

GUIDELINES FOR FILLING IN THIS FORM

This standard claims form should be used for lodging claims in accordance with Chapter IV of Regulation (EU) 2015/848 on insolvency proceedings. Requests to exclude goods from the debtor's assets should be filed according to national law.

The use of this standard claims form for the lodgement of claims is optional. Nonetheless, when lodging claims by means other than this standard form, the claim must contain all the information referred to as mandatory in this form.

Language

Claims may be lodged in any official language of the institutions of the European Union. Irrespective of this, you may later be required to provide a translation in the official language of the Member State of the opening of proceedings or, if there are several official languages in that Member State, in the official language or one of the official languages of the place where insolvency proceedings have been opened, or in another language which that Member State has indicated it can accept (the languages indicated by the Member States are to be found here: [https://e-justice.europa.eu/content_insolvency-447-en.do?clang=en (1)])

Whenever you refer to a Member State in filling in this form, please use the following country codes: Austria (AT) Belgium (BE) Bulgaria (BG) Cyprus (CY) Czech Republic (CZ) Germany (DE) Estonia (EE) Greece (EL) Spain (ES) Finland (FI) France (FR) Croatia (HR) Hungary (HU) Ireland (IE) Italy (IT) Lithuania (LT) Luxembourg (LU) Latvia (LV) Malta (MT) Netherlands (NL) Poland (PL) Portugal (PT) Romania (RO) Sweden (SE) Slovenia (SI) Slovakia (SK) United Kingdom (UK)

When you fill in a particular section of the form, please bear in mind the following:

- The provision of information in points marked with an asterisk (*) is mandatory.
- The provision of information in points marked with double asterisks (***) is mandatory subject to a condition. This condition is indicated in brackets in point concerned.
- The provision of information in points without any specific marking is not mandatory.

If you have several claims to lodge at the same time, you must fill out points 6 to 10 for each claim individually.

You may find relevant information for points 1 and 2 in Section I of the form by which you were notified of the foreign insolvency proceedings. That form bears the heading 'notice of insolvency proceedings' and was sent to you by the foreign court which opened the insolvency proceedings, or by an insolvency practitioner appointed by that court to the proceedings.

In point 1.1 'the court opening proceedings' means the judicial body or any other competent body of a Member State empowered under its domestic law to open insolvency proceedings, to confirm such opening or to take decisions in the course of such proceedings.

Point 1.2 should be filled in only if the insolvency proceedings have a reference number in the Member State where they have been opened. Point 1.3 should be filled in only if there is an insolvency practitioner appointed to the case.

In points 2.2 and 3.3 'registration number' means the individual identity number attached under national law to the entity or person. If the debtor is a company or a legal person, this is the number given in the appropriate national (business or association) register. If the debtor is a natural person exercising an independent business or professional activity (entrepreneurs), this is the identification number in the Member State where insolvency proceedings have been opened, under which he/she pursues his/her business or professional activity. If, according to the national insolvency law of the Member State where insolvency proceedings have been opened, the tax number or personal ID number of the debtor is used for the purpose of the identification of the natural person exercising an independent business or professional activity, this number should be indicated. ¹

In point 4 you should mark the first option referring to the person which the creditor indicated in point 3 only if the creditor is a natural person. If you mark the second option referring to a person different to the one indicated in point 3, you are supposed to fill in points 4.1 to 4.6, of which points 4.1, 4.2 and 4.6 are mandatory fields.

In point 6.2 'the date on which the claim arose' means the point in time on which the obligation of the debtor vis a vis the creditor was established (conclusion of a contract, occurrence of a damage or injury). In point 6.3 'the date on which the claim became due' means the point in time when the debtor was required to perform on the basis of the obligation (the payment became due). Statutory penalties for late payment which are to be calculated as a percentage of the capital amount claimed should be asserted as statutory interest (see point 6.1.3).

In point 7 If you have a preferential position you are owed debts which, according to domestic law, are to be paid in preference to certain other categories of debt. In point 8, security in rem refers to any security you hold in respect of your claim against the debtor. Such security may take several different forms such as a fixed charge on a specific asset or a floating charge over a group of assets.

In point 9, with regard to set-off, if the creditor is a financial institution and demands set-off against the debtor, it should also indicate the details of the accounts concerned. Points 9.1 to 9.5 should be filled in only if you demand a set-off.

Point 10: the form must be accompanied by copies of any supporting documents.

¹ (1) When using this form, please, always refer to the hyperlink actually leading to the relevant webpage of the European e-Justice Portal.