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SYMPOSIUM BIBLIOGRAPHY: Selected Insolvency and Bankruptcy Resources

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SYMPOSIUM BIBLIOGRAPHY

SELECTED INSOLVENCY AND BANKRUPTCY RESOURCES

*Jean J. Davis**
*Victoria J. Szymczak***

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SELECTED INSOLVENCY AND BANKRUPTCY RESOURCES

Jean J. Davis
Victoria J. Szymczak

INTRODUCTION

This issue of the *Brooklyn Journal of International Law* discusses cross-border insolvencies, international insolvency projects, and various nations' insolvency laws. To complement this issue, we have prepared a bibliography of selected insolvency and bankruptcy resources,¹ including (1) materials published from 1994 to the present, and (2) regularly updated treatises and collections of laws published prior to 1994. The bibliography refers to useful print and Internet resources, focusing on sources discussed at the "Bankruptcy in the Global Village" symposium held at Brooklyn Law School on September 19, 1996. Speakers at the symposium highlighted the domestic insolvency laws of the Commonwealth of Australia ("Australia"), Canada, the Federal Republic of Germany ("Germany"), the Territory of Hong Kong ("Hong Kong"), Japan, the United Mexican States ("Mexico"), the People's Republic of China ("China"), the United Kingdom of Great Britain and Northern Ireland ("United Kingdom"), and the Socialist Republic of Vietnam ("Vietnam"). This bibliography offers suggestions for locating these laws.

I. GUIDES TO LOCATE PROFESSIONALS

A. Guide to the World's Leading Insolvency Lawyers. London: Euromoney Publications, [1996]. (Int'l. — K 70 B36 G85 1996)

B. InterNet Bankruptcy Library Worldwide Troubled Company Resources (last modified Apr. 12, 1997) <<http://bankrupt.com>>. Bankruptcy Creditors' Service, Inc. and Beard Group,

1. In this bibliography, citations to print sources generally conform to *The Chicago Manual of Style* (14th ed. 1993) and the *Anglo-American Cataloguing Rules* (2d ed., 1988 rev.). Citations to Internet resources conform to *The Bluebook: A Uniform System of Citation* (16th ed. 1996). We have provided locations and call numbers for the materials available at Brooklyn Law School Library.

Inc. maintain this Internet site. It includes a link to *Worldwide Directory of Bankruptcy & Insolvency Professionals* ("last modified" date varies based on region and profession selected) <<http://bankrupt.com/dir.html>>.

II. SELECTED ORGANIZATIONS AND THEIR PUBLICATIONS

A. *INSOL International*

18-19 Long Lane

London EC1A 9HE

England

Telephone: (+44) 171 796 4344

Fax: (+44) 171 796 2353

C. Garth MacGirr, President

This organization focuses on international issues of insolvency practice.

INSOL INTERNATIONAL (last modified Dec. 17, 1996) <<http://www.insolvency.co.uk/ipbodies/insol.htm>> describes this organization's goals, member associations, and upcoming events.

INSOL INTERNATIONAL Member Organisations by Headquarters (last modified Dec. 14, 1996) <<http://www.insolvency.co.uk/ipbodies/insolmem.htm>> includes names, addresses, telephone numbers, and fax numbers of contact persons worldwide. Publications include:

International Insolvency Review: Journal of the International Association of Insolvency Practitioners (biannual journal — formerly *INSOL International Insolvency Review*).

INSOL WORLD (periodic newsletter distributed without charge to "member professionals" of *INSOL International*)

B. *International Bar Association*

271 Regent Street

London W1R 7PA

England

Paul Hoddinolt, Executive Director

Telephone: (+44) 171 629 1206

Fax: (+44) 171 409 0456

Within the Section on Business Law, there is an Insolvency and Creditors' Rights Committee ("Committee J"). *Committee J* (last modified Dec. 12, 1996) <<http://www.casselsbrock.com/jbase.html>> is the World Wide Web version of the Committee J International Insolvency Database. This fee-based database currently includes 1) many articles and papers presented at Committee J functions during the past ten years, 2) additional papers provided by Committee J members, and 3) selected documents, such as Committee J's April 1996 *Report on the UNCITRAL Insolvency Project*. Currently, researchers may search for material in this database by author, title, and country or jurisdiction discussed in a particular document.

