

Thouvenin Rechtsanwälte  
Klausstrasse 33  
CH-8034 Zürich

Phone +41 44 421 45 45  
Fax +41 44 421 45 00  
E-mail [info@thouvenin.com](mailto:info@thouvenin.com)

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



## Insolvency Newsletter Switzerland

# Enhancement of Privileged Claims by Employees in Bankruptcy Cases

As of January 1, 2005, the Swiss Debt Enforcement and Bankruptcy Law will be amended regarding claims of employees in bankruptcy cases.

So far, claims of employees which derived from their employment relationship and which arose during the six month period prior to the opening of bankruptcy proceedings over the employer have been considered as so-called "privileged claims". Privileged claims are those unsecured claims which are satisfied in first instance out of the remaining proceeds of the bankrupt estate.

The amended Swiss Debt Enforcement and Bankruptcy Law will not only provide for those claims to be considered as privileged claims which arose during that six month period prior to the opening of bankruptcy proceedings but also for those claims of employees which have become due during that period.

October 20, 2004

Marc Wenger  
For further information, please contact:  
Marc Wenger ([m.wenger@thouvenin.com](mailto:m.wenger@thouvenin.com))