

# **EUROPEAN WORKSHOP**

**OVERVIEW ON NEW PRE-INSOLVENCY  
AND INSOLVENCY PRACTITIONERS IN EUROPE**

## **DATE**

**Friday May 27<sup>th</sup>, 2022**

## **PLACE**

**“Salón Cibeles” Hotel, H10 Puerta de Alcalá**  
Calle Alcalá, 66 – 28009 MADRID.

This workshop is aimed to provide an overview of the status of pre-insolvency and insolvency practitioners in Europe (EU and non EU countries)

To harmonize the varying national insolvency laws in its Member States, the EU approved a new Directive (Directive (EU) 2019/1023 of the European Parliament and of the Council of 20 June 2019 on preventive restructuring frameworks, on discharge of debt and disqualifications, and on measures to increase the efficiency of procedures concerning restructuring, insolvency and discharge of debt, and amending Directive (EU) 2017/1132 (Directive on restructuring and insolvency);

1. requiring Member States to enact laws and regulations providing debtors and creditors with minimum rights and remedies in preventive restructuring procedures.
2. enabling viable enterprises and entrepreneurs in financial difficulty to access effective preventive restructuring frameworks that help them continue operating.
3. introducing ‘preventive restructuring procedures’ or ‘pre-insolvency procedures’ that combine out-of-court and in-court elements) which aim to facilitate informal negotiations between the debtor and its creditors and minimize the role of the court and insolvency administrators.
4. setting out that debtors accessing preventive restructuring procedures remain totally, or at least partially, in control of their assets and the day-to-day operation of the business. So, the debtor-in-possession regime and the stay of creditor actions are strong incentives for entrepreneurs to commence early restructuring. For this; cross-class cram-down introduces flexibility and improves the possibilities for approval of restructuring plans.
5. providing that financial assistance granted to the debtor prior to approval of the restructuring plan or during execution of the plan must be subject to appropriate safeguards.
6. ensuring that practitioners appointed (in pre-insolvency and insolvency proceedings) are impartial and independent, receive suitable training and have the necessary expertise for their responsibilities, the conditions for eligibility, as well as the process for the appointment, removal and resignation are clear, transparent and fair.

D. Jose Maria Dutilh Carvajal  
Vicepresidente APACSA

D. Jesús Borjabad García  
Presidente APACSA

## **Friday May 27<sup>th</sup>**

**09:00 AM. Reception and registration.**

**09:30 AM. 1<sup>st</sup> session.**

1.- Types and functions of Pre-insolvency and Insolvency Practitioners in each jurisdiction.

2.- Access to the profession or role. Eligibility.

**11:30 AM. Coffee break.**

**12:00 M. 2<sup>nd</sup> session.**

3.- Appointment and removal.

4.- Remuneration regime.

**14:00 PM. End of workshop.**

### **Speakers**

Experts and Insolvency Practitioners from Belgium, England, France, Germany, Italy, Netherlands, Norway, Portugal, Slovakia, Spain

## SPEAKERS

---



José María Dutilh, Managing Partner of LeQuid. Degree in Law and Diploma in Business Studies from Universidad Pontificia de Comillas (ICADE). He currently lectures on “Acquisitions of Companies in Crisis” in the Master’s Degree in Corporate (INCARI).



Bert Dehandschutter offers legal services to Spanish companies about their Spanish-Belgian business relations. In addition Bert is also an insolvency specialist and in this capacity Bert has frequently served as a court-appointed insolvency practitioner since 1998.



Laura Gurrea Martínez is a lawyer, economist and auditor, administrator and bankruptcy mediator. She works at DICTUM ABOGADOS. She has been involved in numerous debt refinancing procedures and insolvency proceedings as a lawyer and bankruptcy administrator.



Cristina Asencio, I am a partner of Fieldfisher, head of the Restructuring and Insolvency department in Madrid. The holder of a Doctorate of Business Law from Complutense University of Madrid (Magna Cum Laude unanimously), I am the author of several publications, among which the case study “The Rehabilitation of Financing Contracts” stands out.



Rubén García-Quismondo P. I am founder and partner director of an Economic and law firm called Quabbala with branches in the main Spanish cities, London, Hong Kong and Tokyo. I use to work for our clients in several countries for M&A, Restructuring (Operative and financial), commercial, tax and law issues.



