

NEWSLETTER

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Art. 299 of Commercial Companies Code - court supervisor's salary

Please be informed about the latest Supreme Court ruling on liability of the board members of limited liability company provided for in Art. 299 of the Commercial Companies Code (the Supreme Court's resolution of 8 October 2015, file no III CZP 54/15).

In the resolution, the Supreme Court considered the issue of liability of board members of limited liability company in respect of the obligations incurred after an application for bankruptcy of the company.

After analyzing the Supreme Court pointed out that **the liabilities incurred after an application for bankruptcy of the company, including liabilities arising from temporary court supervisor's salary, unenforced from a limited liability company, for dismissing a bankruptcy petition pursuant to art. 13 paragraph 1 Bankruptcy and Reorganization Law** (the company's assets are not sufficient to cover the costs of the insolvency proceedings) **are under the responsibility of board members provided for in Art. 299 of the Commercial Companies Code.**
