

STICHTING BOB WESSELS INSOLVENCY LAW COLLECTION

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Annual Report 2020

Introduction

The Stichting Bob Wessels Insolvency Law Collection is a Dutch incorporated legal person ('Foundation'). It was founded in August 2016, at the initiative of prof. em. Bob Wessels. The Foundation has acquired the private collection of books and other media in the field of national and international insolvency law of prof. em. Wessels (the 'Collection') and it aims to secure, maintain and expand this Collection for the future, provide access to it by national and international students and researchers and to organize related activities for a broad, general public.

The Foundation's main goal is to provide access to the Collection as well as maintaining and safekeeping of the Collection. For this reason the Foundation concluded an agreement regarding custody and management of a substantial part of this unique collection with Leiden University or similar institutions in 2018. Furthermore, it aims to achieve its goals by organizing public meetings and lectures, courses and taking initiatives in the field of publications related to the Collection. Pursuant to its articles of incorporation, it may also employ any lawful means that could contribute to the purpose(s) of the Foundation.

Activities

During 2020, the Foundation dealt with two important activities:

- The Collection was further catalogued in the official system of Leiden University and is now fully searchable within that system. The cooperation between the Foundation and the University Library of Leiden University was further intensified with the start of the inclusion of the personal library of the late Ian Fletcher, former board member of the Foundation, which was so generously donated by his wife, Letitia Crabb. Due to COVID-19, the cataloging process is still ongoing.
- The second annual PhD-Workshop was held on 5-6 March 2020 (to some extent linked to Bob Wessels' 71th anniversary on 4 March 2020) with 17 applicants from all over the world of whom 8 were elected to present their paper and 6 others were given the opportunity to be present with a self-made poster on their topic (see [Annex 1](#) for the program and [Annex 2](#) for some photo's). Both days were of high quality (both presenters and posters) and the discussions were vividly and thorough.

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Management

The Foundation is managed by a board, consisting of five law professors, prof. Matthias Haentjens and prof. Reinout Vriesendorp (acting as Chairman and secretary/treasury respectively, both of Leiden University), prof. Eric Dirix (Belgium), prof. Stephan Madaus (Germany) and dr. Paul Omar (England). It convened on 5 March 2020 when the second Bob Wessels PhD Workshop was held in Leiden for its annual board meeting. The day-to-day management is performed by Matthias Haentjens as Chairman and Reinout Vriesendorp as Secretary/Treasurer who have been assisted by Gert-Jan Boon (Leiden University) as adjunct-secretary. He also assisted Stephan Madaus in organizing the PhD Workshop.

Financials

The purchase price for the Collection was borrowed from the contributor and will be repaid in 5 years' time from committed gifts. In addition, the Foundation will receive the first five years an annual gift as a contribution to satisfy costs required for cataloguing, maintenance and expansion of the Collection. In 2020, the loan for the Collection was fully repaid by the last gift.

a) ANBI status

The Foundation is a charitable foundation under Dutch tax laws (ANBI), which includes several formal requirements, including the maintenance of a website and the publication of a policy plan.

b) Annual Accounts 2020

Balance sheet year-end 2020		amounts in EUR (€)	
Assets		Liabilities	
<i>Fixed assets</i>		<i>Equity</i>	
Collection	€ 135.000,00	per 31 December 2020	€ 168.460,94
<i>Floating assets</i>	€ 36.000,17	<i>short term debt</i>	€ 2.539,23
Total assets	€ 171.000,17	Total liabilities	€ 171.000,17

c) Budget 2021

For 2021, the founder continued his generosity towards the Foundation with another 5-year gift (*lijfrente*) in cash (€ 12.500 p.y.) to enable the Foundation to upgrade the Collection and increase its activities in the field of stimulating young researchers in the field of international insolvency law. The extra donation will also enable the Foundation to continue the PhD-workshop and to start its other activities as described in its policy plan and shortly described in the introduction of this annual report. Thanks to the generous offers made by Letitia Crabb, Ian Fletcher's widow, and SouthSquare, Gabriel Moss' firm, the Foundation was able to acquire the relevant parts of their private collections on English (international) insolvency law which enables the Foundation to expand the range of its international insolvency collection. Expenses are expected with respect to the third PhD Workshop (approx. € 2.500), updating

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and digitizing the Collection (approx. € 5.000) and professionalizing the website and administrative expenses (approx. € 2.500).