Publications of Committee J include:

International Insolvency and Creditors' Rights Report; Newsletter of Committee J: Insolvency and Creditors' Rights.

The Annex to Jonathan Pratter's *International Insolvency Bibliography: Commentary in Books and Journals* (described in Section V below) includes a helpful list of Committee J publications. This list is current through 1994.

C. American Bar Association, Section of Business Law, Business Bankruptcy Committee, International Bankruptcy Subcommittee.

See *Business Bankruptcy (101500)* (last modified Sept. 17, 1996) <<http://www.abanet.org/buslaw/busbnkcy/home.html>>.

Publications of the Section of Business Law include:

Business Law Today (bimonthly magazine); *The Business Lawyer* (quarterly business and financial law journal).

D. American Bankruptcy Institute

44 Canal Center Plaza, Suite 404

Alexandria, Virginia 22314

USA

Telephone: (+1) (703) 739 0800

Fax: (+1) (703) 739 1060

E-mail: abi@pipeline.com

Robert E. Feidler, Chair, International Committee

Mary Jo Heston, Chair, INSOL Subcommittee

See *Committees of the American Bankruptcy Institute* (last modified Apr. 21, 1997) <<http://www.abiworld.org/org/committee.html>>.

Publications include:

Cracking the Code: A Newsletter of Insolvency Issues (last updated Apr. 29, 1997) <<http://www.abiworld.org/newslet/codehome.html>>.

American Bankruptcy Institute Journal (10 issues/yr.).

American Bankruptcy Institute Law Review (biannual law review).

Note: The American Branch of the International Law Association also has an international insolvency committee. The January 1997 issue of the *ILA Newsletter* of the American Branch and the 1995-1996 *Proceedings of the American Branch of the International Law Association* indicate that the position of international insolvency committee "organizer" is vacant.

III. ELECTRONIC MAILING LISTS

A. Unmoderated Discussion Group for Bankruptcy Professionals, Law Students, and Finance Students
BANKRLAW@polecat.law.indiana.edu

B. Unmoderated Forum for Bankruptcy Professionals
ROUNDTABLE@bankrupt.com

C. Bankruptcy and Insolvency Newswire
TWN (T & W Newswire)

Note: Descriptions of, and subscription instructions for, these lists appear at the electronically accessible guide *Law Lists* (last updated Oct. 15, 1996) <<http://www.lib.uchicago.edu/cgi-bin/law-lists>>. Lyonette Louis-Jacques, Foreign and International Law Librarian and Lecturer in Law at the University of Chicago D'Angelo Law Library, maintains this extremely useful resource. A researcher needs an electronic mail account with Internet access to subscribe to an electronic mailing list.

IV. LEGAL PERIODICALS

A. *Annual Survey of Bankruptcy Law*. Wilmette, IL: Clark Boardman Callaghan, 1979-. (Law Rev. — P An933)

The 1996-1997 edition includes 1) the article "Section 304 and Related Provisions — United States Treatment of Foreign Insolvencies" by Evan D. Flaschen and Brian N. Watkins, and 2) a section (pp. 583-647) on the *Norton Publications-International Bar Association Cross-Border Insolvency Concordat*. The section on the *Concordat* reproduces the text of the *Cross-Border Insolvency Concordat* as reviewed, revised, and adopted by the International Bar Association's Council of the Section on Business Law in September 1995. The 1995-1996 edition contains 1) the article "Cross Border Aspects of Mexican Insolvency Law" by John A. Barrett and John A. Barrett, Jr., and 2) an English version of the Mexican Law of Bankruptcy and Suspension of Payments. The 1994-1995 edition provides 1) the article "The Law and Practice of International Insolvencies, Including a Draft Cross-Border Insolvency Concordat," Mike Sigal, Principal Contributing Editor, which includes a discussion of Canadian insolvency legislation and proceedings, and 2) the January 1994 version of the *Cross-Border Insolvency Concordat*.

B. *Fordham Law Review*. New York: Fordham University School of Law, 1914-. (Law Rev. — P F7)

Volume 64, Issue no. 6 (May 1996) is a survey issue regarding international insolvencies.

C. *International Insolvency Review: Journal of the International Association of Insolvency Practitioners*. Chichester; New York: John Wiley, 1993-. (The acquisitions librarian has ordered this review).

