusteeship;

information on deadlines for parties to the proceedings to carry out actions under the proceedings pursuant to this Act;

information as to whether the insolvency proceedings at issue are main insolvency proceedings, secondary insolvency proceedings or territorial insolvency proceedings in line with special legislation;

information on the possibility of lodging an appeal in line with special legislation;

the recovery rate for secured and unsecured creditors in proceedings conducted pursuant to Divisions Two and Three of this Act;

the recovery rate for creditors in proceedings conducted pursuant to Division Four of this Act;

a list of bankrupt parties in the case of insolvency proceedings and a list of debtors in the case of restructuring proceedings, with the details as required by point (4)(a);

a list of bankrupt parties in the case of proceedings conducted pursuant to Division Four of this Act, with the details as required by point (4)(a);

further information on the proceedings pursuant to this Act published in the Commercial Journal (Obchodný vestník);

information on the services provided by the administrator.

Is access to the Slovak Insolvency Register free of charge?

Yes, access to and searches in the Insolvency Register are free of charge.

What is the method for searching the Slovak Insolvency Register?

The E homepage of the Insolvency Register contains a search bar, where it is possible to enter the search text directly or, if appropriate, to specify if the search should be restricted to the categories such as Proceedings, Administrators, Assets or Services.

History of the Insolvency Register of the Slovak Republic

The system was put into full operation on 7 December 2015.

# Related links

Insolvency Register

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## Bankruptcy and insolvency registers - Finland

There are two public insolvency registers in Finland: the register of bankruptcies and restructurings and the register of debt adjustments. It is possible to search in these registers free of charge through the information service provided by the Finnish Legal Register Centre.

The insolvency register is an information service of the Finnish Legal Register Centre.

What does the Finnish insolvency register offer?

The register includes insolvency information obtained from  $\mathbb{R}^n$  the register of bankruptcies and restructurings and  $\mathbb{R}^n$  the register of debt adjustments on debts incurred in the course of an individual's business activities. The register has information on applications and decisions concerning bankruptcies and restructurings and, for example, the time and the location of the creditors' meeting, the deadline for submitting claims and the details of the receiver. Debt adjustment information for debt incurred for personal purposes should be requested directly from the  $\mathbb{R}^n$  Legal Register Centre, which will provide the information free of charge.

#### Is access to the Finnish insolvency register free of charge?

Yes, access to the register is free of charge.

#### How to search the Finnish insolvency register

It is possible to search in the insolvency register using the debtor's name, identity number or business ID, within a certain time frame, and the receiver's or liquidator's name.

When requesting information from the Legal Register Centre on debt incurred for personal purposes, the following must be provided:

The name of the person whose data is being requested

The identity number of the person whose data is being requested

The name and phone number of the requester and the address to which the information should be sent

## History of the Finnish insolvency register

The registers have information from 1995 onwards.

**Related links** 

Finnish

Insolvency register

Legal Register Centre (Oikeusrekisterikeskus): registers

Register of bankruptcies and restructurings (konkurssi- ja yrityssaneerausrekisteri)

Register of debt adjustments (velkajärjestelyrekisteri)

English

Legal Register Centre: Registers

Register of bankruptcies and restructurings

Register of debt adjustments

Swedish

Legal Register Centre (Rättsregistercentralen): registers

Register of bankruptcies and restructurings (Konkurs- och företagssaneringsregistret)

## Register of debt adjustments (Skuldsaneringsregistret)

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Bankruptcy and insolvency registers - Sweden

This page provides you with information on the Swedish insolvency register.

What does the Swedish insolvency register offer?

The Swedish Companies Registration Office manages several registers which provide information on registered companies. The Swedish Companies Registration Office does not keep a single, coherent register of natural and legal persons which have been declared bankrupt. There is a register, kept by the

Swedish Companies Registration Office, of natural persons and estates that have been declared bankrupt. However, information regarding companies that have been declared bankrupt is registered in several different business registers managed by the Swedish Companies Registration Office. Access to information on natural persons, estates and companies from the registers managed by the Swedish Companies Registration Office is accessible from an Internet search engine.

