

## B. Invitation to Lodge a Claim in Bankruptcy Proceedings

1. Court ordering the bankruptcy proceedings:
2. Case number of Court Decision opening the bankruptcy proceedings:
3. Date of the Court Decision opening the bankruptcy proceedings:
4. Debtor's name, registered office and address:
5. Bankruptcy Trustee's name, registered office and address:
6. Date of the publication of the Court Decision opening the proceedings in the official journal "Cégekőzlöny", as the beginning of the stay of payment:
7. Number of Bankruptcy Trustee's fee settlement account at a financial institution:
8. Beginning of temporary stay of payment (Section 9 (1) of the Act on Bankruptcy Proceedings):

I. The Court under point 1 opened bankruptcy proceedings against the Debtor under point 4 in its Decision taken on the date set out in point 3 under case number referred to in point 2, at the Debtor's request. These proceedings are insolvency proceedings within the meaning of Article 2 a) of Council Regulation (EC) 1346/2000. The date under point 3 is the date of the opening of the insolvency proceedings (Article 2 f) of Council Regulation (EC) 1346/2000). In its Decision the Court appointed the Bankruptcy Trustee under point 5 to carry out the duties provided for by law in the proceedings to be conducted in accordance with Chapter II of Act XLIX of 1991 on Bankruptcy Proceedings and Liquidation Proceedings (hereinafter the Bankruptcy Act).

The legal consequences of the stay of payment are provided in Sections 10 and 11 of the Bankruptcy Act.

The duty to provide information is provided for in Article 40 of Council Regulation (EC) 1346/2000 according to which the known Creditors who have their habitual residences, domiciles or registered offices in another Member State than where the insolvency proceedings are opened shall be informed about the opening of the insolvency proceedings.

Article 39 of Council Regulation (EC) 1346/2000 prescribes that any Creditor who has his habitual residence, domicile or registered office in a Member State other than the State of the opening of proceedings, including the tax authorities and social security authorities of Member States, shall have the right to lodge claims in the insolvency proceedings in writing.

### II. Time limit, form and content of lodging Creditor's claims

Creditors shall report the data relevant to their claims and attach the supporting documents (Section 12 of Bankruptcy Act).

In the bankruptcy proceedings, the Creditor shall report his claims to the Debtor and to the Bankruptcy Trustee under point 5 within 30 days following the publication of the Decision opening the bankruptcy proceedings; in the case of claims arising after the publication of the said Decision, the time limit for reporting these claims shall be limited to 8 working days (Section 12 of Bankruptcy Act).

The Creditor shall submit the document on lodging his claim with the heading "LODGEMENT OF CLAIM" in 2 copies in Hungarian language or in the official language or one of the official languages of the State of his habitual residence, domicile or registered office; in the latter case he will be required to provide an official translation in Hungarian language. The document shall in every case bear the Hungarian language heading "KÖVETELÉSBEJELENTÉS" (i.e. "LODGEMENT OF CLAIM") (Article 42 (2) of Council Regulation (EC) 1346/2000).

In the document on lodging the claim the Creditor shall indicate the nature of the claim, the date on which it arose and its amount, as well as whether he alleges preference in respect of his claim and whether his claim is secured by a lien, another security in rem or a reservation of title, and what assets are covered by the lien, the other security in rem or the title reserved. The Creditor shall attach the copy of the documents that underlie the claim to the document on lodging his claim (Article 41 of Council Regulation (EC) 1346/2000).

The Creditor shall specify the amount of his claim in Hungarian Forint (HUF) as well, at the exchange rate quoted by the National Bank of Hungary applicable at the time of publication in the official journal Cégekőzlöny.

A fee - amounting to 1% of the value of the claim determined in HUF but HUF 5 000 at least and HUF 100 000 at most - shall be payable to the account number under point 7 for the registration of the claim, to cover the Bankruptcy Trustee's substantiated costs and fees (Sections 10 and 12 of Bankruptcy Act). Claims under Section 11 (1) of the Bankruptcy Act - i.e. the ones not covered by the stay of payment during bankruptcy proceedings - have not to be lodged.

### III. Legal consequences of missing the time limit for lodging Creditor's claims

If the time limit for lodging the claim is not observed, the Bankruptcy Trustee shall not register the Creditor's claim, which means that he shall not exercise his right to vote in the creditors' committee nor during the bankruptcy proceedings and shall therefore not take part in the conclusion of an arrangement with creditors to settle the debt (Sections 5/A., 12, 14, 18 and 20 of Bankruptcy Act) and shall not be covered by that arrangement. Because of failing to meet the time limit, the Creditor may not enforce his claim during the bankruptcy proceedings and under the arrangement with creditors, and the Creditor may only lodge his claims during a liquidation proceeding launched by another creditor. In this latter case, during the liquidation proceeding, the Creditor may not enforce his claim of

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default interest, default penalty and other penalty claims.

#### IV. Form and content of lodging Creditor's claims

Creditors shall report the data relevant to their claims and attach the supporting documents (Section 12 of Bankruptcy Act).

#### V. Registration of the Creditor's lodged claim

The Bankruptcy Trustee shall register and classify the claims with the Debtor's involvement and shall notify the Creditors about the outcome thereof. Sections 12 and 14 of the Bankruptcy Act apply to these proceedings.

Creditors having their domicile or registered office outside of Hungary shall appoint a representative ad litem.

VI. Chapter IV of the of the Bankruptcy Act provides for specific rules applicable to undertakings declared by a Government Decree to have high strategic priority.