The "Documentation" section of Volume 5, Issue 2 (Winter 1996) includes 1) *Joint Project of UNCITRAL and INSOL International on Cross-Border Insolvencies: Expert Committee's Report on Cross-Border Insolvency Access and Recognition*, 2) *UNCITRAL/INSOL*

Judges' Colloquium (Toronto, Canada, 22 & 23 March 1995): Presentation of the Evaluators, and 3) the European Union Convention on Insolvency Proceedings. Volume 4, Special Conference Issue (1995), contains the edited proceedings of the 1994 Vienna Colloquium on Cross-Border Insolvency.

Note: Researchers may obtain citations to additional useful legal periodical articles by consulting indexes such as: *Current Index to Legal Periodicals* (primary focus: United States — WESTLAW database CILP contains the eight most recent issues of this weekly publication), *Current Law Index* (primary focus: United States), *Index to Legal Periodicals and Books* (primary focus: United States), *Index to Foreign Legal Periodicals*, *European References* (CD-ROM product), *European Legal Journals Index*, *Canadian Current Law: Canadian Legal Literature* and *Legal Journals Index* (primary focus: United Kingdom).

V. BIBLIOGRAPHIES

A. Pratter, Jonathan. *International Insolvency Bibliography: Commentary in Books and Journals*. Austin, TX: Jmail Center for Legal Research, Tarlton Law Library, University of Texas at Austin, c1995. (1 Ref. — K 1371 P73 1995)

Jonathan Pratter is the Foreign and International Law Librarian at the Tarlton Law Library, Jmail Center for Legal Research, University of Texas at Austin. Pratter's bibliography provides comprehensive coverage of secondary sources on international insolvency through 1994. It will greatly benefit those who are building international insolvency collections. Pratter describes the contents of collective works.

B. United Nations Commission on International Trade Law. *Bibliography of Recent Writings Related to the Work of UNCITRAL*, U.N. Doc. A/CN.9/429 (26 Apr. 1996). [Vienna: The Commission, 1996].

This work includes a brief section (p. 18) on cross-border insolvency. Available in the library's *United Nations Documents and Publications Law Library*

Collection on microfiche.

VI. RESEARCH AND PRACTICE GUIDES

A. Reynolds, Thomas H., and Arturo A. Flores. *Foreign Law: Current Sources of Codes and Basic Legislation in Jurisdictions of the World*. Littleton, CO: F.B. Rothman, 1989-. (1 Ref. & Int'l. — K 38 R49 1989)

Within the entry for a particular country or jurisdiction, consult the subject heading BANKRUPTCY (INSOLVENCY) to obtain titles of, and citations to, relevant legislation. (Latest update: Feb. 1997).

B. Germain, Claire M. *Transnational Law Research*. Ardsley-on-Hudson, NY: Transnational Juris Publications, c1991-. (1 Ref. — K 85 G47 1991)

This guide provides titles of, and citations to, primary and secondary sources in Chapter IV, pp. 57-61, BANKRUPTCY. (Latest update: Aug. 1995).

C. *HIEROS GAMOS — Business and Legal Guides* (last modified Mar. 28, 1997) <<http://www.hg.org/guides.html>>.

The Guides to Doing Business series is a key part of the Hieros Gamos World Wide Web site. This series includes guides to over 50 jurisdictions, written in English. These guides provide helpful overviews for business professionals. Hong Kong is one of the jurisdictions that researchers may select by scrolling down the Hieros Gamos World Wide Web page. Johnson, Stokes & Master, a large Hong Kong law firm, prepared the Hong Kong Guide in December 1995. The publication includes a 2½ page summary of the Hong Kong insolvency law. This guide explains that the insolvency laws of Hong Kong companies, and the operations of foreign corporations, appear in the Hong Kong Companies Ordinance and subsidiary legislation. Researchers may download the entire document, without charge, from this site. Although gaining access to the Hieros Gamos World Wide Web site can take five minutes or longer, the “zipped” Hong Kong Guide file downloads quickly. The Hieros Gamos World Wide

Web site provides unzip software.

D. Low, Lucinda A., Patrick M. Norton, and Daniel M. Drory, eds. *The International Lawyer's Deskbook*. Washington: Section of International Law and Practice, American Bar Association, c1996. (Int'l. — K 48 I63 1996)

Chapter 20 of this guide for practitioners discusses creditors' rights and bankruptcy.