Hereafter, information on the bankruptcy of companies, natural persons and estates contained in the different Swedish Companies Registration Office' registers is referred to as The Insolvency Register of Sweden (including both information accessible from the Internet 🖾 search engine and by directly contacting 🖾 the Swedish Companies Registration Office).

The Register contains data on companies, natural persons and estates at different stages of bankruptcy. The Register broadly contains the following types of information:

Date of start of bankruptcy proceedings

Name of the responsible court

Name, address and registration number/personal code number of the subject

Status of the proceedings

Name and address of the trustee

## The register is owned and managed by the Swedish Companies Registration Office.

Only information submitted by the courts is entered into the Register. Information is entered on the day the information is received by the Swedish Companies Registration Office from the court. When a natural person is declared bankrupt, the information is included in the business registers the natural person may be registered in.

## Is access to the Swedish insolvency register free of charge?

Information contained in The Insolvency Register of Sweden is available **free of charge** by contacting the Swedish Companies Registration Office by phone. Requests for written information from the Register incur a fee in most cases.

Access to information on companies' bankruptcy status by using the Internet search engine is free of charge. Additional information is available only to registered and paying users.

#### How to search the Swedish insolvency register

To receive information contained in the register, anyone can contact the Swedish Companies Registration Office by post, e-mail or phone. The Internet search engine allows to search the Register by company name, personal name, registration number or personal code number.

## History of the Swedish insolvency register

Information contained in the Register is maintained for a period of five years

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## Bankruptcy and insolvency registers - England and Wales

This page provides you with information on the individual insolvency register for England and Wales.

# What does The Insolvency Service (The Service) of England and Wales offer?

The Insolvency Service is required by statute to maintain the individual insolvency and bankruptcy and debt relief restrictions registers. The 'Individual Insolvency Register' is an amalgamation of these two registers and it contains details of:

**bankruptcies** that are current or have ended in the last 3 months

debt relief orders that are current or have ended in the last 3 months

current individual voluntary arrangements, including those that have ended in the last 3 months

current bankruptcy restrictions orders or undertakings and interim bankruptcy restrictions orders

current debt relief restrictions orders or undertakings and interim debt relief restrictions orders.

Is access to the Individual Insolvency register for England and Wales free of charge?

Yes, access to the register is free of charge

## How to search the Individual Insolvency Register for England and Wales

The register is located on E<sup>n</sup> the Insolvency Service's website, and can be accessed under E<sup>n</sup> Search the Individual Insolvency Register'. By clicking on the "search the register" link, it may be searched using an individual's name or trading name. There are also links to search the quivalent registers in Scotland and Northern Ireland.

#### History of The Insolvency Service of England and Wales

The Insolvency Service is an executive agency of the Department for Business, Energy and Industrial Strategy and through the official receiver it: administers and investigates the affairs of bankrupts, individuals subject to debt relief orders, and companies and partnerships wound up by the court, and establishes why they became insolvent

acts as trustee/ liquidator where no private-sector insolvency practitioner is appointed

The Insolvency Service also:

prepares and takes forward reports about misconduct by bankrupt people, individuals subject to debt relief orders, and company directors deals with the disqualification of unfit directors in all corporate failures

deals with bankruptcy restriction orders and undertakings, and debt relief restrictions orders and undertakings

acts as oversight regulator to the insolvency profession

assesses and pays statutory entitlement to redundancy payments when an employer is legally insolvent

provides estate accounting and investment services for bankruptcy and liquidation estate funds

conducts confidential fact finding investigations into companies where these are in the public interest

advises Ministers and government departments and agencies on insolvency, redundancy and other related issues

provides information to the public on insolvency, redundancy and investigation matters via its website, publications and Insolvency Enquiry Line.

