

Business Reorganisation Assessment

📍 West Bank and Gaza



European Bank
for Reconstruction and Development



Special thanks to:

West Bank contributors:

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General Information

Macro Data

West Bank: 2.882
Gaza: 1.899

Population (million)¹

2.0%

GDP growth rate¹

US\$ 2,926

GDP per capita¹

د.ا
Jordanian dinar – JOD

Currency

15-20%

Corporate tax rate²

-0.735%

Inflation rate³

32.0%

Unemployment rate¹

Insolvency Legislation

The primary legislative text governing insolvency (bankruptcy) proceedings for legal entities and entrepreneurs (known as traders) in the West Bank is the **Trade Law of 1966** (the West Bank Insolvency Law). Other relevant legislation includes the **Companies Law of 1964**.

Separate insolvency legislation applies to Gaza, which has been an officially separate legal system from the West Bank since 2006. In Gaza, insolvency proceedings are governed mainly by the Trade Law 2014 (the Gaza Insolvency Law). Other relevant

legislation in Gaza is the Companies Law of 2012 and the Civil Law of 2014. There is no applicable secondary legislation applicable to insolvency (bankruptcy) either in the West Bank or in Gaza.

Courts in the West Bank apply the laws applicable in the West Bank and the courts in Gaza apply the laws applicable in Gaza. While some laws were historically unified, insolvency provisions were never unified and prior to the enactment of the Trade Law of 2014, insolvency was governed by the Companies Laws No. 18 of 1928, the Partnerships Law No. 19 of 1930 and the Bankruptcy Law No. 6 of 1936, now all repealed. Gazan laws, as applied by Gazan courts, take precedence over the previously unified laws of West Bank and Gaza.

Insolvency Data

No official data is publicly available. Neither the Palestinian Central Bureau of Statistics nor the Ministry of National Economy publish official statistics on insolvency. There are no scores for resolving insolvency in the 2020 World Bank Doing Business report due to lack of established practice in West Bank and Gaza⁴.

Company Information

The main legislative framework for companies in West Bank is the Trade Law of 1966 and the Company Act of 1964. The main legislative framework for companies in Gaza is the Companies Law of 2012, the Trade Law of 2014 and the Civil Law of 2014.

Information about companies in West Bank and Gaza is contained in a central register, which is overseen by the **Ministry of National Economy of Palestine**. The Companies Register is available [here](#) but contains limited information. All newly-registered companies are published in the Official Gazette. Insolvency rulings are not recorded in the Companies Register. However, any company which is insolvent would need to undergo liquidation and the liquidation process would be recorded in the Companies Register.



¹ World Bank – As per the WBG Report to the Ad Hoc Liaison Committee, available at: www.imf.org/en/Countries/ResRep/WBG

² PWC – Source as of August 2021: taxsummaries.pwc.com/palestinian-territories

³ World Bank – Source as of August 2021: data.worldbank.org/indicator/FP.CPI.TOTL.ZG?locations=PS

⁴ See page 55 of www.doingbusiness.org/content/dam/doingBusiness/country/w/west-bank-and-gaza/WBG.pdf



Insolvency Courts, Regulatory Authorities and Practitioners

Courts of first instance act as insolvency courts. Their jurisdiction is established based on the debtor's principal seat of management (i.e., within the territorial jurisdiction of the relevant district court). Judges in West Bank and Gaza act in accordance with the Judicial Authority Act No. 1 of 2002 (as amended) enacted by the Palestine Legislative Council. Prior to adoption of the Judicial Authority Act, courts in the West Bank operated in accordance with pre-1967 Jordanian laws and the courts in Gaza operated according to pre-1948 British laws.

An insolvency practitioner (known as a trustee) is appointed by the court following a declaration of insolvency. The appointment of the trustee will be approved by the Controller of Companies, an advertisement on the appointment will be published in the local newspapers, and a certificate to that effect will be issued by the Controller. The insolvency of a trader will be registered in the Real Estate Register by the insolvency practitioner against any real estate properties of the insolvent trader in accordance with the same procedures for mortgages and real estate collaterals. The register is subject to supervision, management and regulation by the Palestinian Land Authority. Insolvency practitioners are not regulated and do not need to have a licence, registration or other special authorisation to act. While the Gaza Insolvency Law provides for a ministerial decision to be issued to regulate the profession of trustees (Article 603 of the Gaza Insolvency Law), this has yet to be applied in practice. There is no publicly-available register of insolvency practitioners. In practice, insolvency practitioners are usually either lawyers or auditors.

