

Table of Appealable Issues

FBiH Law on Bankruptcy Proceedings

Article	The General Rules Governing Appeals	
11(1)		In general, court decisions may be appealed only if the law specifically says they are appealable. (In some cases, noted below, the law specifically states that issues <i>cannot</i> be appealed.)
11(2)		Appeals must be submitted within 8 days after a court's decision is announced, or if not announced, within 8 days after the decision is submitted.
11(4)		The appellate court must decide the appeal within 15 days of the date it received the appeal.
11(5)		An appeal automatically stays implementation of the decision appealed, unless the law stipulates otherwise.
Note:		Which parties have the right to appeal on what issues is specifically defined for each appealable decision.
Article	Stay	Specific Court Decision at Issue
7(2) 7(3)	N/A	NOT APPEALABLE: Court's decision that it is not the Court authorized to decide a proposal to open a bankruptcy proceeding, and forwarding the case to the authorized Court is not appealable.
10(4)	NO	The party against whom the Court imposes enforcement measures may appeal the decision.
15(5)	NO	The Debtor and Interim Trustee may appeal a decision ordering a general ban on management against the Debtor and transferring management and control to the Interim Trustee. (Article 15(7) defines who can appeal a general ban on management.)
15(7)	YES & NO*	The debtor and the Interim Trustee may appeal a decision imposing security measures to protect assets of the debtor that may become part of the bankruptcy estate. *NOTE: Implementation is stayed by the Interim Trustee's appeal but not by the Debtor's appeal.
16(3)	YES	The debtor and the Interim Trustee may appeal a decision on the Interim Trustee's proposal to suspend the Debtor's business activities.
27	NO	The Trustee may appeal a decision imposing a fine on him or removing him as Trustee.
28(3)	YES	Creditors may not appeal the Court's decision on whether the holder of a contested claim may vote in the Creditors' Assembly. The Debtor and Trustee may appeal.
28(5)	NO	The Trustee, the Debtor, and all creditors may appeal a decision on whether a new Trustee elected by the Creditors' Assembly will replace the Trustee originally appointed by the Court.
29(7)	NO	A member of Board of Creditors may appeal the Court's decision removing him from the Board.

Article	Stay	Specific Court Decision at Issue
37(2)	YES	The Trustee and a creditor with right of separate recovery may appeal the Court's decision resolving the issue of whether the Trustee can continue to use an asset subject to the creditor's right in conducting the Debtor's business activities.
50(1)	YES	The party submitting a proposal to open a bankruptcy proceeding may appeal from an adverse decision. The Debtor may appeal from a decision to open the proceeding.
61(3)	YES	The Debtor may appeal an order transferring delivery of its mail to the Trustee.
113(6)	YES	A creditor may appeal a decision on disregarding its claim on the grounds that it was not filed timely. The Trustee, Debtor and any creditor may appeal a decision to recognize the claim on the grounds that it was timely filed.
123(2)	YES	An objecting creditor may appeal an adverse decision overruling its objection to a proposed distribution schedule.
123(3)	YES	The Trustee and other creditors may appeal a decision granting a creditor's objection to the proposed distribution schedule and ordering it revised.
129(1)	YES	A creditor may appeal the Court's order overruling its motion for a distribution subsequent to the main distribution.
129(2)	YES	A debtor who is an entrepreneur may appeal the Court's order granting a creditor's motion for a distribution subsequent to the main distribution.
141(1)	YES	Creditors may appeal the Court's order terminating the proceeding because the estate is insufficient to pay bankruptcy costs, or discontinuing the proceeding for lack of cause or by consent of the creditors.
141(1)	YES	The Debtor may appeal the Court's order terminating bankruptcy proceedings on grounds the estate is insufficient.
141(2)	YES	The Debtor may appeal the Court's order denying an application to discontinue for lack of cause or by consent of the creditors.
156(3)	YES	The party that submitted a reorganization plan may appeal an order rejecting the plan before it is submitted it to creditors.
178	YES	The Debtor and creditors may appeal the Court's order accepting or rejecting the reorganization plan after it has been voted on by creditors.
210	NO	A foreign debtor, foreign bankruptcy trustee, and Creditors may appeal the Court's decision to recognize a foreign decision on opening of a bankruptcy proceeding.
227	NO	A foreign debtor, foreign bankruptcy trustee and the creditors may appeal against a decision refusing to recognize a foreign decision on the opening of a bankruptcy