E. Collier, William Miller. *Collier on Bankruptcy*. 15th ed., rev. Editor-in-Chief Lawrence P. King. New York: Matthew Bender, c1996-. (Main — KF 1524 A1 C58 1996)

This multivolume treatise focuses on United States laws and practice. One useful section is: Volume 2, Chapter 304 ("Cases Ancillary to Foreign Proceedings"). Additional helpful references appear in the index under headings such as: FOREIGN PROCEEDINGS and FOREIGN REPRESENTATIVES. (Latest update: Feb. 1997).

F. Norton, William L., Jr. *Norton Bankruptcy Law and Practice 2d*. Deerfield, IL: Clark Boardman Callaghan, c1994-. (Main — KF 1524 N672 1994)

This multivolume treatise primarily concerns United States laws and practice. Volume 6A, Chapter 152 concerns international insolvencies. This volume includes Appendix 152, which reproduces, in English, the Mexican *Law of Bankruptcy and Suspension of Payments*. (Latest supplement: Feb. 1997).

G. Dicey, Albert Venn. *Digest of the Law of England with Reference to the Conflict of Laws*. 12th ed. General ed. Lawrence Collins. London: Sweet & Maxwell, 1993-. (Int'l. — KD 680 D534 1993)

Chapter 31 focuses on bankruptcy. (Latest supplement: 1996).

H. Fletcher, Ian F. *Conflict of Laws and European Community Law: With Special Reference to the Community Conventions on Private International Law*. Amsterdam; New York: North-Holland Publishing; New York: Distributors for the U.S. and Canada, Elsevier Science Publishers, 1982. (Int'l. — KJE 972 F53

1982)

VII. COMPARATIVE LAW ENCYCLOPEDIA

Stuyck, Jules, ed. *International Encyclopaedia of Laws. Commercial and Economic Law*. Deventer; Boston: Kluwer Law and Taxation Publishers, c1993-. (Int'l. — K 48 I583)

Each national monograph contains a chapter regarding bankruptcy and related institutions. (Latest release: Apr. 1996).

VIII. PRINT SOURCES OF LAWS

A. *Digest of Commercial Laws of the World*. Dobbs Ferry, NY: Oceana Publications, c1966-. (Int'l. — K 1004.2 D47)

This multivolume reference work includes citations to, and abstracts of, the commercial laws of Australia, Canada, China, England, Germany, Hong Kong, Japan, Mexico, the Republic of Ireland, and Scotland. Within the entry for a particular country or jurisdiction, consult the section: BANKRUPTCY AND COMPOSITION. (Latest release: Mar. 1997).

B. *Commercial Laws of the World*. Ormond Beach, FL: Foreign Tax Law Publishers, 1976-.

Currently, this multivolume compilation includes selected, full-text commercial laws of Australia, Canada, Germany, Hong Kong, Japan, Mexico, and the United Kingdom. Foreign Tax Law Publishers translates into English laws of countries whose official language is not English. Publication dates of specific volumes vary. Researchers may update information in this compilation with the publisher's *Foreign Tax Law Bi-Weekly Bulletin*, which covers selected new, and proposed, commercial laws and tax laws. For example, volume 1995, number 1 of the *Bi-Weekly Bulletin* states that a new German insolvency law (Insolvenzordnung) will become effective on January 1, 1999, and explains that this law appeared in the October 18, 1994 Bundesgesetzblatt. Volume 1995, number 8 of the *Bi-Weekly Bulletin* provides English translations of

1994 amendments to the German Bankruptcy Ordinance (Konkursordnung) of February 10, 1877.

C. International Centre for Settlement of Investment Disputes, comp. *Investment Laws of the World*. Dobbs Ferry, NY: Oceana Publications, c1972-. (Int'l. — K 1112 A48)

This multivolume work includes selected foreign investment laws of China, Mexico, and Vietnam. (Latest update: Mar. 1997).

