

K027807

Obchodné meno/Názov/Meno a priezvisko dlžníka/úpadcu: Gábor Martin
Sídlo/Bydlisko dlžníka/úpadcu: Nižný Hrušov 381, 094 22 Nižný Hrušov
IČO/Dátum narodenia dlžníka/úpadcu: 30.07.1985
Titul, meno a priezvisko správcu: Mgr. Vlastimil Hajduk
Sídlo správcu: Štúrova 101/5, 093 01 Vranov nad Topľou
Spisová značka správcovského spisu: 7OdK/105/2023 S1952
Príslušný konkurzný súd: Okresný súd Prešov
Spisová značka súdneho spisu: 7OdK/105/2023
Druh podania: Výzva zahraničným veriteľom na prihlásenie pohľadávok

Výzva na prihlásenie pohľadávky. Je potrebné dodržiavať stanovené termíny /Summons to register claim. It is needed to keep the determined deadlines.

(hu) "Felhívás követelés bejelentésére. Betartandó határidők"

(fr) «Invitation à produire une créance. Délais à respecter»

(es) «Convocatoria para la presentación de créditos. Plazos aplicables»

(cs) "Výzva k přihlášení pohledávky. Závazné lhůty"

(da) »Opfordring til anmeldelse af fordringer. Vær opmærksom på fristerne«

(de) „Aufforderung zur Anmeldung einer Forderung. Etwaige Fristen beachten!“

(et) "Nõude esitamise kutse. Järgitavad tähtajad"

(el) «Προσκληση για αναγγελία απαιτήσεως. Προσοχή στις προθεσμίες»

(en) 'Invitation to lodge a claim. Time limits to be observed'

(it) «Invito all'insinuazione di un credito. Termine da osservare»

(lv) "Uzaicinājums iesniegt prasījumu. Termiņi, kas jāievēro"

(lt) "Kvietimas pateikti reikalavimą. Privalomieji terminai"

(mt) "Stedina għal prezentazzjoni ta' talba. Limiti taż-żmien li għandhom jiġu osservati"

(nl) „Oproep tot indiening van schuldvorderingen. In acht te nemen termijnen”

(pl) "Wezwanie do zgłoszenia wierzytelności. Przestrzegać terminów"

(pt) «Aviso de reclamação de créditos. Prazos legais a observar»

(sl) "Poziv k prijavi terjatve. Roki, ki jih je treba upoštevati!"

(fi) "Kehotus saatavan ilmoittamiseen. Noudatettavat määräajat"

(sv) "Anmodan att anmäla fordran. Tidsfrister att iaktta"

According to the Direction of the European Parliament and Council No. 2015/848 dated 20th of May 2015, as the bankruptcy trustee of the debtor, I am obliged to inform you that with the resolution of the District Court Prešov,

proc. no. **7OdK/105/2023 from April 25, 2023**, bankruptcy proceedings were declared on the Debtors assets: **Martin Gábor, date of birth 30.07.1985, domicile 094 22 Nižný Hrušov 381**, Slovak Republic, (hereinafter only „the Bankrupt“).

The abovementioned resolution was published in the Commercial Gazette of the Slovak Republic no OV **84/2023 from May 3, 2023**. Bankruptcy proceedings onto the assets of the bankrupt were being declared on May 4, 2023.

This resolution of the District Court Prešov became valid on **May 4, 2023**. The bankruptcy procedure was declared as of this date.

According to the Act No. 7/2005 Coll. Bankruptcy and Restructuring Act as amended (hereinafter only „the BRA“) applies:

1. The bankruptcy begin by declaring the bankruptcy. The bankruptcy is considered as declared by publishing the resolution on declaring the bankruptcy in the Commercial report, whereby as the day of publishing (delivery) of the judicial decision the day following the day after the publishing of the judicial decision in the Commercial report shall be considered (§ 167a sec. 3 BRA in connection with the provision § 199 sec. 9 BRA).

2. The claim shall be alleged by an application form (§ 28 sec. 1 BRA). During the bankruptcy, claims listed in § 166a sec. 1 BRA, claims which already have been applied in court, executable claims and claims which are enforced by execution of injunction or by execution itself are applied by application form. Wiping out intact claims during bankruptcy is possible by applying of application form as well (§ 166c BRA).

3. Secured creditor of housing loan is entitled to register only if the housing loan claim is already fully payable or if secured creditor, whose security law is listed higher in order, had registered (§ 167l sec. 1 BRA).

4. Anyone who could request to wipe assets off the inventory of property or who leased an asset to the debtor in Exchange for agreed wage for fixed period withan intention of transferring the hired asset's ownership to the debtor can apply his rights by application form with pointing on a reserve ownership during the bankruptcy. This creditors are entrusting insolvency administrator to catalog and sell the assets with reserve ownership by application form. Provisions establishing the status of secured creditors are accordingly applied to this creditors (§ 29 sec. 9 and 10 BRA).

