II

(Non-legislative acts)

REGULATIONS

IMPLEMENTING REGULATION OF THE COUNCIL (EU) No 210/2010

of 25 February 2010

amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 291(2) thereof,

Having regard to Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings [1], and in particular Article 45 thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) Annexes A, B and C to Regulation (EC) No 1346/2000 list the designations given in the national legislation of the Member States to the proceedings and liquidators to which that Regulation applies. Annex A lists the insolvency proceedings referred to in Article 2(a) of that Regulation. Annex B lists the winding-up proceedings referred to in Article 2(c) of that Regulation and Annex C lists the liquidators referred to in Article 2(b) of that Regulation.

(2) On 2 March 2009, Belgium notified the Commission, pursuant to Article 45 of Regulation (EC) No 1346/2000, of amendments to the lists set out in Annexes A and C to that Regulation. This notification was subsequently adjusted by Belgium so as to supplement the amendments to the lists in Annexes A and C and to add an amendment to the list set out in Annex B.

(3) As a consequence of the amendments to Annexes A, B and C to Regulation (EC) No 1346/2000 following the abovementioned notification by Belgium and the subsequent adjustment thereof, a codification of Annexes A, B and C to that Regulation should be made to provide all parties involved in insolvency proceedings covered by that Regulation with the necessary legal certainty.

(4) The United Kingdom and Ireland are bound by Regulation (EC) No 1346/2000 and, by virtue of Article 45 of that Regulation, are therefore taking part in the adoption and application of this Regulation.

(5) In accordance with Articles 1 and 2 of the Protocol on the Position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

(6) Annexes A, B and C to Regulation (EC) No 1346/2000 should therefore be amended and codified accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1346/2000 shall be amended as follows:

1. in Annex A, the designations for Belgium are replaced by the following:

'BELGIË/BELGIQUE

Het faillissement/La faillite

De gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire par accord collectif

[1] OJ L 160, 30.6.2000, p. 1.

De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice

De collectieve schuldenregeling/Le règlement collectif de dettes

De vrijwillige vereffening/La liquidation volontaire

De gerechtelijke vereffening/La liquidation judiciaire

De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet/Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites';

2. in Annex B, the designations for Belgium are replaced by the following:

'BELGIË/BELGIQUE

Het faillissement/La faillite

De vrijwillige vereffening/La liquidation volontaire

De gerechtelijke vereffening/La liquidation judiciaire

De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice';

3. in Annex C, the designations for Belgium are replaced by the following:

'BELGIË/BELGIQUE

De curator/Le curateur

De gedelegeerd rechter/Le juge-délégué

De gerechtsmandataris/Le mandataire de justice

De schuldbemiddelaar/Le médiateur de dettes

De vereffenaar/Le liquidateur

De voorlopige bewindvoerder/L'administrateur provisoire'.

Article 2

Annexes A, B and C to Regulation (EC) No 1346/2000 as amended in accordance with Article 1 of this Regulation are hereby codified and replaced by the texts set out in Annexes I, II and III to this Regulation.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

Article 4

This Regulation shall be published in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 25 February 2010.

For the Council

The President

A. PÉREZ RUBALCABA

ANNEX I

'ANNEX A

Insolvency proceedings referred to in Article 2(a)

BELGIË/BELGIQUE

— Het faillissement/La faillite

— De gerechtelijke reorganisatie door een collectief akkoord/La réorganisation judiciaire par accord collectif

— De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice

— De collectieve schuldenregeling/Le règlement collectif de dettes

— De vrijwillige vereffening/La liquidation volontaire

— De gerechtelijke vereffening/La liquidation judiciaire

— De voorlopige ontneming van beheer, bepaald in artikel 8 van de faillissementswet/Le dessaisissement provisoire, visé à l'article 8 de la loi sur les faillites

БЪЛГАРИЯ

— Производство по несъстоятелност

ČESKÁ REPUBLIKA

— Konkurs

— Reorganizace

— Oddlužení

DEUTSCHLAND

— Das Konkursverfahren

— Das gerichtliche Vergleichsverfahren

— Das Gesamtvollstreckungsverfahren

— Das Insolvenzverfahren

EESTI

— Pankrotimenetlus

ΕΛΛΑΣ

— Η πτώχευση

— Η ειδική εκκαθάριση

— Η προσωρινή διαχείριση εταιρείας. Η διοίκηση και διαχείριση των πιστωτών

— Η υπαγωγή επιχείρησης υπό επίτροπο με σκοπό τη σύναψη συμβιβασμού με τους πιστωτές

ESPAÑA

— Concurso

FRANCE

— Sauvegarde

— Redressement judiciaire

— Liquidation judiciaire

IRELAND

— Compulsory winding-up by the court

— Bankruptcy

— The administration in bankruptcy of the estate of persons dying insolvent

— Winding-up in bankruptcy of partnerships

— Creditors' voluntary winding-up (with confirmation of a court)

— Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution

— Company examinership

ITALIA

— Fallimento

— Concordato preventivo

— Liquidazione coatta amministrativa

— Amministrazione straordinaria

ΚΥΠΡΟΣ

— Υποχρεωτική εκκαθάριση από το Δικαστήριο

— Εκούσια εκκαθάριση από πιστωτές κατόπιν Δικαστικού Διατάγματος

— Εκούσια εκκαθάριση από μέλη

— Εκκαθάριση με την εποπτεία του Δικαστηρίου

— Πτώχευση κατόπιν Δικαστικού Διατάγματος

— Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

LATVIJA

— Tiesiskās aizsardzības process

— Sanācija juridiskās personas maksātnespējas procesā

— Izlīgums juridiskās personas maksātnespējas procesā

— Izlīgums fiziskās personas maksātnespējas procesā

— Bankrota procedūra juridiskās personas maksātnespējas procesā

— Bankrota procedūra fiziskās personas maksātnespējas procesā

LIETUVA

— Įmonės restruktūrizavimo byla

— Įmonės bankroto byla

— Įmonės bankroto procesas ne teismo tvarka

LUXEMBOURG

— Faillite

— Gestion contrôlée

— Concordat préventif de faillite (par abandon d'actif)

— Régime spécial de liquidation du notariat

MAGYARORSZÁG

— Csődeljárás

— Felszámolási eljárás

MALTA

— Xoljiment

— Amministrazzjoni

— Stralċ volontarju mill-membri jew mill-kredituri

— Stralċ mill-Qorti

— Falliment f'każ ta' negozjant

NEDERLAND

— Het faillissement

— De surséance van betaling

— De schuldsaneringsregeling natuurlijke personen

ÖSTERREICH

— Das Konkursverfahren

— Das Ausgleichsverfahren

POLSKA

— Postępowanie upadłościowe

— Postępowanie układowe

— Upadłość obejmująca likwidację

— Upadłość z możliwością zawarcia układu

PORTUGAL

— Processo de insolvência

— Processo de falência

— Processos especiais de recuperação de empresa, ou seja:

  — Concordata

  — Reconstituição empresarial

  — Reestruturação financeira

  — Gestão controlada

ROMÂNIA

— Procedura insolvenței

— Reorganizarea judiciară

— Procedura falimentului

SLOVENIJA

— Stečajni postopek

— Skrajšani stečajni postopek

— Postopek prisilne poravnave

— Prisilna poravnava v stečaju

SLOVENSKO

— Konkurzné konanie

— Reštrukturalizačné konanie

SUOMI/FINLAND

— Konkurssi/konkurs

— Yrityssaneeraus/företagssanering

SVERIGE

— Konkurs

— Företagsrekonstruktion

UNITED KINGDOM

— Winding-up by or subject to the supervision of the court

— Creditors' voluntary winding-up (with confirmation by the court)

— Administration, including appointments made by filing prescribed documents with the court

— Voluntary arrangements under insolvency legislation

— Bankruptcy or sequestration'.

ANNEX II

'ANNEX B

Winding-up proceedings referred to in Article 2(c)

BELGIË/BELGIQUE

— Het faillissement/La faillite

— De vrijwillige vereffening/La liquidation volontaire

— De gerechtelijke vereffening/La liquidation judiciaire

— De gerechtelijke reorganisatie door overdracht onder gerechtelijk gezag/La réorganisation judiciaire par transfert sous autorité de justice

БЪЛГАРИЯ

— Производство по несъстоятелност

ČESKÁ REPUBLIKA

— Konkurs

DEUTSCHLAND

— Das Konkursverfahren

— Das Gesamtvollstreckungsverfahren

— Das Insolvenzverfahren

EESTI

— Pankrotimenetlus

ΕΛΛΑΣ

— Η πτώχευση

— Η ειδική εκκαθάριση

ESPAÑA

— Concurso

FRANCE

— Liquidation judiciaire

IRELAND

— Compulsory winding-up

— Bankruptcy

— The administration in bankruptcy of the estate of persons dying insolvent

— Winding-up in bankruptcy of partnerships

— Creditors' voluntary winding-up (with confirmation of a court)

— Arrangements under the control of the court which involve the vesting of all or part of the property of the debtor in the Official Assignee for realisation and distribution

ITALIA

— Fallimento

— Concordato preventivo con cessione dei beni

— Liquidazione coatta amministrativa

— Amministrazione straordinaria con programma di cessione dei complessi aziendali

— Amministrazione straordinaria con programma di ristrutturazione di cui sia parte integrante un concordato con cessione dei beni

ΚΥΠΡΟΣ

— Υποχρεωτική εκκαθάριση από το Δικαστήριο

— Εκκαθάριση με την εποπτεία του Δικαστηρίου

— Εκούσια εκκαθάριση από πιστωτές (με την επικύρωση του Δικαστηρίου)

— Πτώχευση

— Διαχείριση της περιουσίας προσώπων που απεβίωσαν αφερέγγυα

LATVIJA

— Bankrota procedūra juridiskās personas maksātnespējas procesā

— Bankrota procedūra fiziskās personas maksātnespējas procesā

LIETUVA

— Įmonės bankroto byla

— Įmonės bankroto procesas ne teismo tvarka

LUXEMBOURG

— Faillite

— Régime spécial de liquidation du notariat

MAGYARORSZÁG

— Felszámolási eljárás

MALTA

— Stralċ volontarju

— Stralċ mill-Qorti

— Falliment inkluż il-ħruġ ta' mandat ta' qbid mill-Kuratur f'każ ta' negozjant fallut