Part B

Business Reorganisation in West Bank

Are there any incentives for extrajudicial voluntary agreements (workouts)?

No, there are no incentives for extrajudicial voluntary agreements.

What is the nature and purpose of the reorganisation procedure?

The Insolvency Law provides for two reorganisation procedures: a composition procedure (الصلح الوافي) and a conciliation procedure (الصلح). **Click here** for a high-level overview of these procedures.

Composition procedure

The composition procedure is a court-supervised procedure that allows a debtor to file a petition to the court for a composition with its creditors with the aim of avoiding insolvency (Article 290).

Conciliation procedure

A conciliation can be reached as part of the general insolvency (bankruptcy) procedure to avoid insolvent liquidation. The conciliation may include repayment of debt by instalments, discharge of debts and requirements for payment if the debtor becomes solvent again, in accordance with the same conditions in respect of the composition procedure stated in Part I of the Insolvency Law (Article 397).

Who can commence the process and what entry conditions apply?

Composition procedure

The procedure can only be initiated by the debtor before it is in a state of suspension of payments, i.e. cash-flow insolvency, or within ten days following a suspension of payments. To initiate a composition procedure the debtor must submit a petition to the court of first instance requesting its creditors to be contacted to offer them composition (in avoidance of) insolvency (Article 290).

The debtor must present in support of its petition its company books and records for a minimum of three years, or from the start of its commercial activities if the period is less than three years. The documentation must be accompanied by a certificate witnessing its registration in the Companies Register and a detailed and approximate report of its business activities, as well as a list of all its creditors with reference to the amount of the debts owed and the creditors' addresses.

The debtor must also clarify the reasons behind the request for composition along with the proposed composition. The proposed composition may not be less than a proposal for payment of 30 per cent of the original debt if the time limit for payment is one year, 50 per cent if the time limit for payment is 18 months or 75 per cent if the time limit for payment is three years (Article 291). Secured creditors must give up their security to participate and thus composition is, in practice, for unsecured claims only.

Conciliation procedure

A conciliation can only be reached within the main insolvency procedure, i.e. once the debtor has been declared insolvent (bankrupt).

Only the judge can propose a conciliation by inviting creditors to negotiate the terms of the agreement. Only creditors whose debts have been accepted or provisionally accepted are invited. Creditors holding a mortgage, security over real-estate or security over movables may not participate in voting, unless they give up their security in accordance with the rules set out for the composition (Articles 383 and 387). As with composition, conciliation is primarily for unsecured creditor claims.

Is there any court involvement?

Yes, both the West Bank reorganisation procedures are fully court-supervised. The composition procedure is commenced by

the debtor before the court, which is responsible for approval of the composition plan. The conciliation procedure is initiated by the court within main insolvency (bankruptcy) proceedings.

Are there any hybrid reorganisation procedures?

No, there are no hybrid reorganisation procedures.

Does the debtor remain in possession of and continue to manage its business?

Composition procedure

Yes, during composition, the debtor continues to manage its assets and carries out all ordinary actions required for its commercial activities under the supervision of an authorised person and the authority of the delegated judge. An authorised person must not be a creditor. The duties of the authorised person are to supervise the management of the debtor's business, examine the credit and debt situation and perform an investigation into the conduct of the debtor in order to present a report to the body of creditors (Articles 293-5 and 296-1).

Conciliation procedure

No. The declaration of insolvency by the debtor results in the surrender of all management powers including any assets which are then managed by the insolvency practitioner (known as a trustee) (Article 327). The insolvency practitioner is appointed by the court and is remunerated from the debtor's assets (Article 338).

References to Articles are to Articles of the Insolvency Law, unless specified otherwise. For an explanation of technical terms, please see the **Glossary of the Main Assessment Report**

Is there a need to appoint an insolvency practitioner?

Composition procedure

No. If the court is satisfied that the petition is legal and acceptable, it appoints an authorised person who is not a creditor and whose duties are to supervise the management of the debtor, examine the debtor's financial position and perform an investigation into the conduct of the debtor (Article 293-5).

