

ANNOTATION OF THE MONOGRAPH

BIRYUKOV ALEXANDER, INSOLVENCY LAW. COMPARATIVE ANALYSIS: MONOGRAPH, Kiev University Publishing House (2000), 163 pp.

The monograph is based on the dissertation for Kandidat Nauk Degree in Law (Ph.D. equivalent) successfully defended by the author at Kyiv National University in April 1999.

The book is devoted to comparative analysis of insolvency legislation of the following countries: USA where there is the most developed legislation; Germany, that belongs to continental legal system family; Russia and Ukraine, where this sphere of law has been significantly recently revised. The author revised the main theories and doctrines in the sphere of insolvency law and their historical development.

Insolvency has been well known in many countries of the world for several centuries but there are no fundamental researches in the newest history of Ukraine in this field of law as well as an independent Ukraine does not have a history of having these free-market instruments to solve the problems of the debtor in financial distress.

The structure of the book is the following: introduction, two chapters that consist of fifteen subchapters, conclusion and the list of the used literature.

In the Introduction to the book the author focused on the theoretical background of Ukrainian bankruptcy legislation and the main stages of the latest reform of bankruptcy law in this country.

Two subchapters of the first chapter gives the basics of insolvency law and development of insolvency law from the ancient days to nowadays with a short history of the formation of this sphere of legislation and main features of the insolvency law in some European and North American countries.

The second chapter consists of thirteen subchapters that gives a comparative analysis of the main elements of bankruptcy law in chosen countries such as insolvency (bankruptcy) definition, types of bankruptcy proceedings, procedural position of a debtor, creditors and other participants in bankruptcy cases, the main stages of court proceedings, consequences of declaration a debtor insolvent (bankrupt) and crimes connected with of bankruptcies.

As a result of the research the author worked out proposals to be taken into account in the process of Ukrainian bankruptcy law reform. Also it can help the formation of concept of insolvency law to be implemented in Ukraine.