Envisaged activities in 2021 onwards

Now the larger part of the Bob Wessels Insolvency Law Collection was moved to and taken care of by the Leiden University Law School library, the Foundation can shift its focus to the integration of Ian Fletcher's and Gabriel Moss' libraries.

Further, the Collection will be expanded with new books. The PhD Workshops' alumni will be asked to act as 'ambassadors/correspondents' and make suggestions from the jurisdictions they originate or master otherwise.

The Collection should become more easily accessible. This requires digitizing and improving access to the Collection. It is decided to investigate digital access to at least the list of the Collection on a modernized website with a new website address:

www.insolvencylawcollection.org.

The Collection aims to attract more – physical and internet – visitors for the Collection and intensify its contacts with (young) international researchers and judges from all over the world who are interested in studying international/cross-border insolvency law. The Foundation may act as a conduit for starting PhD researchers who face difficulty to become connected to existing networks. It is envisaged to liaise with the PhD alumni to develop ideas.

Due to COVID-19 the third edition of the PhD-workshop is a virtual one which opened the opportunity to have more participants through livestream. Hopefully will the fourth edition in 2022 again an in-person meeting in Leiden.

Leiden, March 2021

M. Haentjens, Chairman

R.D.Vriesendorp, Secretary/Treasurer

Annex 1 Program BWILC PhD Workshop

Stichting Bob Wessels Insolvency Law Collection

Venue: Academy Building Leiden University (Hall of the Faculty of Law)

Rapenburg 73, Leiden (The Netherlands)

Program PhD Workshop on European/International Insolvency Law			
Thursday 5 March 2020		Friday 6 March 2020	
12.30-13.00	Arrival and registration	09.00-09.05	Welcome back (prof. Haentjens)
13.00-13.15	Welcome by the Dean of PhD Studies at Leiden Law School (Dr. Masja van Meeteren) Welcome on behalf of the Board St BWILC	09.05-10.30	Exchange of posters; discussion (chair: prof. Haentjens) - Shuai Guo - Svetla Kacharova - Ilya Kokorin - Chiara Lunetti - Axel Krohn
13.15-13.30	Introduction attendees		
13.30-17.00	Part I (chair: prof. Madaus)	10.30-13.30	Part II (chair: dr. Omar)
13.30-14.00	- Georg Wabl Duties of directors where there is a likelihood of insolvency under the EU Directive on Restructuring and Insolvency	10.30-11.00	- Warren de Waegh Maritime insolvencies: the fate of maritime creditors in the EU
14.00-14.15	o Discussion	11.00-11.15	o Discussion
14.15-14.45	- Gert-Jan Boon And ... action! A comparative review of the role of the DIP in insolvency proceedings	11.15-11.30	Coffee/Tea
14.45-15.00	o Discussion	11.30-12.00	- Pride Chanakira A comparative analysis of the corporate rescue approach adopted in the UK with the new trend of preventive
15.00-15.30	Coffee/Tea	12.00-12.15	o Discussion
15.30-16.00	- Geleite Xu Reforming China's crisis management and market exit mechanism for insurers: a comparative legal study between China, the UK and the US	12.15-12.45	- Aleksandra Krawczyk Selective restructuring arrangements
16.00-16.15	o Discussion	12.54-13.00	o Discussion
16.15-16.45	- Walter Nijnens The lawfulness of processing personal data and the insolvency practitioner's duty to communicate	13.00-13.45	Lunch
16.45-17.00	o Discussion	13.45-14.15	- Ioannis Bazinas Cross-border insolvency and the recognition of foreign judgments
17.00-18.30	Drinks	14.15-14.30	o Discussion
18.30-21.00	Dinner at City Hall (Stadshuisplein 3, Leiden)	14.30-15.00	Award Ceremony Bob Wessels Prize (prof. em. Wessels) Closing and Group Photo (prof. Vriesendorp)

Annex 2 BWILC PhD Workshop



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