Robert Woudenberg is a lawyer specialised in restructuring and insolvency matters at the Amsterdam office of NautaDutilh, with a particular focus on cross-border corporate structuring, distressed debt investments and debt-for-equity transactions.



Robert Paterson is a solicitor and licensed practitioner in England and Wales. He advises on all aspects of restructuring and insolvency, including cross-border insolvencies. Robert is a partner in Wedlake Bell LLP. He is a member of INSOL Europe.



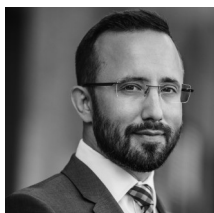
Dr. Robert Hänel is Partner of anchor Rechtsanwälte, a law firm with about 150 staff and 13 offices in Germany specializing in insolvency and restructuring. In 2020 he was accepted as member of the International Insolvency Institute (III) and joined the Expert Group advising the European Commission on the harmonization of European insolvency laws.



Prof. PATRIZIA RIVA, Ph.D. Associate Professor of Economics and Business Studies at Piemonte Orientale University. Chartered Public Accountant and Auditor since 1993. Senior Partner & Founder of the accounting & auditing firm “Studio Patrizia Riva, Dottori Commercialisti e Avvocati Associati”.



Mylène Boché-Robinet. "With more than 13 years of experience as a restructuring lawyer at the Paris Bar, Mylène Boché-Robinet assists French and foreign companies in the context of amicable and insolvency proceedings, as well as their directors, shareholders, creditor's representatives and judicial administrators, financial institutions, and employee groups.



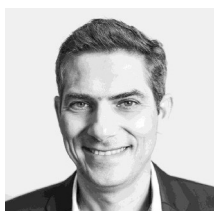
JUDr. Martin Provazník is a partner at bpv BRAUN PARTNERS. He specializes primarily in dispute resolution, insolvency and restructuring. In 2016, he received a special acknowledgment at the Via Bona Awards Slovakia for helping with a systematic change in personal bankruptcies and debt-free regime in Slovakia.



Ingrid E. S. Tronshaug from Kvale Advokatfirma DA, Oslo, Norway, is specialized in insolvency law and has broad experience with bankruptcy and restructuring work (in and out of court) and related matters, such as securities, credit- and debt protection, claim collection, enforcement, etc. She is regularly appointed by the court as trustee for bankruptcy estates, and has



Christophe THEVENOT is a Founding Partner of Thevenot Partners, Insolvency Practitioners, Paris. After gaining professional experience in Aeronautics in Canada, Christophe moved on to a law firm specialised in insolvency and recovery. In 1997 he established himself as a



Alexander Reus, Partner - Attorney. MBA (VWA). Law studies Munich (LMU), Business Administration studies in Munich (VWA). CEO Vereins zur Betreuung & Integration behinderter Kinder & Jugendlicher (BiB) e.V.; (Association for the care and integration of disabled children).



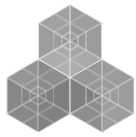
Charles-Henri Carboni, Administrateur Judiciaire Associé. Licence Sciences économique. Licenciatura en derecho español. Université Computense. Spécialiste des situations de crise économique, financière ou de gouvernance, qui intervient au bénéfice d'entreprises ou de structures de toutes tailles dans un cadre préventif – Mandat Ad' Hoc, Conciliation et/ou curatif – Sauvegarde, redressement judiciaire, dans tout secteur d'activité civile ou commerciale.



Rubben LINDEMANS advises clients on a wide range of disputes and transactions in business law related affairs (most notably economic and corporate law, banking and finance law, real estate law and businesses in financial distress).

## SPONSORS

---



**activosconcursoales.com**  
entidad especializada

## PARTNERS

---



**INSOL**  
INTERNATIONAL



**INSOL**  
**EUROPE**



**LAW &  
BUSINESS  
SCHOOL**



INSTITUTO • IBEROAMERICANO  
DE DERECHO • CONCURSAL

Jesús María Sanguino Sánchez

FOR MORE INFORMATION

PH. +34 957 84 28 10 +34 957 08 74 53

W. [www.aulaconcursal.es](http://www.aulaconcursal.es)

E. [formacion@aulaconcursal.es](mailto:formacion@aulaconcursal.es)

