

Glosario español inglés de terminología de pleitos y bancarrotas

por **Steven Kahaner**

Director Ejecutivo de JURISCRIBE.
Socio fundador de la Association of
Language Companies (ALC).

La ponencia que el autor expondrá en
el **I Congreso** se titula: "*The Translation
of Argentine Bankruptcy Legislation
and Terminology into English*"

acciones de contenido patrimonial	legal actions against the assets of the debtor
acreedor en competencia	competing creditor
acreedor privilegiado	preferred/secured creditor
acreedor verificado	allowed creditor / creditor whose claim has been allowed
acreedores aceptantes	consenting creditors
acreedores del comité	creditors on the committee
acreedores en moneda extranjera	foreign currency creditors
acreedores por causa o título	creditors upon (any, etc.) cause or title
acreedores por causa o título anterior a la presentación	creditors upon a cause or title arising or created prior to the filing (of the petition for reorganization / bankruptcy)
acreedores quirografarios	unsecured creditors
acreencias	Claims
actos de administración	acts of management
actos de disposición	alienation of property / acts of disposition (of property)
actuación incidental	ancillary proceedings; records of an ancillary proceeding
acuerdo preventivo extrajudicial	out-of-court reorganization agreement
acuerdos preconcursales	pre-insolvency agreements
adhesiones (a la reestructuración de deuda)	expressions of consent
APE (acuerdo preventivo extrajudicial)	APE (out-of-court reorganization agreement)
apertura de la instancia	commencement of the first stage of the judicial process
asamblea de obligacionistas	debtholders'/ noteholders'/bondholders' meeting
base de cálculo de mayorías	base for the computation of majorities
Cámara Nacional (en lo Comercial)	(Commercial) Court of Appeals in and for the City of Buenos Aires
canje (de bonos)	exchange (of bonds)
capital accionario	share capital
capital quirografario	unsecured (and non-preferred) claims
cesación de pagos	cessation/suspension of payment; inability to pay debts
comité de acreedores	creditors' committee / committee of creditors
comitentes	beneficial owners
competencia natural	original jurisdiction as established by law
cómputo de mayorías	computation of majorities
concurzada (la) / concursado (el)	the reorganization debtor
concurarse (del deudor)	file a voluntary petition for (judicial) reorganization
concurso (en general; es decir, incluye concurso preventivo y concurso liquidatorio [= quiebra])	insolvency proceeding(s)
concurso preventivo	voluntary reorganization proceedings
concurso preventivo judicial	judicial reorganization proceeding(s)
conformidades (para el acuerdo preventivo extrajudicial) (= adhesiones)	expressions of consent (to the out-of-court reorganization agreement)
contesta vista	answer to notice
Convenio de Fideicomiso	Indenture
convocatoria de acreedores [antiguo nombre del concurso preventivo]	summoning of creditors
créditos	claims/debts
créditos verificados	allowed claims/debts; claims that have been allowed
desequilibrio económico	financial imbalance
deuda privilegiada	preferred claim(s)

deudor cesante	debtor who has ceased to pay its debts
edictos	legal notices
empresa en crisis	company undergoing financial hardships; troubled company
exclusión del voto exclusion	OF the vote (of a shareholder/creditor); exclusion (of a shareholder/creditor) FROM voting
fiduciario	indenture trustee
fraude a la ley	constructive fraud
fondo buitre	vulture fund
fondo especulativo	speculative fund
fuero de atracción	ancillary jurisdiction (of bankruptcy court over matters ancillary to its original jurisdiction)
homologación del APE ante la Justicia Comercial	confirmation of the APE by the Commercial Courts
homologación judicial (del APE)	judicial confirmation (of the out-of-court reorganization agreement)
incidente de revisión	ancillary proceeding for review (of a creditor's claim)
inoponible a/ante terceros	unenforceable as against third parties
interés concursal	bankruptcy interests / interest in the bankruptcy (depends on context)
interés extracrediticio	non-claim-related interest / interests (singular or plural depends on context)
Juez Comercial Commercial	Court Judge; Judge sitting in Commercial Court No. ...
juicio de ejecución hipotecaria	mortgage foreclosure proceeding
juicio ejecutivo	summary proceeding
juzgado/juez nacional	If used as part of the name of a court, "Court in and for the city of Buenos Aires." / "Judge with jurisdiction in the city of Buenos Aires." // "Juez nacional" may also be used in a broad sense to include "juez federal" [federal court judge] and "juez nacional" in a narrow sense [ordinary court judge with jurisdiction in the city of Buenos Aires]. There is no single adjective in English to cover both things. For example, "The Federal Judiciary" for "Poder Judicial de la Nación," because that's where the courts in the city of Buenos Aires belong, but it's not the best choice when the court in question is not a federal court.
Ley de Concursos y Quiebras	(LCQ, sometimes also LC) Bankruptcy and Insolvency Law (LCQ)
masa pasiva	reorganization estate (in a <i>concurso preventivo</i>); bankruptcy estate (in a <i>quiebra</i>)
medida cautelar	injunctive relief / interim measure of relief / provisional remedy. Provisional remedy is the best choice if the text does not make clear what kind of "medida cautelar" it is. For example, an "embargo preventivo" [pre-judgment attachment] is a "medida cautelar" in Argentina. In this case, "provisional remedy" could be an appropriate equivalent, but not "injunctive relief."
medida precautoria (= medida cautelar)	same as above.
obligacionistas (also "titulistas")	debtholders / noteholders / bondholders
obtención de las mayorías exigidas	Acquisition/mustering of the required majorities
oponerse al acuerdo	oppose / challenge the agreement
orden público concursal	public policy principles applicable to insolvency proceedings
<i>par conditio creditorum</i>	principle of equal treatment of creditors
pasivo quirografario	unsecured debts / claims
período de sospecha	reach-back (or "suspect") period
período informativo	information period
persona jurídica	legal entity
Poder Judicial de la Nación	The Federal Judiciary of Argentina
posición de bloqueo	blocking position
prestaciones recíprocas pendientes	mutual engagements still/yet to be fulfilled ("synallagmatic contract") also called an "executory contract"
proceso de reestructuración	restructuring process
proceso de verificación (en el concurso)	procedure for filing proofs of claim
proceso universal	universal proceeding (proceeding whereby the entire estate of a person is involved, i.e., all assets + debts and obligations)
propuesta de acuerdo preventivo	plan of reorganization
quiebra	(straight) bankruptcy
quita	reduction in debt / "haircut"
recurso extraordinario	extraordinary appeal [to the Supreme Court]
Sindicatura	Receiver / Trustees in reorganization / Office of Trustee / Trusteeship
síndico	Trustee in reorganization/bankruptcy
situación concursal	situation of insolvency
suspensión automática	automatic stay
suspensión/cesación de pagos	suspension/cessation of payment(s)
verificación de créditos	filing of proof(s) of claims
vínculo creditorio	debtor-creditor relation