




## Pre-pack: check the map with the current situation in Spain

The so-called pre-pack is a legal tool that allows, after a competitive screening of offers prior to the opening of insolvency proceedings, for the express sale of the debtor's operational business units, free of debts and maintaining their key contracts in force. Even though it has not yet been legally configured in the Spanish Recast Insolvency Act, commercial judges are gradually introducing this mechanism by way of judicial orders and protocols, anticipating to what will –most likely– be statutorily provided for by the transposition of the Directive (EU) 2019/1023 of the European Parliament and of the Council, dated June 20, 2019. Precisely, the Draft Bill for the Reform of the Recast Insolvency Act has already adopted it, in order to encourage the sale of productive units and bring forward as much workload as possible during the pre-insolvency phase.

This map shows the national territories that have already adopted this tool (or similar), either through protocols agreed by commercial judges or through judicial orders.

-  Provinces with pre-pack procedure. Click on the territory to consult.
-  Pre-pack procedure unavailable, although it is expressly accepted by the Commercial Courts by referring to procedures in other territories.
-  No pre-pack procedure as yet and it has not been expressly accepted by the Commercial Courts