5. Also creditors, who have claim against the third person, howevew secured by Debtors assets, have to lodge their claim in bankruptcy proceedings in question. Such creditor can be satisfied in the bankruptcy only from the gains acquired by encashing the property, which ensures his claim, whereby the rights to vote at the meeting of the creditors can exercise only in that extent, in which his claim will be probably satisfied from the property, by which it is assured (§ 28 sec. 7 BRA).

The claims form has to provide information about the name, surname and the address of the firm and the seat of the creditor and of the Bankrupt, the legal cause of the claim, ranking of the satisfaction of the claim from the bankrupt's general estate and the amount of the claim divided to the principal and the interests, and the interests

divided according to the legal cause; the registration has to be filled in a special registration form, which has to be dated and signed by creditor.

6. The application shall be submitted to the administrator electronically via a designated electronic form in the administrator's electronic mailbox and must be authorised. **In the case of a foreign creditor pursuant to a special regulation, 8ac)** the application shall be filed with the trustee electronically using the form designated for that purpose pursuant to the special regulation. 8ad) The application must be received by the trustee within the basic filing period within 45 days of the declaration of bankruptcy. If the application is filed by the creditor's representative, the power of attorney executed in certificated form shall be delivered electronically by converting it into electronic form and attaching it to the application; the provisions of the special regulation on guaranteed conversion 8ae) shall not apply. If the power of attorney executed in electronic form or the power of attorney referred to in the preceding sentence is not attached to the application, the application shall be disregarded.

7. If the creditor delivers the application to the trustee in a later period, the application is being taken into account, however, the creditor cannot exercise his/her voting right. The registration of such claim into the list of the claims publishes the trustee in the Commercial report with stating the creditor and the registered sum. The delivery of the application to the trustee has for the trustee as for the court (§ 1671 sec. 3 BRA).

8. For each assured claim one application must be submitted with stating the assured sum, type, order, subject and legal reason of establishment of the security right (§ 29 sec. 2 BRA).

9. The total sum of the claim shall be divided in the application in the principal and fixtures, whereby the fixtures shall be divided in the application according to the legal reason of the establishment (§ 29 sec. 4 BRA).

10. The claim shall be alleged in Euros. If the claim is not alleged in Euros, the sum of the claim shall be stated by the trustee by the conversion according to the Exchange rate determined and published on the day of bankruptcy declaration by the European Central Bank or National Bank of Slovakia. If the claim is alleged in currency, whose reference exchange rate is not stated or published by the European Central Bank or by the National Bank of Slovakia, the sum of the claim shall be determined by the trustee with professional care (§ 29 sec. 5 BRA).

11. To the claim shall be attached the documents, which prove the stated facts. The creditor, who is the accounting unit, determines in the application a statement, if he accounts the claim in the accountancy, in which extent, or possible reasons, why he does not account the claim in the accountancy (§ 29 sec. 6 BRA).

12. The creditor, who does not have the residence or seat or affiliation of the company in the Slovak Republic, is obliged to determine his representative with residence or seat in the Slovak Republic for delivering and to announce the determination of the representative to the trustee, otherwise the documents will be delivered only by publishing them in the Commercial report (§ 29 sec. 8 BRA).

13. The submission, by which the claim was alleged, which will be alleged in the bankruptcy by an application, cannot be corrected nor amended (§ 30 sec. 2 BRA).

14. The following receivables are unaffected by debts: (A) a claim by a creditor – a physical entity who has not acquired it by devolution, transfer, with the exception of an inheritance; if such claim has not been filed in bankruptcy on the grounds that the creditor has not been notified in written form by the trustee in that the bankruptcy has been declared; provision of § 166b par. 1 (A) and (B) is thereby not affected; (B) the claim for legal aid granted to the debtor by the Legal Aid Centre; (C) secured receivable to the extent that it is covered by the value of the subject matter of the security right; provision of § 166b par. 1 (A) and (B) is thereby not affected; (D) claim for liability for damage caused to health or caused by deliberate action, including the accessories of such claim; (E) the child's claim for maintenance, including the accessories of such claim; (F) labour rights against the debtor; (G) monetary punishment under the Criminal Code; (H) non-pecuniary claim. If the secured receivable does not appear in the bankruptcy proceeding, the secured creditor is entitled to claim the satisfaction of the secured claim only from the subject of the right of lien, except that the deferral has been cancelled for the debtor's dishonest intention. Unaffected debt-relief receivables may be applied for in bankruptcy by application. (166c (1), (2) and (3) of the BRA).

15. The creditor (Section 166a and 166c of the BRA) has the right to enter into bankruptcy until the administrator has informed the Business Journal that it is preparing a timetable. The provisions of Section 29 (1), (2), (4 to 6), (8 to 10), Sections 30 and 31 shall be used proportionately. A secured creditor of a home loan is entitled to sign up only if the claim for a full-cost housing loan is due or if a secured creditor, whose security right is earlier in order, in which the creditor of the home loan shall be notified in writing. (Section 167I (1) of the BRA).

16. This notice refers to the creditors who have their domicile or registered seat in other EU member state than in the Slovak Republic according to the Direction of the European Parliament and Council No. 2015/848 dated 20th May 2015.

Best Regards,

Mgr. Vlastimil Hajduk

insolvencny liquidator