



Brussels,

Agenda of the Expert Group on restructuring and insolvency Law

Third meeting - 28/04/2016

10.00 – 11.00 Discussion on the conditions of access to restructuring tools

- a) Definition of key concepts of the new instrument (affected creditors, non-participating creditors, cram-down, consensual plan, likelihood of insolvency, interim financing, etc...)
- b) Restructuring outcomes/options: restructuring of capital structure or debts and/except sale of the business as a going concern (or only a part of the business)

11.00 - Coffee Break

11.15 - 12.30 Conditions of access - To be continued

- a) Involvement of the court/mediator-supervisor at the initiation stage (decision on appointment, mission and powers)
- b) Publicity issues
- c) Pre-packs and consistency with rules applicable in formal insolvency proceedings

12.30 - Lunch

14.00 - 15.30 Discussion on the content of restructuring plans

- a) Content of the plan to be proposed to all or targeted creditors/claims and/or to be submitted for court confirmation
- b) Class formation issues
- c) Shareholders' position

15.30 - Coffee Break

15.45 - 17.00 Restructuring plans – connected matters

a) Treatment of on-going commercial contracts, specific tools available for SMEs (template for restructuring plans/check list), employment contracts, compliance with State aid rules, etc.

b) Court/mediator-supervisor involvement during the negotiation stage (stay and any other requests)

c) Rules for groups of companies: intra-companies claims/guarantees etc.

17.00 - End of the third meeting

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