



# Strengthening the administrative capacities for implementation of the legal framework for bankruptcy and liquidation of companies



The European Union's Instrument for Pre-accession Assistance IPA, TAIB 2011

## Project: Strengthening the administrative capacities for implementation of the legal framework for bankruptcy and liquidation of companies

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### SCBL Project: Three books on bankruptcy and liquidation are published

Within the Project "Strengthening the administrative capacities for implementation of the legal framework for bankruptcy and liquidation of companies" (SCBL), three books have been published: Collection of laws and by-laws for bankruptcy and liquidation, Bankruptcy procedure handbook and Examples of decisions that are made in the bankruptcy procedure.

Namely, on the numerous trainings, consultations and round tables held during the Project, experts and numerous representatives of professional institutions pointed to the need for creating professional literature that will be used in everyday work. The books created within the SCBL project are precisely this: professional literature that can be used by all professionals to help in the everyday work. The consolidated laws and by-laws, the handbook for the bankruptcy procedure, as well as the decisions made during the bankruptcy procedure, are valid on September 30, 2017.



**The Collection of laws and by-laws for bankruptcy and liquidation** is an unofficial consolidated text of the Bankruptcy Law, as well as the handbooks, with a register of subjects, for fast work with the legal acts. The Law on Trading Companies is also covered, in the part referring to liquidation and deletion of trade companies from the trade register per ex officio. The goal is to find at one place (one-stop-shop) for all legal and by-law acts related to the bankruptcy and the liquidation in Macedonia, in order to be used by all professionals, as operational assistance in the day-to-day operations for conducting the bankruptcy procedures.

**In the Bankruptcy Procedure handbook** the bankruptcy procedure established by the Bankruptcy Law is presented. All the procedural actions with which it starts, develops and concludes are included, starting from the previous procedure, for determining the conditions for its opening. Following the basic goals of the SCBL Project, in the handbook, the good and the bad practices are listed regarding the existing legal legislation in the domain of the Bankruptcy procedure, established in 2013 and 2014. The existing bankruptcy trustees and those who are preparing to become by obtaining license, after the training realized within the SCBL Project in September 2017 will be able to use the handbook.

The **Examples of decisions that are made in the bankruptcy procedure** consist of systematized proposals of court decisions for dealing with situations with the existing Bankruptcy Law. The book consists of an introductory part and of proposals for court decisions indexed by the bankruptcy procedure and the articles of the law in which they are regulated. Some of the draft solutions have been met so far, but there are those that exist in the business environment that have not been treated in the bankruptcy procedure, even though they have been predicted in the Law, considering the complexity of the bankruptcy procedure. The handbook is conceptualized as operational assistance and a guide for quick action so that it can be used by all judges who work or will work in the future on the issues of bankruptcy and reorganization of the trading companies.

The publishing of the Collection of laws and by-laws for bankruptcy and liquidation and the handbooks is enabled by the Project "Strengthening the administrative capacities for implementation of the legal framework for bankruptcy and liquidation of companies " (SCBL), which is realized within the Ministry of Economy, realized with the funds from the Instrument for Pre-Accession (IPA) of the European Union and is implemented by a consortium led by Pohl Consulting & Associates, in partnership with Ernst & Young.