

# The Heiploeg ruling: new start for Belgian “quiet” bankruptcy (and “GROG” [judicial restructuring by transfer under judicial supervision])?

On 28 April 2022 the European Court of Justice again ruled on the (Dutch) quiet bankruptcy in the Heiploeg case. In that context, henceforth, an acquirer can make a selection of employees that is justified from a business economics viewpoint, provided that it is sufficiently clear that it is a liquidation scenario. The Court hereby deviates from its previous jurisprudence in the cases of Estro/Smallsteps and Plessers. Does this modified jurisprudence open the door to a Belgian quiet bankruptcy, or more successful transfers under judicial supervision?

This article is available in Dutch and French.

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Mechelsesteenweg 127A, b1 - 2018 Antwerp

t. +32 3 260 98 60 | +32 2 790 44 44

Regentschapsstraat 58 PO box 8 - 1000 Brussels

[info@schoups.be](mailto:info@schoups.be)

[www.schoups.com](http://www.schoups.com)