

**The Effect of Insufficient Assets of the Limited Liability Company to Fulfill
the Rights of Creditors
(Comparative Study)**

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Abstract

This study dealt with the effect of the insufficiency of the assets of the limited liability company to fulfill the rights of creditors by achieving the objectives of this study in terms of showing who has the right to file a liability lawsuit in the limited liability company, and clarifying the extent of the partners' liability for the company's debts.

This study followed the descriptive analytical approach that is, analyzing the legal texts related to this subject and relying on the decisions of the Court of Cassation, with the use of the comparative approach to compare with the laws of some countries to benefit from it.

The study concluded that the limited liability company is one of the most simple and flexible companies in its procedures, but some investors abuse this feature, due to the weak capital in which the legislator was included until it became at least one Jordanian dinar, and this would affect Negatively affects the general security of the creditors due to the limited liability of the partners, and although the partners in such companies are only asked to the extent of their shares, i.e. their liability is limited, the creditors (others) may demand the partners for their own money in the event of insufficient assets of the company, through an indirect lawsuit .

This study has reached several recommendations, the most important of which are: The limited liability company's capital is determined according to its objectives, with no less than (25,000) twenty five thousand dinars for any limited liability company in order to strengthen the general guarantee for those dealing with the company, and that it is expressly stipulated that creditors may return to Partners with their own money in this type of company and to demand the payment of their debts through indirect action in the event that its assets are not sufficient to pay their debts.

Keywords: The company, The limited liability company, The partner, The company's assets .