Conciliation procedure

Yes, management of the assets of the debtor is handed over to an insolvency practitioner who is appointed by the court. The declaration of insolvency may include the appointment of one or more insolvency practitioners, which may be increased up to three insolvency practitioners. The fees and remuneration of insolvency practitioners are determined by the judge (Article 338).

It is not permissible to appoint an insolvency practitioner who is a relative of the debtor or an in-law to the fourth degree (Article 340).

Is there any applicable stay or moratorium?

Composition procedure

Yes. From the date of lodging the petition until the court's decision validating the composition plan, no creditor which has an instrument dated prior to the date of the decision may commence or proceed with execution or acquiring priority on the assets of the debtor or register a mortgage or a priority right over real estate (Article 295-1). The moratorium does not affect secured creditors; however, if the proceeds from any realisation of secured assets does not cover their debts they will be subject to a moratorium on taking any enforcement action with respect to the unsecured portion of their claims. Taxes are excluded from the moratorium. The court may order that precautionary measures are taken to safeguard creditors' rights (Article 320).

Conciliation procedure

Yes, with respect to unsecured and preferred claims and for any ongoing actions only. A declaration of insolvency (bankruptcy) results in the suspension of individual actions brought by ordinary creditors and those holding general priority rights (Article 329). After the declaration, actions may only be brought against the insolvency practitioners without discriminating between commercial and public debts. From the declaration of insolvency, interest on debts not secured by priority rights or security is suspended (Article 330).

Is there any protection for essential contracts and to prevent termination of contracts by third parties?

No, the law does not provide for protection against third-party termination of contracts due to the debtor entering into either the composition procedure or insolvency proceedings (including conciliation). There are no provisions protecting contracts that are essential for continuation of the debtor's activities. However, the authorised person or insolvency practitioner, as applicable, will help to determine the future of any contracts for the benefit of the debtor business.

Is new financing protected by law?

No, subject to the below observations, there is no specific protection for new financing.

Composition procedure

The Insolvency Law contains a principle that new loans executed by the debtor during the composition are ineffective without permission from the judge, who may not grant permission unless the benefits are clear for the debtor (Article 297).

Conciliation procedure

Creditors should be consulted on the possibility of granting the debtor a sum of money in the form of aid from the insolvency (bankruptcy) estate. If a majority of the creditors agree to grant such aid, the insolvency practitioner proposes an amount and the delegated judge decides on the final amount.

Does the law recognise separate classes of creditors for voting purposes?

No, under both procedures there are no separate classes for voting purposes. Only unsecured creditors are allowed to vote (Articles 302-1 and 386). Secured creditors can vote provided they give up their security (Articles 302-2 and 387).

What are the majorities required to approve a reorganisation plan?

Composition procedure

The majority of unsecured creditors that have voted, representing at least three quarters of the unsecured debts, must accept the composition (Article 302-1).

Secured creditors holding securities, mortgage or priority rights over immovables or movables, can only vote with unsecured creditors if they have relinquished their security rights (Article 302-2).

Conciliation procedure

Conciliation is concluded with the consent of a majority of creditors that hold two-thirds of the final or provisional debts. The insolvent debtor's spouse, relatives, in-laws to the fourth degree and persons to whom it has affected a disposal in accordance with the rules set out in the Part I under composition, are not allowed to participate in the voting (Article 386-1).

Secured creditors holding securities, mortgage or priority rights over immovables or movables can only vote with unsecured creditors if they have relinquished their security rights (Article 387).

Who does the reorganisation plan bind?

Composition procedure

A composition plan approved by the court is binding on all creditors, including any non-consenting minority creditors (Article 312-1).

Conciliation procedure

The conclusion of the conciliation after approval is binding on creditors whether they are mentioned in the debtor's balance sheet or not and whether or not their debts were approved. It is also binding on creditors whose claims were provisionally accepted (Article 395-1).

Conciliation is not effective against secured creditors and any ordinary unsecured creditors to the extent their debts occurred during the insolvency proceedings (Article 395-2).

What is the timeframe for the reorganisation procedure and any moratorium?

Composition procedure

There is no overall maximum timeframe for the procedure, but some time periods are fixed for various procedural steps.

If the court is satisfied that a petition by the debtor to commence the procedure is legal and acceptable, it orders creditors to be called before a delegated judge to discuss and debate the proposed composition within a maximum of thirty days from the date of the court's order (Article 293).

