

# 供给侧结构性改革与破产法的完善

## (分报告 2)

|       |    |
|-------|----|
| ..... | 3  |
| ..... | 6  |
| ..... | 6  |
| ..... | 7  |
| ..... | 9  |
| ..... | 11 |
| ..... | 12 |
| ..... | 13 |
| ..... | 14 |
| ..... | 15 |
| ..... | 15 |
| ..... | 15 |
| ..... | 19 |
| ..... | 30 |
| ..... | 31 |
| ..... | 43 |
| ..... | 49 |
| ..... | 56 |

L





27

21

+

2016 1

2. 51

GDP

2008

21

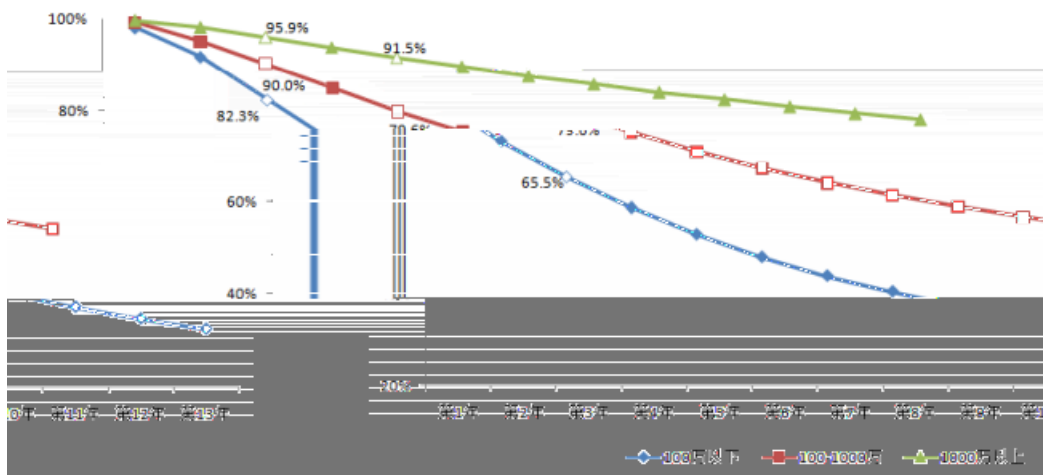
PM

50

V

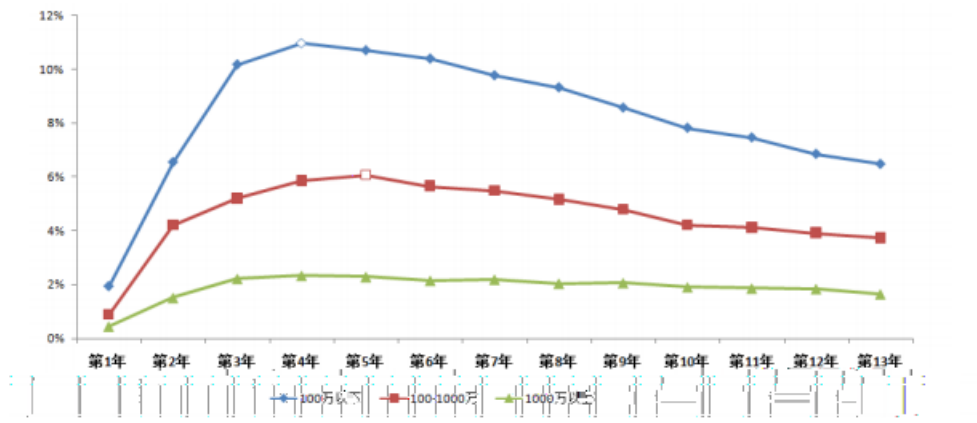
L





2

2



3

3

I PO

2

3

1000 100 4 100-1000



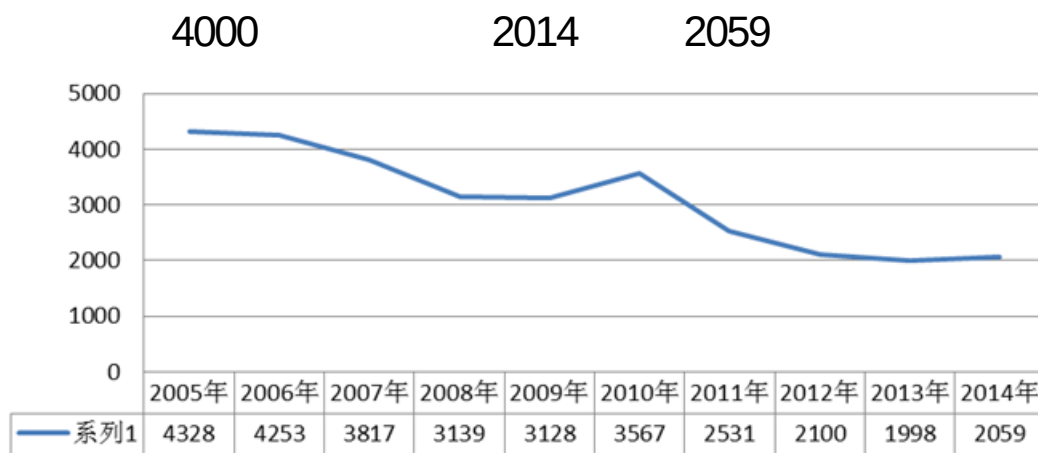




•



1  
2006  
2007 6 1



4

2005- 2014

6%

1%

2014

0. 11

70

|   | 2016 | 2015 | 2014   | 2013     | 2012  |
|---|------|------|--------|----------|-------|
|   | 1    | 1    | 1      | 1        | 1     |
|   | 9208 | 7438 | 9146   | 11630    | 15890 |
| 1 |      |      | 2012 1 | - 2016 1 | 4     |

|  | 2013    | 2012   | 2011   | 2010  | 2009  | 2008  |
|--|---------|--------|--------|-------|-------|-------|
|  | 5,747   | 6,266  | 6,194  | 6,657 | 7,076 | 6,500 |
|  | 11, 740 | 10,587 | 10,587 | 9,620 | 9,382 | 8,476 |
|  | 4,993   | 5,456  | 5,468  | 6,460 | 5,710 | 3,709 |
|  | 3,131   | 2,956  | 2,944  | 2,870 | 3,275 | 2,612 |



|  |                |                |                |                |                |                |