NEDERLAND

— Het faillissement

— De schuldsaneringsregeling natuurlijke personen

ÖSTERREICH

— Das Konkursverfahren

POLSKA

— Postępowanie upadłościowe

— Upadłość obejmująca likwidację

PORTUGAL

— Processo de insolvência

— Processo de falência

ROMÂNIA

— Procedura falimentului

SLOVENIJA

— Stečajni postopek

— Skrajšani stečajni postopek

SLOVENSKO

— Konkurzné konanie

SUOMI/FINLAND

— Konkurssi/konkurs

SVERIGE

— Konkurs

UNITED KINGDOM

— Winding-up by or subject to the supervision of the court

— Winding-up through administration, including appointments made by filing prescribed documents with the court

— Creditors' voluntary winding-up (with confirmation by the court)

— Bankruptcy or sequestration'.

ANNEX III

'ANNEX C

Liquidators referred to in Article 2(b)

BELGIË/BELGIQUE

— De curator/Le curateur

— De gedelegeerd rechter/Le juge-délégué

— De gerechtsmandataris/Le mandataire de justice

— De schuldbemiddelaar/Le médiateur de dettes

— De vereffenaar/Le liquidateur

— De voorlopige bewindvoerder/L'administrateur provisoire

БЪЛГАРИЯ

— Назначен предварително временен синдик

— Временен синдик

— (Постоянен) синдик

— Служебен синдик

ČESKÁ REPUBLIKA

— Insolvenční správce

— Předběžný insolvenční správce

— Oddělený insolvenční správce

— Zvláštní insolvenční správce

— Zástupce insolvenčního správce

DEUTSCHLAND

— Konkursverwalter

— Vergleichsverwalter

— Sachwalter (nach der Vergleichsordnung)

— Verwalter

— Insolvenzverwalter

— Sachwalter (nach der Insolvenzordnung)

— Treuhänder

— Vorläufiger Insolvenzverwalter

EESTI

— Pankrotihaldur

— Ajutine pankrotihaldur

— Usaldusisik

ΕΛΛΑΣ

— Ο σύνδικος

— Ο προσωρινός διαχειριστής. Η διοικούσα επιτροπή των πιστωτών

— Ο ειδικός εκκαθαριστής

— Ο επίτροπος

ESPAÑA

— Administradores concursales

FRANCE

— Mandataire judiciaire

— Liquidateur

— Administrateur judiciaire

— Commissaire à l'exécution du plan

IRELAND

— Liquidator

— Official Assignee

— Trustee in bankruptcy

— Provisional Liquidator

— Examiner

ITALIA

— Curatore

— Commissario giudiziale

— Commissario straordinario

— Commissario liquidatore

— Liquidatore giudiziale

ΚΥΠΡΟΣ

— Εκκαθαριστής και Προσωρινός Εκκαθαριστής

— Επίσημος Παραλήπτης

— Διαχειριστής της Πτώχευσης

— Εξεταστής

LATVIJA

— Maksātnespējas procesa administrators

LIETUVA

— Bankrutuojančių įmonių administratorius

— Restruktūrizuojamų įmonių administratorius

LUXEMBOURG

— Le curateur

— Le commissaire

— Le liquidateur

— Le conseil de gérance de la section d'assainissement du notariat

MAGYARORSZÁG

— Vagyonfelügyelő

— Felszámoló

MALTA

— Amministratur Proviżorju

— Riċevitur Uffiċjali

— Stralċjarju

— Manager Speċjali

— Kuraturi f'każ ta' proċeduri ta' falliment

NEDERLAND

— De curator in het faillissement

— De bewindvoerder in de surséance van betaling

— De bewindvoerder in de schuldsaneringsregeling natuurlijke personen

ÖSTERREICH

— Masseverwalter

— Ausgleichsverwalter

— Sachwalter

— Treuhänder

— Besondere Verwalter

— Konkursgericht

POLSKA

— Syndyk

— Nadzorca sądowy

— Zarządca

PORTUGAL

— Administrador da insolvência

— Gestor judicial

— Liquidatário judicial

— Comissão de credores

ROMÂNIA

— Practician în insolvență

— Administrator judiciar

— Lichidator

SLOVENIJA

— Upravitelj prisilne poravnave

— Stečajni upravitelj

— Sodišče, pristojno za postopek prisilne poravnave

— Sodišče, pristojno za stečajni postopek

SLOVENSKO

— Predbežný správca

— Správca

SUOMI/FINLAND

— Pesänhoitaja/boförvaltare

— Selvittäjä/utredare

SVERIGE

— Förvaltare

— Rekonstruktör

UNITED KINGDOM

— Liquidator

— Supervisor of a voluntary arrangement

— Administrator

— Official Receiver

— Trustee

— Provisional Liquidator

— Judicial factor'.