## Disclaimer of English and Welsh Individual insolvency register

The text disclaimer on the website states:

"While every effort has been made to ensure that the information provided is accurate, occasionally errors may occur. If you identify information which appears to be incorrect or omitted, please inform us using the feedback links contained within this site, so that we can investigate the matter and correct the database as required.

The Insolvency Service cannot accept responsibility for any errors or omissions as a result of negligence or otherwise. Please note that The Insolvency Service and official receivers cannot provide legal or financial advice. You should seek this from a Citizen's Advice Bureau, a solicitor, a qualified accountant, an authorised insolvency practitioner, reputable financial advisor or advice centre.

The Individual Insolvency Register is a publicly available register and The Insolvency Service does not endorse, nor make any representations regarding, any use made of the data on the register by third parties".

**Related Links** 

## The Insolvency Service

## Individual Insolvency Register

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the legal notice to see copyright rules for the Member State responsible for this page. Bankruptcy and insolvency registers - Northern Ireland

This page provides you with information about the insolvency registers of Northern Ireland.

#### What does the insolvency register of Northern Ireland offer?

In Northern Ireland, there are two separate registers, one for bankruptcy and one for other forms of personal insolvency proceedings. The Northern Ireland Court and Tribunals Service holds information on persons who have been declared bankrupt within the last 10 years. This information is held in an on-line database, which can be searched by the public on payment of a fee. More information on this on-line search facility for bankruptcy can be found on the website Morthern Ireland Courts and Tribunals Service.

A link to the relevant search page for the Court Bankruptcy & Companies Register can be found 🛃 here.

The Department for Economy, I Insolvency Service maintains the register of,

individual voluntary arrangements,

bankruptcy restrictions orders and undertakings,

debt relief orders, and

debt relief restrictions orders and undertakings

You can search these registers free of charge on-line R here.

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## Bankruptcy and insolvency registers - Scotland

This page provides you with information on the insolvency register of Scotland.

What does the Register of Insolvencies of Scotland offer?

The I Accountant in Bankruptcy site contains guidance and material on insolvency in Scotland. It provides:

Access to legislation

A link to the Register of Insolvencies, which contains details of:

**Bankruptcies** 

Bankruptcy restrictions

Protected trust deeds

Liquidations and receiverships of businesses in Scotland (including solvent liquidations).

Moratoriums

The Register of Insolvencies of Scotland does not include details of company administrations.

The E DAS Scotland website offers you advice on money and debt, material for approved money advisers, information on the debt arrangement scheme (a statutory scheme to manage repayments over a reasonable period, with protection from creditor action).

The Register of Insolvencies of Scotland is owned and maintained by the Accountant in Bankruptcy.

## The DAS Register (Debt Arrangement Scheme Register) of Scotland

The E DAS Register of Scotland provides information on approved and pending debt payment programmes. It also provides information on live moratoriums. The DAS Register is owned and maintained by the Accountant in Bankruptcy as part of their role as DAS administrator.

#### Is access to the Scottish Register of Insolvencies free of charge?

Access to the insolvency register of Scotland is free. A commercial daily data download is also available. For more information please contact: 🖃

roienquiries@aib.gsi.gov.uk

## Is access to the DAS register of Scotland free of charge?

Access to the DAS Register is free.

How to search the Scottish Register of Insolvencies

The Scottish Register of Insolvencies is available on line.

## How to search the DAS register

The DAS register is available on line.

## History of the insolvency register of Scotland

Searches of the Register of Insolvencies will return details of all 'live' bankruptcy cases, plus those that have been discharged in the past two years. In the case of protected trust deeds, the register will return details of 'live' cases, plus those discharged in the past year. Similarly, searches on receiverships or liquidations will return details of 'live' cases, plus those that ended in the past year.

Searches on moratoriums will show all live moratoriums. A moratorium is removed after 6 weeks or following the award of bankruptcy, protection of a trust deed, or approval of a DPP under DAS.

## History of the DAS register

The site of the DAS Register site covers information on approved and pending debt payment programmes. It also provides information on live moratoriums. **Related Links** 

Register of Insolvencies

# **DAS Register**

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