|--|----------------|----------------|----------------|----------------|----------------|----------------|
|  | 1,016          | 1,033          | 961            | 918            | 698            | 590            |
|  | 9,456          | 7,373          | 6,176          | 7,340          | 8,040          | 4,635          |
|  | 4,564          | 3,814          | 4,355          | 4,480          | 5,013          | 3,637          |
|  | 9,300          | 8,605          | 6,077          | 5,144          | 4,450          | 3,267          |
|  | 8,934          | 7,799          | 5,910          | 4,770          | 4,984          | 2,528          |
|  | 8,015          | 7,737          | 7,299          | 7,510          | 7,892          | 6,298          |
|  | 6,495          | 6,841          | 6,661          | 6,255          | 5,215          | 4,222          |
|  | 16,013         | 17,748         | 18,467         | 17,690         | 19,908         | 16,268         |
|  | <b>192,340</b> | <b>177,685</b> | <b>173,219</b> | <b>175,677</b> | <b>178,235</b> | <b>149,675</b> |

2

2008- 2013

<sup>5</sup>

2

2006

2014

505866

2059

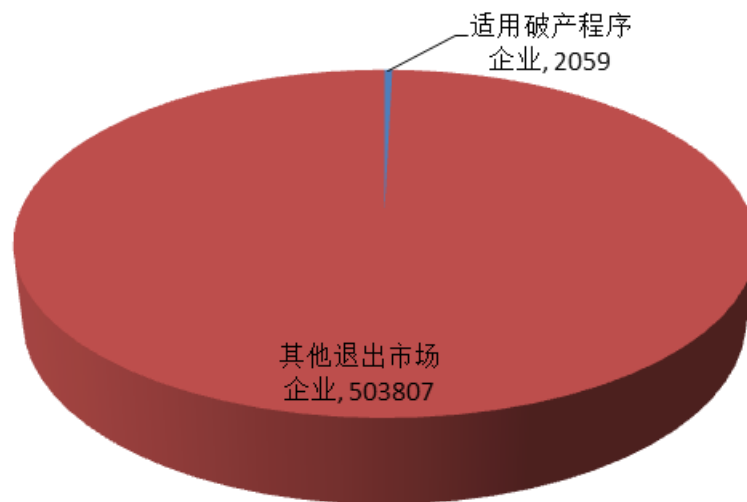
<sup>6</sup>

0. 4%

99. 96%

<sup>5</sup> Creditreform, Corporate Insolvencies in Europe (2013/2014).

