

# Maritime Cross-Border Insolvency

Erik Göretzlehner

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An Analysis for Germany, England & Wales  
and the USA

 Springer

Erik Göretzlehner  
Frankfurt am Main, Germany

ISBN 978-3-030-11792-4      ISBN 978-3-030-11793-1 (eBook)  
<https://doi.org/10.1007/978-3-030-11793-1>

Library of Congress Control Number: 2019933392

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*To RFG*

# Acknowledgments

This book has been accepted by the law faculty of the University of Bremen, Germany, as PhD thesis (*Inaugural Dissertation*) in winter semester 2017/2018. Literature and case law publications have been reflected in this book until and including December 2018.

I would like to thank in particular my doctorate supervisor Mr. Prof. Dr. Graf-Peter Calliess, who provided support and guidance throughout the entire process, without which this book would not have been successfully realized. I would like to thank Prof. Dr. Thilo Kuntz as well for his second thesis review and opinion (*Zweitgutachten*).

Furthermore, I would like to thank the Verein zur Förderung von Forschung und Lehre auf den Gebieten des Maritimen Rechts in der Metropolregion Bremen-Oldenburg im Nordwesten e.V. and its chairman Dr. Thomas Brinkmann for the generous granting of an academic scholarship.

My friend and colleague Mr. Ilie Manole, attorney at law with Willkie Farr & Gallagher, Frankfurt, gave valuable support in proofreading this book.

Finally, I would like to thank my family for their unconditional support for any goal I have set in my life. Without the motivation and necessary reflection I received from my wife Friederike, this book would not have been possible, thank you.

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# Abbreviations

11 U.S.C.	Title 11 United States Bankruptcy Code
28 U.S.C.	Title 28 United States Code—Judiciary and Judicial Procedure
34 & 35 Henry VIII, c. 4	1542 Statute of Bankrupts c. 4—An Act against such Persons as do make Bankrupt
4 & 5 Anne, c. 17	1705 Bankruptcy Act
7 <sup>th</sup> Cir.	United States Court of Appeals for the Seventh Circuit
AC	Appeal Cases
AG	<i>Amtsgericht</i> (Local Court in Germany)
ALI	American Law Institute
ALR	Australian Law Reports
AMC	American Maritime Cases
Art.	Article
B.C.	Before Christ
B.C.C.	British Company Law Cases
B.C.L.C.	Butterworth’s Company Law Cases
B.R.	West’s Bankruptcy Reporter
Bankr. S.D.N.Y.	United States Bankruptcy Court for the Southern District of New York
Bankr. S.D.Tex.	United States Bankruptcy Court for the Southern District of Texas
Bankr. W.D.N.Y.	United States Bankruptcy Court for the Western District of New York
BCCI	Bank of Credit and Commerce International
Beschl. v.	<i>Beschluss vom</i> (German court order on)
BGB	<i>Bürgerliches Gesetzbuch</i> (German Civil Code)



