

# Wrongful trading - the perseverer does not always win

Under Section XX.227 of the IPC, directors can be ordered to discharge all or part of the liabilities of a bankrupt company if they failed to take the necessary action (usually: filing for bankruptcy) when they knew or should have known that the company was irretrievably lost. Actual and former directors and members of an executive or supervisory board are also targeted.

This newsletter is #3 in a series of newsletters from our restructuring practice. In it, we bring together all the know-how from our corporate advice, insolvency, M&A, finance and HR practice. This way, we look at restructuring issues from different angles and provide tailor-made solutions.

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)