<sup>6</sup>



5

2014

20

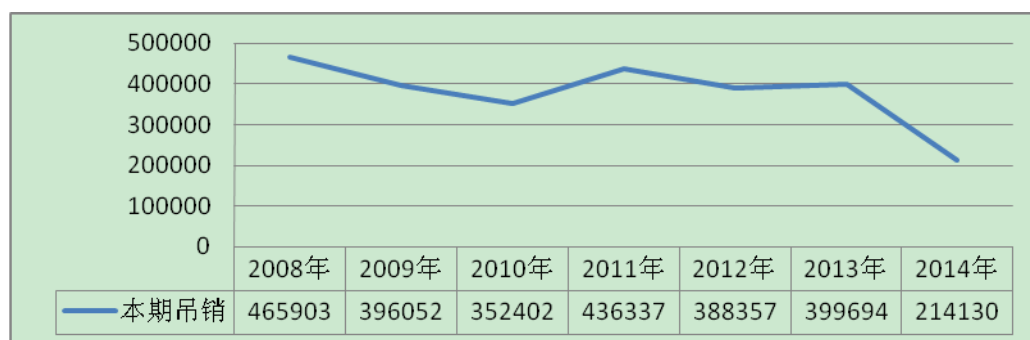
40

2008

4.8%

2014

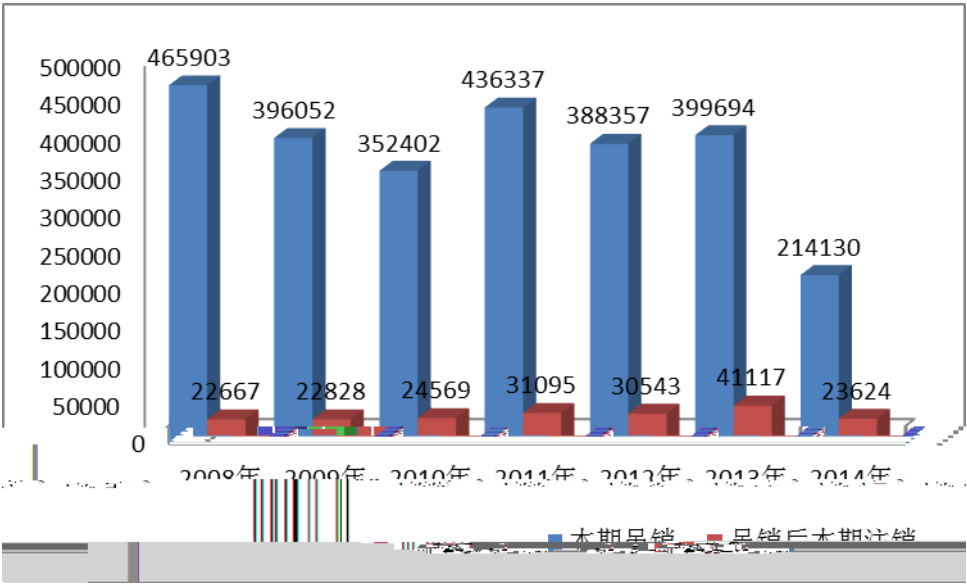
1.2%



: 6

2014

11.03%



7

1

1986

1994

2003 8

2004 6 21

2006 8

27

2007 6 1

2007

2013

<

>

<

>

10





20

21

20

2

2016

6

1

9

3

1



14

2





11

17

202

2007

2012

529

312

1<sup>7</sup>

2008

2012

66% 40% 58% 48% 54%

---

7

2013 11 7

8

2013  
2015

—

32  
45

2000- 2007  
782<sup>9</sup> 2008- 2010  
890<sup>10</sup>

6

---

9  
10  
2012 93

2012 84  
29

2016

2016

1

1

94. 15%

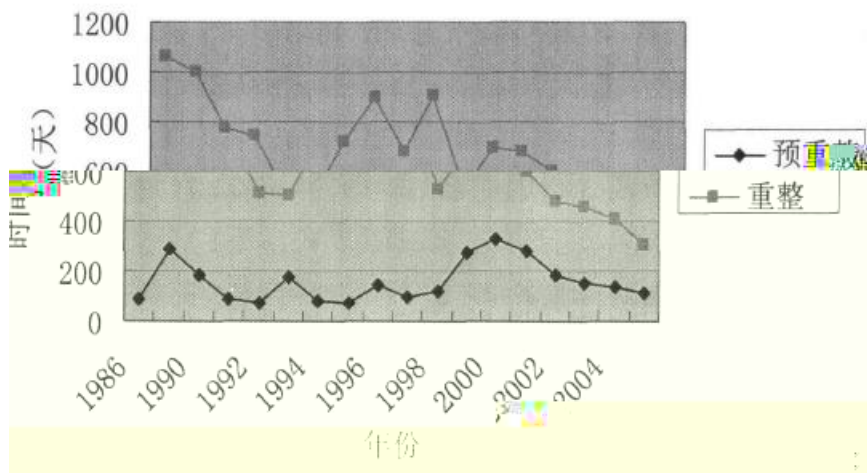
2012

143

90%<sup>11</sup>

2





8

12

<sup>12</sup> Bankruptcy Research Database.