Prior to signing the composition agreement, the judge must call all relevant persons to attend a meeting before the court in order to approve the composition, which must take place on a date not exceeding twenty days thereafter (Article 305).

Dissenting creditors may object to the approval of the composition plan within five days from the date of finalisation of the court minutes. The time limit for a formal appeal of the court's decision approving the plan for any debtor or creditor is fifteen days (Article 311).

The moratorium commences on the date of lodging the petition and comes to an end following the court's decision validating the composition plan.



Conciliation procedure

The conciliation procedure has no overall maximum timeframe for the procedure, but there are time limits for various procedural steps. This procedure is an option within insolvency (bankruptcy) proceedings.

Insolvency proceedings starts with an insolvency petition filed by the debtor within 20 days from the date of suspension of payments (Article 318).

The moratorium commences on the declaration of insolvency (bankruptcy) of the debtor but is only effective against unsecured claims arising prior to such declaration.

Has the UNCITRAL Model Law on Cross Border Insolvency been adopted?

No, the UNCITRAL Model Law has not been adopted and there are no provisions in the legislation for the recognition of foreign insolvency proceedings or for cooperation with courts or insolvency practitioners from other jurisdictions. Any foreign judgment to be enforced will be in accordance with the recognition of foreign judgment procedures adopted in the Civil Procedures Law applicable in Palestine.

Special features/observations:

- When the West Bank came under Jordanian Rule, all Jordanian legislation applicable in Jordan at the time became applicable in the West Bank and remained in place unless subsequently repealed or amended. The Trade Law of 1966 and the Companies Law of 1964 (both of which are of Jordanian origin) continue to be effective in the West Bank.
- In 2012, the Ministry of National Economy in Palestine worked on the preparation of a debt settlement bill to address the issue of duplication of insolvency laws in the West Bank and Gaza. However, the draft bill has not progressed.
- Composition and conciliation are not very common in practice as many legal entities and entrepreneurs opt for informal and voluntary out-of-court procedures. The lack of a separate dedicated insolvency law also creates gaps and inconsistency in practice, and may be the main reason for lack of an established practice of insolvency in the West Bank and Gaza.

Part C

Business Reorganisation in Gaza

Are there any incentives for extrajudicial voluntary agreements (workouts)?

No, there are no incentives for extrajudicial voluntary agreements.

What is the nature and purpose of the reorganisation procedure?

The Insolvency Law provides for two reorganisation procedures: a composition procedure (الصلح الوافي) and a conciliation procedure (الصلح). Click **here** for a high-level overview of these procedures.

Composition procedure

The composition procedure is a court-supervised procedure that allows a debtor to file a petition to the court for a composition with its creditors with the aim of avoiding insolvency (Article 764).

Conciliation procedure

A conciliation can be reached as part of the general insolvency (bankruptcy) procedure to avoid insolvent liquidation provided the debtor is not accused of fraudulent bankruptcy. The conciliation may include repayment of debt by instalments, discharge of debts and requirements for payment if the debtor becomes solvent again, and might include a requirement for guarantors (Article 703).

Who can commence the process and what entry conditions apply?

Composition procedure

The procedure can only be initiated by the debtor before it is in a state of suspension of payments, i.e. cash-flow insolvency, or within 15 days following a suspension of payments. To initiate a composition procedure the debtor must submit a petition to the court of first instance requesting its creditors to be contacted to offer them a composition (in avoidance of) insolvency (Article 764).

The debtor must also clarify the reasons behind the request for composition and the proposed composition (Article 769). The debtor must present in support of its petition: a certificate from the Companies Register proving the debtor's compliance with the provisions of the Companies Register for the two years preceding the petition; a certificate from the Chamber of Commerce that the debtor has practised commerce on regular bases and continuously for the two preceding years; mandatory commercial records; a copy of the budget; the balance sheet for the two years preceding the petition; a statement regarding the total personal expenses for the two preceding two years (for individuals); a detailed statement of the movable and immovable property and its approximate value when the petition was submitted; and a statement of the names of creditors and debtors, their addresses, the amount of their indebtedness and the securities granted to them (Article 770).

In addition to the above, companies must submit a copy of their by-laws and articles of association (Article 771).

Secured creditors must give up their security to participate; thus composition is, in practice, for unsecured claims only.

Conciliation procedure

A conciliation can only be reached within the main insolvency procedure i.e., once the debtor has been declared insolvent (bankrupt), provided the insolvency is not fraudulent.