BGBI.	<i>Bundesgesetzblatt</i> (German Federal Law Gazette)
BGH	<i>Bundesgerichtshof</i> (German Federal Court of Justice)
BGHZ	Entscheidungen des Bundesgerichtshofs in Zivilsachen
BinSchG	<i>Binnenschiffahrtsgesetz</i> (German Code for Inland Waterway Transport)
BT-Drs.	<i>Bundestagsdrucksache</i> (Document of the German Parliament)
BVerfG	<i>Bundesverfassungsgericht</i> (Federal Constitutional Court of Germany)
C.A.	Court of Appeal
CBI Agreement	Cross-Border Insolvency Agreement
CBIR	Cross-Border Insolvency Regulations 2006
Ch.	Chancery Division
CJEU	Court of Justice of the European Union
CMI	<i>Comité Maritime International</i>
Cmd	Command paper by the British Government
COMI	Centre of Main Interest
CVA	Company Voluntary Agreement
D. Md.	District of Maryland
dwt	Deadweight tonnage
E.C.R.	European Court Reports
ed.	Edition
Eds.	Editors
EGBGB	<i>Einführungsgesetz zum Bürgerlichen Gesetzbuche</i> (German Introductory Act to the Civil Code)
EU	European Union
EUR	Euro (€)
EWHC	High Court of Justice of England and Wales
EwIR	Entscheidungen zum Wirtschaftsrecht
F.	Federal Reporter
F. 2d	Federal Reporter 2 <sup>nd</sup> series
F. 3d	Federal Reporter 3 <sup>rd</sup> series
F. Supp.	Federal Supplement
FC	Federal Court (Canada)
FCA	Federal Court of Australia
FCR	Federal Court Reports (Australia)
fn.	Footnote
GBP	Great Britain Pound (£)
GVG	<i>Gerichtsverfassungsgesetz</i> (German Courts Constitution Act)
Hanjin	Hanjin Shipping Corporation

HGB	<i>Handelsgesetzbuch</i> (German Commercial Code)
H.L.	House of Lords
H.R. Doc No. 137, 82d Cong., Sess.	House Report Document, United States Congressional Serial Set
IA 1986	Insolvency Act 1986
IDW PS 800	Institut der Wirtschaftsprüfer in Deutschland e.V. Prüfungsstandard 800 – <i>Beurteilung eingetretener oder drohender Zahlungsunfähigkeit bei Unternehmen</i>
III	International Insolvency Institute
IMO	International Maritime Organization
InsO	<i>Insolvenzordnung</i> (German Insolvency Code)
IWG	International Working Group of the Comité Maritime International
J.	Judge
LG	<i>Landgericht</i> (Regional Court in Germany)
LJ	Lord Justice of Appeal (England and Wales)
Ll. L. Rep.	Lloyd's Law Reports
marg. no.	Marginal Number
Moo. N.S.	Moore New Series
Moo. P.C.	Moore's Reports Privy Council Cases
NJW	Neue Juristische Wochenschrift
NZI	Neue Zeitschrift für Insolvenz- und Sanierungsrecht
OHADA	Organisation pour l'Harmonisation en Afrique du Droit des Affaires
OLG	<i>Oberlandesgericht</i> (Higher Regional Court in Germany)
p.	Page
P. D.	Law Reports: Probate, Divorce and Admiralty Division
para.	Paragraph
Q.B.	Queen's Bench
RG	<i>Reichsgericht</i> (Imperial Court of Justice in Germany from 1879 to 1945)
RGZ	Entscheidungen des Reichsgerichts in Zivilsachen
Rn.	<i>Randnummer</i> (marginal number)
S.D.N.Y.	Southern District of New York
Sch.	Schedule
SCR	Supreme Court Reports (Canada)
sec.	Section
seq.	<i>Sequens</i> (the following one)

seqq.	<i>Sequentes</i> (the following ones)
SGHC	Singapore High Court (unreported judgments)
SLR	Singapore Law Reports
Suppl. Rule	Supplemental Rule
TEU	Twenty-foot Equivalent Unit (unit to describe the capacity of container ships and container terminals)
TranspR	Transportrecht
Tul. L. Rev.	Tulane Law Review
USA	United States of America
USD	US Dollar (\$)
UN	United Nations
UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Commission for Trade and Development
US Code Cong. & Admin. News	United States Code Congressional and Administrative News
VDR	Verband Deutscher Reeder (German Shipowners' Association)
VersR	Zeitschrift für Versicherungsrecht, Haftungs- und Schadensrecht
ZInsO	Zeitschrift für das gesamte Insolvenzrecht
ZIP	Zeitschrift für Wirtschaftsrecht
ZPO	<i>Zivilprozessordnung</i> (German Code of Civil Procedure)
ZVG	<i>Zwangsversteigerungsgesetz</i> (German Enforcement Code)