3

109

,

286

4

Välker

Simon

18

5

44

18

44

46 48

1000

2

1

7 13

2014 1 6 2013 103 2010  
107 150

2015  
52. 52 10. 66% 4. 37%  
3. 85 0. 30

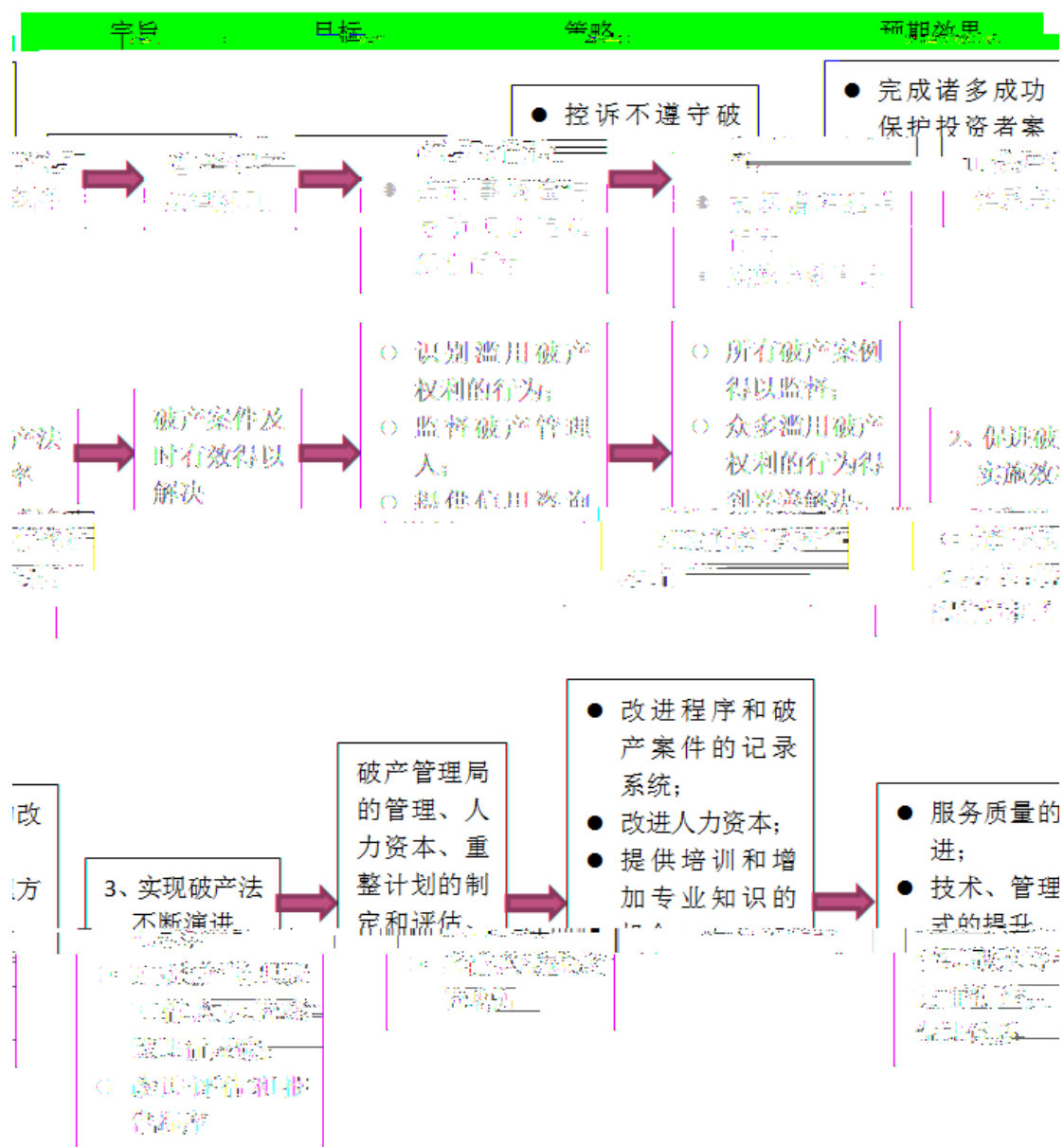
384. 33  
1. 32%  
271. 38 553. 07  
82. 12 432. 81