A judge will initiate the conciliation procedure upon the request of the debtor. Following commencement of proceedings, the judge invites creditors to negotiate the terms of the agreement. Only creditors whose debts have been accepted or provisionally accepted are invited.

Similarly to the composition procedure, conciliation is primarily for unsecured creditor claims since secured creditors would need to give up their security to participate.



References to Articles are to Articles of the Insolvency Law, unless specified otherwise. For an explanation of technical terms, please see the **Glossary of the Main Assessment Report**

Is there any court involvement?

Yes, both procedures are fully court-supervised procedures. The composition procedure is commenced by the debtor before the court, which is responsible for approval of the composition plan, and if the request is approved, the court will delegate a judge to supervise the proceedings and to appoint an insolvency practitioner (trustee) (Article 776).

The conciliation procedure is initiated by the court at the debtor's request within the context of main insolvency (bankruptcy) proceedings. The process is fully managed by the court (Article 697) and the enforcement of the conciliation agreement is carried out by the court-appointed insolvency practitioner (trustee) (Article 707).

Are there any hybrid reorganisation procedures?

No, there are no hybrid reorganisation procedures.

Does the debtor remain in possession of and continue to manage its business?

Composition procedure

Yes, during the proceedings, the debtor continues to manage its assets and carries out all ordinary actions required for its commercial activities under the supervision of an insolvency practitioner (trustee) appointed by the delegated judge (Article 781).

Conciliation procedure

No. The declaration of insolvency by the debtor results in surrender of all management powers, including any assets, which are managed thereafter by the insolvency practitioner (trustee) (Article 621). The insolvency practitioner is appointed by the court (Article 603) and the remuneration is determined by the court (Article 609).

Is there a need to appoint an insolvency practitioner?

Composition procedure

Yes, if the composition proposal is accepted, the court would appoint an insolvency practitioner (trustee) (Article 776), who must fulfil all the requirements of an insolvency practitioner (Article 777).

Conciliation procedure

Yes, an insolvency practitioner (trustee) appointed by the court takes over management of the debtor's assets. The declaration of insolvency may include the appointment of one or more insolvency practitioners, which may be increased to up to three insolvency practitioners. The fees and remuneration of insolvency practitioners are determined by the judge (Articles 603 and 609).

It is not permissible to appoint an insolvency practitioner in either procedure who is a relative of the debtor or an in-law to the fourth degree, or a previous business partner or an auditor/account of the debtor (Article 604).

Is there any applicable stay or moratorium?

Composition procedure

Yes. From the date of lodging the petition, the court may take any necessary measures to safeguard the debtors' monies until a decision is issued regarding the petition (Article 773). If the petition is approved, then all lawsuits and execution procedures directed against the debtor will be suspended as soon as the judgment is rendered. (Article 782). The court may order that precautionary measures are taken to safeguard creditors' rights (Article 590).

Conciliation procedure

Yes, with respect to unsecured and preferred claims and for any ongoing actions only. A declaration of insolvency (bankruptcy) results in the suspension of individual actions brought by ordinary creditors and those holding general priority rights. (Article 637).

Is there any protection for essential contracts and to prevent termination of contracts by third parties?

No, the law does not provide any express protection against third-party termination of contracts due to the debtor entering into either the composition procedure or insolvency proceedings (including conciliation) if the contract contained such terms. However, the law states that insolvency (bankruptcy) does not automatically lead to the termination of any contracts entered into prior to the bankruptcy, and that termination of contracts is

possible if the insolvency practitioner does not continue to carry out obligations under such contracts.

Is new financing protected by law?

No, subject to the observations below, there is no specific protection for new financing.

A debtor who enters a composition procedure is not allowed to borrow money except after obtaining the judge's approval. Otherwise, creditors of the new debt would not be able to claim such debt in front of the original creditors (Article 781).

Does the law recognise separate classes of creditors for voting purposes?

No, creditors vote as one group. However, creditors who are relatives up to the second degree of the debtor are not able to vote during conciliation proceedings (Article 700) and secured creditors may not vote during conciliation proceedings unless they give up their security (Article 701). The same rules apply to the composition procedure (Article 797). In practice, if the conciliation or composition fails, secured creditors would regain their rights since the relinquishment of any secured rights would not be final until the conciliation or composition plan is approved.