D. *Tax Laws of the World*. Ormond Beach, FL: Foreign Tax Law Publishers, 19 -.

This multivolume compilation includes selected, full-text tax laws of Australia, Germany, Hong Kong, Japan, and the United Kingdom. Foreign Tax Law Publishers translates into English laws of countries whose official language is not English. Publication dates of specific volumes vary. Researchers may update information in this treatise with the publisher's *Foreign Tax Law Bi-Weekly Bulletin*. For example, volume 1997, number 3 of the *Bi-Weekly Bulletin* contains highlights of the 1997 Mexican Tax Reform Law.

E. Wood, Philip, and Peter G. Totty, eds. *Butterworths International Insolvency Laws*. London: Butterworths, 1994. (Int'l. — K 1370 B89 1994)

This work includes chapters on German and Japanese insolvency laws.

Note: Researchers could identify official and unofficial sources of a country's laws by consulting *Foreign Law: Current Sources of Codes and Basic Legislation in Jurisdictions of the World* and *Transnational Law Research*, previously described in Section VI of this guide.

IX. LEXIS-NEXIS SOURCES OF LAWS

A. Library: ASIAPC (Asia and Pacific Rim Library), files: CHINAL (China Laws and Regulations from the People's Republic of China), BBCSWB (BBC Summary World Broadcast)

Researchers may be able to update information in

CHINAL by conducting the following search in the BBCSWB file: HLEAD (**insert keywords from a Chinese law**)

B. Library: AUST (Australia Library), files: HALSAU (*Hal-sbury's Laws of Australia*), COMACT (Australian Commonwealth Acts), COMREG (Australian Commonwealth Regulations)

C. Library: EUROPE (Europe Library), file: ECLAW (European Communities Law)

D. Library: MEXICO (Bienvenidos a la Biblioteca de Mexico/Mexico Library), file: MXFED (Leyes Federales, Diario Oficial)

Data is in Spanish.

E. Library: UNITED KINGDOM (United Kingdom/British Isles), file: STATIS (A group file of current General Public Acts and Statutory Instruments of England and Wales, which also includes selected Scottish Acts relevant to England)

F. Library: INTLAW (International Law Library), file: ASIL (American Society of International Law Publications, including data from the *American Journal of International Law*, *International Legal Materials* and the Basic Documents of International Economic Law file)

G. Library: LAWREV (Law Review Library); ALLREV (Combined Law Review Files)

Subject-specific law reviews and law journals sometimes reproduce, and often describe, new foreign laws.

Note: To determine how frequently LEXIS-NEXIS updates the previously described libraries and files, researchers should consult the appropriate LEXIS-NEXIS online guide and should contact a LEXIS-NEXIS representative.

X. WESTLAW SOURCES OF LAWS

A. CODMEX (Codigos Civil y de Comercio Mexicanos)
Data is in Spanish.

B. MEXCODE (Mexican Civil and Commercial Codes translated by Abraham Eckstein and Enrique Zepeda Trujillo)

C. INT-EEUROPE (Commercial Laws of Eastern and Central Europe)

D. VIETNMOG (Documents from *Vietnam Official Gazette*)

XI. INTERNET SOURCES OF LAWS

A. *Australasian Legal Information Institute* ("AustLII") (last modified Apr. 29, 1997) <<http://www.austlii.edu.au>>.

AustLII includes Australia's Commonwealth Consolidated Acts and Commonwealth Consolidated Regulations. It provides the Bankruptcy Act 1966, updated through February 28, 1996. The Faculties of Law at the University of Technology, Sydney and the University of New South Wales operate AustLII.

B. *Bancomext, the Mexico Information Center for North America* (last modified Oct. 17, 1996) <<http://www.mexico-trade.com>>.

The publication "Mexico Business Opportunities And Legal Framework" is one of many resources on Mexico and Latin America available through the Bancomext World Wide Web home page. From this home page, researchers could select "Mexico Business Opportunities" to access the table of contents for "Mexico Business Opportunities and Legal Framework." The law firm Goodrich, Riquelme y Asociados completed this guide on June 30, 1995; however, it appears that an unnamed "Editor" subsequently added Sections XIX through the Conclusion. Section XVI of the guide, "Dissolution of Business Entities," includes a description of the Mexican Federal Bankruptcy and Suspension of Payments Law of 1943. Researchers can down-

load the document without the use of additional software.

C. China Expo: Laws and Regulations of the People's Republic of China Governing Foreign-Related Matters (last modified Feb. 11, 1997) <<http://www.chinaexpo.com/laws>>.