2015 70

2

1



2012

2120

|                                       |     |       |
|---------------------------------------|-----|-------|
|                                       |     |       |
| 26 U.S.C. § 7201                      | 796 | 37.5% |
| 18 U.S.C. § 152 2 3                   | 686 | 32.4% |
| 18 U.S.C. § 152 1 7                   | 530 | 25.0% |
| 18 U.S.C. § 157                       | 480 | 22.6% |
|                                       | 353 | 16.7% |
|                                       | 133 | 6.3%  |
| 18 U.S.C. §§ 1341 1343                | 110 | 5.2%  |
| 18 U.S.C. § 1344                      | 99  | 4.7%  |
| 18 U.S.C. § 152 8 9                   | 99  | 4.7%  |
|                                       | 89  | 4.2%  |
|                                       | 46  | 2.2%  |
| - Sarbanes-Oxley Act 18 U.S.C. § 1519 | 39  | 1.8%  |
| 18 U.S.C. § 153                       | 35  | 1.7%  |
| 18 U.S.C. § 152 5                     | 31  | 1.5%  |
|                                       | 30  | 1.4%  |
| 18 U.S.C. § 371                       | 23  | 1.1%  |
| 18 U.S.C. § 156                       | 22  | 1.0%  |
|                                       | 20  | <1%   |
| 18 U.S.C. §§ 1956 1957                | 19  | <1%   |
|                                       | 19  | <1%   |
|                                       | 17  | <1%   |
|                                       | 16  | <1%   |
| 18 U.S.C. § 152 4                     | 16  | <1%   |
|                                       | 15  | <1%   |
| 18 U.S.C. § 402                       | 14  | <1%   |
|                                       | 12  | <1%   |

|                     |    |     |
|---------------------|----|-----|
|                     |    |     |
|                     | 11 | <1% |
|                     |    | <1% |
| 18 U.S.C. § 152 (b) | 7  | <1% |
|                     | 6  | <1% |



2008



1

10 1

14

22

1 1

1

6

1 2

|  |  |   |    |  |   |    |
|--|--|---|----|--|---|----|
|  |  |   |    |  |   |    |
|  |  | 5 | 7  |  | 2 | 3  |
|  |  | 2 | 3  |  | 3 | 7  |
|  |  | 2 | 3  |  | 1 | 3  |
|  |  | 2 | 3  |  | 8 | 17 |
|  |  | 7 | 12 |  | 2 | 6  |
|  |  | 3 | 8  |  | 2 | 5  |
|  |  | 9 | 14 |  | 9 | 28 |

|  |  |    |    |  |  |   |    |
|--|--|----|----|--|--|---|----|
|  |  | 6  | 6  |  |  | 6 | 15 |
|  |  | 21 | 27 |  |  | 3 | 4  |
|  |  | 4  | 13 |  |  |   | 2  |
|  |  | 5  | 7  |  |  | 2 | 4  |
|  |  | 3  | 8  |  |  | 2 | 4  |
|  |  | 1  | 4  |  |  | 1 | 2  |
|  |  | 1  | 15 |  |  | 8 | 11 |
|  |  | 1  | 4  |  |  | 7 | 8  |
|  |  | 8  | 15 |  |  | 2 | 3  |
|  |  | 5  | 17 |  |  | 1 | 1  |
|  |  | 8  | 11 |  |  | 3 | 7  |
|  |  | 3  | 4  |  |  |   | 5  |
|  |  | 2  | 3  |  |  | 5 | 22 |
|  |  | 1  | 3  |  |  | 2 | 6  |
|  |  | 2  | 2  |  |  | 4 | 10 |
|  |  | 10 | 22 |  |  | 2 | 7  |
|  |  | 3  | 4  |  |  | 1 | 3  |
|  |  | 1  | 4  |  |  | 2 | 10 |
|  |  | 3  | 5  |  |  | 2 | 3  |
|  |  | 4  | 5  |  |  | 3 | 5  |
|  |  | 2  | 2  |  |  | 3 | 4  |
|  |  | 2  | 3  |  |  | 4 | 5  |
|  |  | 4  | 5  |  |  | 6 | 12 |
|  |  | 2  | 5  |  |  | 2 | 7  |
|  |  | 3  | 5  |  |  | 6 | 19 |

|  |  |   |   |  |     |     |
|--|--|---|---|--|-----|-----|
|  |  | 3 | 7 |  |     |     |
|  |  | 1 | 3 |  | 316 | 666 |

4 :





CRO

90