What are the majorities required to approve a reorganisation plan?

Composition procedure

The composition can only take place with the approval of the majority of unsecured creditors whose debts have been finally or temporarily accepted, provided that they hold two-thirds of the value of these debts. Creditors which did not participate in voting on the terms of the composition are not included in the calculation of these two majorities. (Article 796)

Secured creditors holding securities, mortgage or priority rights over immovables or movables can only vote with unsecured creditors if they have relinquished their security rights (Article 797). However, the relinquishment would not be final until the composition is approved.

Conciliation procedure

Conciliation needs the approval of a majority of unsecured creditors who make up the numerical majority and own two-thirds of the value of the debts that were accepted on a permanent or temporary basis. If one of the two aforementioned majority is not available, the deliberation shall be adjourned once for a period of ten days (Article 699).

Secured creditors holding securities, mortgage or priority rights over immovables or movables can only vote with unsecured creditors if they have relinquished their security rights (Article 701). However, the relinquishment would not be final until the composition is approved.

Who does the reorganisation plan bind?

Composition procedure

A composition plan approved by the court is binding on all unsecured creditors, including any non-consenting minority of unsecured creditors and those which did not participate in the composition proceedings (Article 803).

Any security rights granted after the composition proceedings were commenced would not be enforceable against the general body of (unsecured) creditors (Article 782).

Conciliation procedure

Once approved by the court, the conciliation agreement is binding on all unsecured creditors even if they did not participate in the agreement or agree to it (Article 706).

Secured creditors are able to enforce their secured rights irrespective of commencement of a composition or conciliation procedure (Article 637(3)). However if registration of the security right occurred after the date of cessation of payments, i.e. insolvency of the debtor, and after 30 days from the date on which the security interest was created or reported, the security right may not be enforceable against the general body of (unsecured) creditors (Article 633).

What is the timeframe for the reorganisation procedure and any moratorium?

Composition procedure

There is no overall maximum timeframe for the procedure, but some time periods are fixed for various procedural steps. If the court is satisfied that a petition by the debtor to commence the procedure is legal and acceptable, then it will inform the court clerk immediately (Article 779(1)).

The appointed insolvency practitioner has five days from his appointment to initiate the procedure, to publish a summary of the process in a daily newspaper selected by the delegated judge and to invite the creditors with known addresses (Article 779(2)). All creditors must submit their claims to the court (even if their debts were not due at that time) within ten days from the publication in the newspaper if they reside in Palestine, and within 30 days if they reside outside of Palestine (Article 785).

The insolvency practitioner makes a list of all claims and hands it to the court clerk within 30 days of the end of the timeframe for the creditors to submit their claims; however, the trustee may request the court for additional time (Article 787(1)). Once the list of claims is submitted to the court, it is published in a daily newspaper, and all creditors are notified of the list.

Any creditors which want to object to the list must do so within ten days after the publication/notification (Article 788). After such period, the judge will issue a list of a debts which are not contested (Article 789(1)). Within 30 days after receiving the objections, the judge must issue the final list of all debts (Article 789(3)).

Conciliation procedure

As with composition, there is no overall maximum timeframe for the procedure, but there are time limits for various procedural steps within the procedure.

Once the court launches the conciliation procedure, the court has five days to summon all creditors whose debts were included in the creditors' list created during the petition of insolvency (bankruptcy)

(Article 696(2)). Any objection regarding the result of the conciliation must be submitted within ten days from the date of commencement of conciliation. The appointed judge must issue the conciliation particulars with a report regarding the objections within three days after the ten-day window has passed and send such report to the court that declared the insolvency of the debtor (Article 704).

Has the UNCITRAL Model Law on Cross Border Insolvency been adopted?