This site contains English translations of selected Chinese laws. The Bureau of Legislative Affairs of the State Council of the People's Republic of China provides the data, and China Expo Inc.'s editors revise the material. Category 3, "Accounting and Taxation Laws," includes The General Rules Governing Enterprise Financial Affairs approved by the State Council on November 16, 1992, and promulgated by Decree No. 4 of the Ministry of Finance on November 30, 1992. These rules include Chapter X, Enterprise Liquidation.

D. Foreign and International Law Web (last modified Mar. 22, 1997) <<http://lawlib.wuacc.edu/forint/forintmain.html>>.

This keyword searchable site, provided by Washburn University School of Law Library, offers links to foreign and international law primary sources and research tools.

E. A Guide to Japanese Law (last modified Apr. 21, 1997) <<http://home.highway.or.jp/JAPANLAW>>.

This site includes "Frequently Asked Questions About Conflict of Laws" by Tatsuo Shigeta, "Frequently Asked Questions About Contract Law" by Mami Karatsu, "International Commercial Litigation in Japan" by Kenji Nakashima, and "The Legal Profession in Japan" by the Kitahama Law Office. Many of the authors of documents available at this site are lawyers licensed to practice in Japan.

F. Her Majesty's Stationery Office ("HMSO") (last modified Mar. 14, 1997) <<http://www.hmso.gov.uk>>.

In the United Kingdom, HMSO is part of the Machinery of Government and Standards Group of the Cabinet Office (Office of Public Service). HMSO's site currently includes Public General Acts from 1996, as

originally passed by Parliament. It also contains Statutory Instruments from 1997.

G. InterNet Bankruptcy Library Worldwide Troubled Company Resources (previously described in Section I of this guide).

This site includes a link to *Bankruptcy & Insolvency Resource Materials* (last modified Apr. 17, 1997) <<http://bankrupt.com/about.html>>. This link contains some foreign law resources.

H. Internet Chinese Legal Research Center (last modified Nov. 27, 1996) <<http://www.siu.edu/offices/lawlib/chinalaw>>.

Wei Luo, Assistant Technical Services Librarian and Assistant Professor at Southern Illinois University School of Law, maintains this useful site. It contains links to legal resources on China, Hong Kong, and the Republic of China on Taiwan. Luo also provides helpful suggestions for updating the laws of China.

I. Law-On-Line/Asia-Pacific On-Line (visited Apr. 30, 1997) <<http://www.lawhk.hku.hk>>.

This fee-based service of Asian Information Resources Ltd. includes laws of China and Hong Kong. The Information Centre of the State Council Legislative Affairs Bureau provides the Chinese laws, in Chinese and English.

J. National Law Center for Inter-American Free Trade ("NLCIFT") (last modified Apr. 29, 1997) <<http://www.natlaw.com>>.

This commercial site provides electronic or "snail mail" delivery of primary materials. NLCIFT offers the Mexican Law of Bankruptcy and Suspension of Payments in English for US\$147.50 to those who are not member subscribers. For subscribers, the price is US\$75.75. This site is easy to use and provides quick access to data.

K. Parliamentary Internet Parlementaire (last modified Apr. 18, 1997) <<http://www.parl.gc.ca>>.

The Parliament of Canada's World Wide Web site includes recent, official publications of the Canadian

Parliament. For example, this site currently provides the text of Bill C-5, An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Income Tax Act, as passed by the House of Commons on October 23, 1996. Under "Status of House Business" and the subheading "Government Bills," a researcher may also obtain status information on Bill C-5, such as the date of Royal Assent. Researchers should use this site in conjunction with the *Government of Canada Primary Internet Site* (last modified Apr. 1, 1997) <<http://canada.gc.ca>>.

L. *The UK Bankruptcy & Insolvency Website* (last modified Apr. 2, 1997) <<http://www.insolvency.co.uk>>.

This site includes the text of the United Kingdom's Insolvency Act 1994, the Insolvency Act (No. 2) 1994, and excerpts from the Insolvency Act of 1986. This site also offers a "Summary of Insolvency Procedures." These are charts containing options available for companies, partnerships, and individuals, according to the Insolvency Act of 1986. This site also contains recent issues of Dibb Lupton Alsop's *Insolvency Law Update*. Insolvency Solutions, Ltd. is the listed contact for responses to questions.

M. *The U.S. House of Representatives Internet Law Library Bankruptcy and Debt Collection Law* (last modified Apr. 29, 1997) <<http://law.house.gov/311.htm>>.

N. *The U.S. House of Representatives Internet Law Library Laws of other nations* (last modified Apr. 29, 1997) <<http://law.house.gov/52.htm>>.

O. *Vietnam Information* (last modified June 18, 1996) <<http://coombs.anu.edu.au/~vern/vninfo/vninfo.htm>>.

Pham Thuc Truong Luong is the creator and editor of *Vietnam Information*. This site provides links to Vietnamese legal documents, such as *Vietnam Legal Documents: Enterprise* (last modified June 18, 1996) <<http://coombs.anu.edu.au/~vern/vninfo/docs/e.htm>>. *Vietnam Legal Documents: Enterprise* includes English translations of the December 23, 1994 Decree of the

Government Guiding the Implementation of the Law on Business Bankruptcy (No. 189-CP), and the December 30, 1993 Law on Business Bankruptcy. The translations of these documents at this World Wide Web site differ from the English translations in *Foreign Investment Laws of Vietnam*.

XII. INTERNATIONAL AND REGIONAL DOCUMENTS DISCUSSED AT THE SYMPOSIUM

A. *Convention on Insolvency Proceedings*, initialed by the 15 European Union member states on September 25, 1995.

The May 23, 1995 deadline for signing this convention has expired. The United Kingdom did not sign the convention by this deadline. The authors obtained the text of this convention (in English) from the Press Office of the Council of the European Union in Brussels. Additionally, this text (in English) appears in: 35 *International Legal Materials* 1223 (1996); the "Documentation" section of *International Insolvency Review: Journal of the International Association of Insolvency Practitioners*, Volume 5, Issue 2 (Winter 1996); and this issue of the *Brooklyn Journal of International Law* at p. 75. See also footnote number 8 in Ian F. Fletcher's article, "The European Union Convention on Insolvency Proceedings: An Overview and Comment, With U.S. Interest in Mind," in this issue at p. 27.

B. Virgos, Miguel, and Etienne Schmit. *Report on the Convention on Insolvency Proceedings*. EU Council Document 6500/96, DRS 8 (CFC), Brussels, May 3, 1996.

As of February 27, 1997, the Council of Ministers had not approved this report, therefore, this document was not available for public distribution. Future updates on the status of a revised, approved report might be available from the Public Inquiries Section, Office of Press and Public Affairs, Delegation of the European Commission in Washington, DC.

C. *European Convention on Certain International Aspects of Bankruptcy / Convention Européenne sur Certains Aspects*

Internationaux de la Faillite ("Istanbul Convention"). Opened for signature June 5, 1990, *European Treaty Series* No. 136 (text in English and French). Strasbourg: Conseil de l'Europe, 1990. Also reprinted in 30 *International Legal Materials* 165 (1991) (text in English).

D. International Aspects of Bankruptcy: Explanatory Report on the Istanbul Convention (5 June 1990)/Council of Europe. Strasbourg: Council of Europe Press, 1991. (Int'l. — KJC 4290 A4199 A33 1991)

This work includes the text of the Istanbul Convention.

E. Cross-Border Insolvency Concordat 1995.

Reprinted in the 1996-1997 edition of the *Annual Survey of Bankruptcy Law* (previously described in Section IV of this guide).

F. UNCITRAL HOME PAGE — Main Index (last modified Mar. 11, 1997) <<http://www.un.or.at/uncitral/mainindx.htm>>.

The World Wide Web home page of the International Trade Law Branch of the United Nations Office of Legal Affairs services the United Nations Commission on International Trade Law ("UNCITRAL"). This home page provides a link to recent publications of UNCITRAL and its working groups. Currently, there is an index with citations to the Working Group on Insolvency Law's provisional agenda, U.N. Doc. A/CN.9/WG.V/WP.47 from the 21st Session (20-31 Jan. 1997), and to the revised articles of the draft *UNCITRAL Model Legislative Provisions on Cross-Border Insolvency*, U.N. Doc. A/CN.9/WG.V/WP.48 from the 21st Session. Following the index are instructions for ordering these documents.