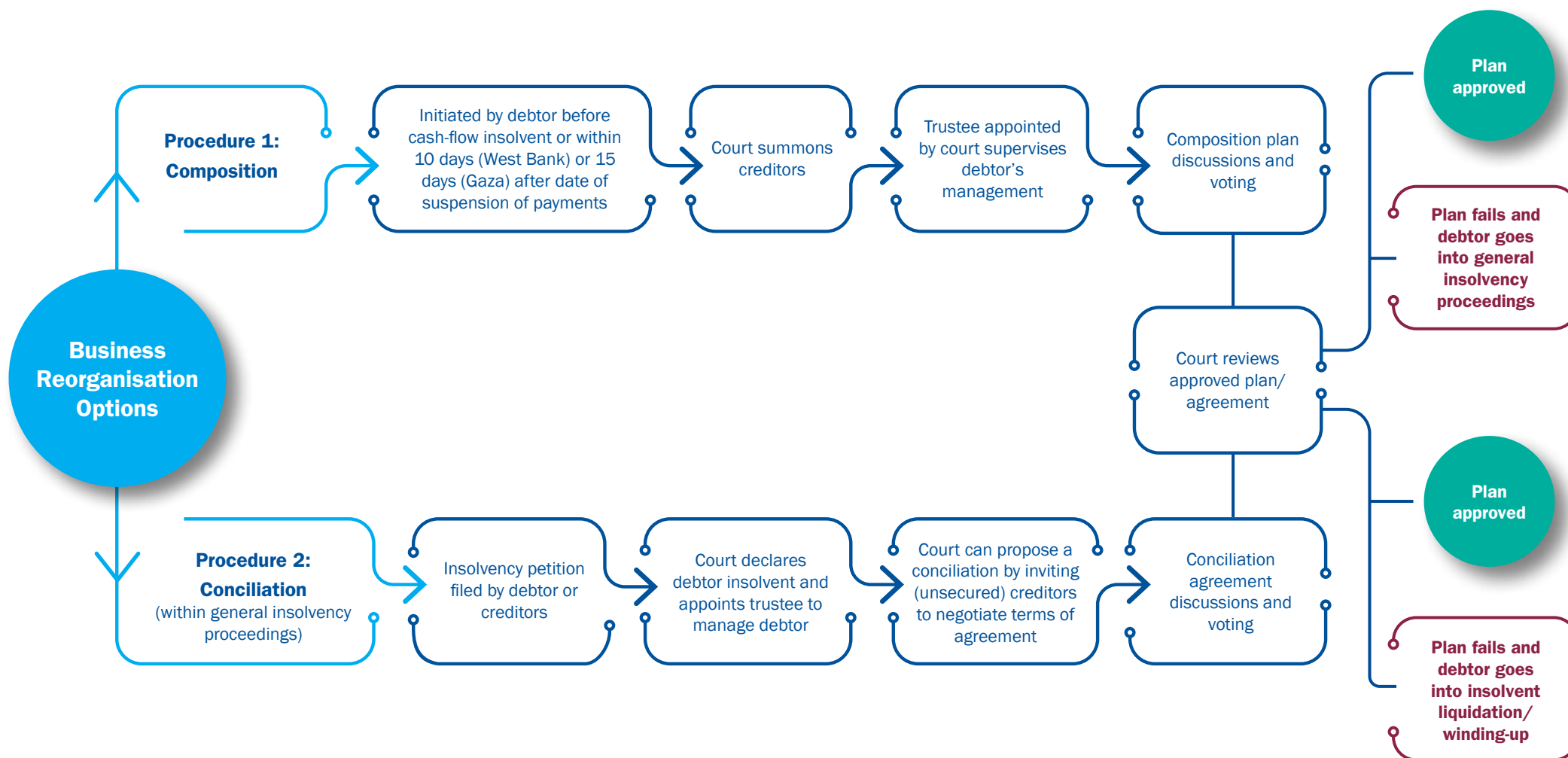
No, the UNCITRAL Model Law has not been adopted and there are no provisions in the legislation for the recognition of foreign insolvency proceedings or for cooperation with courts or insolvency practitioners from other jurisdictions. Any foreign judgment to be enforced will be in accordance with the recognition of foreign judgment procedures adopted in the Civil Procedures Law applicable in Palestine.

Special features/observations:

- Like the West Bank, Gaza has both a composition and a conciliation procedure. Both West Bank and Gaza have different sets of laws for dealing with the insolvency of natural persons (consumers) under the civil law.
- While companies in Gaza mostly follow the reorganisation procedures as described in this profile, some additional conditions may apply based on the type of the company in question.



Overview of West Bank and Gaza Reorganisation Procedures*



* This provides a high-level overview of business reorganisation procedures in West Bank and Gaza. While the legislation is separate, both jurisdictions have very similar reorganisation procedures. See the commentary in this profile and the relevant Insolvency Law for further details, including with respect to any applicable moratoria and creditor voting thresholds.

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