G. United Nations. Commission on International Trade Law. Working Group on Insolvency Law. Report of the Working Group on Insolvency Law on the Work of Its Nineteenth Session (New York, 1-12 Apr. 1996). U.N. Doc. A/CN.9/422 (25 Apr. 1996).

Available in the library's *United Nations Documents and Publications Law Library Collection* on micro-

fiche.

H. United Nations. Commission on International Trade Law. Working Group on Insolvency Law. *Cross-Border Insolvency: Draft Legislative Provisions on Judicial Cooperation and Access and Recognition in Cases of Cross-Border Insolvency*. U.N. Doc. A/CN.9/WG.V/WP.44 (8 Mar. 1996).

Available in the library's *United Nations Documents and Publications Law Library Collection* on microfiche.

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The most recently published *Yearbook* (Volume XXVI, which covers 1995 activities) contains the previously described *Cross-Border Insolvency Draft Legislative Provisions on Judicial Cooperation and Access and Recognition in Cases of Cross-Border Insolvency*. Volume XXV, which covers 1994 activities, includes: *Cross-Border Insolvency: Report on UNCITRAL-INSOL Colloquium on Cross-Border Insolvency: Note by the Secretariat*. U.N. Doc. A/CN.9/398 (19 May 1994).

K. *International Statement of United States Bankruptcy Law: Discussion Draft (April 17, 1996)/The American Law Institute Transnational Insolvency Project*. Philadelphia: Executive Office, American Law Institute, c1996. (Reserve — KF 1544 I58 1996)

XIII. INSOLVENCY AND BANKRUPTCY BOOKS (RECENT PUBLICATIONS APPEAR FIRST)

A. Fletcher, Ian F. *The Law of Insolvency*. 2nd ed. London: Sweet & Maxwell, 1996. (Int'l. — KD 2139 F53 1996)

B. Halliday, Terence C., and Bruce G. Carruthers. *Empowering the Weak: The Fortunes of Weak Creditors in the Politics of the 1978 United States Bankruptcy Code and the 1986 English Insolvency Act*. Chicago: American Bar Foundation, [1996]. (Main — KF 209 W67 #9520)

C. Balz, Manfred, and Hans-Georg Landfermann, eds. *Die Neuen Insolvenzgesetze. [The New Insolvency Laws.]* Düsseldorf: IDW-Verlag, 1995.

Includes explanatory materials and text of two German insolvency laws.

D. Wood, Philip. *Principles of International Insolvency*. London: Sweet & Maxwell, 1995. (Int'l. — K 1370 W66 1995)

E. Leonard, E. Bruce, and Christopher W. Besant, eds. *Current Issues in Cross-Border Insolvency and Reorganisations*. London; Boston: Graham & Trotman; London: International Bar Association; Norwell, MA: Kluwer Academic Publishers Group, 1994. (Int'l. — K 1375.4 C87 1994)

F. Lightman, Gavin, and Gabriel Moss. *The Law of Receivers of Companies*. 2nd ed. London: Sweet & Maxwell, 1994.

G. Ziegel, Jacob S., ed. *Current Developments in International and Comparative Corporate Insolvency Law*. Oxford: Clarendon Press; New York: Oxford University Press, 1994. (Int'l. — K 1375.6 C87 1994)

H. Campbell, Dennis, and Anthony E. Collins, eds. *Corporate Insolvency and Rescue: The International Dimension*. Deventer; Boston: Kluwer Law and Taxation Publishers, 1993.

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K. Campbell, Dennis, ed. International Corporate Insolvency Law. London; Boston: Butterworths, 1992. (Int'l. — K 1370 I54 1992)

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M. Fletcher, Ian F., ed. Cross-Border Insolvency: Comparative Dimensions: The Aberystwyth Insolvency Papers. London: United Kingdom National Committee of Comparative Law: Distributed by the British Institute of International and Comparative Law, 1990.

N. Gitlin, Richard A., and Rona R. Mears, eds. International Loan Workouts and Bankruptcies. Stoneham, MA: Butterworth Legal Publishers, c1989. (Int'l. — K 1370 I56 1989)

O. General Insolvency Inquiry/Commissioner in Charge: Ronald Harmer. Sydney: Australian Law Reform Commission, 1985.