

ANMELDUNG EINER FORDERUNG LODGEMENT OF A CLAIM (PROOF OF DEBT) IN INSOLVENCY PROCEEDINGS

(Please file 2 copies)

To

Surname, name, title OR company name of debtor

CREDITOR AND CREDITOR'S REPRESENTATIVE

Creditor		For lawyers or notaries: power of attorney granted; including authorisation to accept the notified amount
Surname, name, title and occupation OR company name, etc.		
Street, house number, staircase, flat number		Signature of the creditor of creditor's representative
Postal code	Town or village	
Account number	Sort code	
Creditor's representative		
Surname, name, title and occupation OR company name, etc.		
Street, house number, staircase, flat number		
Postal code	Town or village	
Account number	Sort code	

Please state file number

Information about direct debiting procedure

<input type="checkbox"/> Direct debiting of charges	<input type="checkbox"/> from account as per creditor box
	<input type="checkbox"/> from the following other account
Current account number	Sort code
<input type="checkbox"/> Free of charges according to Section	<input type="checkbox"/> Legal aid

Notice of receipt of the court

CLAIM LODGED (amounts in euros)

CAPITAL CLAIM (amount)	Incidental claims included therein (amount), e.g. collection and dunning charges, no interest or costs
INTEREST	
<input type="checkbox"/> Interest per annum <input type="checkbox"/> Interest per half year <input type="checkbox"/> Interest per quarter <input type="checkbox"/> Interest per month <input type="checkbox"/> Capitalisation of interest	
Interest in %	on (amount) since (date) until (date of notification of commencement of insolvency proceedings)
that is (amount of interest calculated by creditor)	
COSTS, e.g., costs of previous legal proceedings; the costs of filing the present Lodgement of Claim must NOT be included	
Amount	Description of costs claimed
TOTAL AMOUNT OF CLAIM (total of capital claim, interest and costs)	

DESCRIPTION AND AMOUNT OF LODGED CLAIM

Facts on which the claim is based (Section 103 Austrian Bankruptcy Act)	Date or period		Claim or residual claim
	from (on)	until	

INFORMATION ABOUT THE INTEREST CLAIMED

To be filled in only in the case interest at a rate other than the statutory rate of 4% is claimed (6% in the case of claims based on bills of exchange or cheques). In the case of transactions between entrepreneurs [*beiderseitig unternehmensbezogene Geschäfte*] please tick the relevant box; in that case the statutory interest rate is 8% above the base rate relevant to the current calendar half year of the last day of the previous calendar half year (30 June or 31 December).

<input type="checkbox"/> Interest on the amount claimed was agreed.	<input type="checkbox"/> Default in payment was caused at least by slight negligence.
<input type="checkbox"/> Creditor could have invested his/her free funds at the interest rate stated in the Lodgement of a Claim.	<input type="checkbox"/> Despite having been informed about the necessity to take out a loan no payment was effected.
<input type="checkbox"/> Creditor has taken out a loan the amount of which is at least as high as the claimed capital and on which interest at the stated rate has to be paid.	<input type="checkbox"/> The transaction constitutes a transaction between two entrepreneurs [<i>beiderseitig unternehmensbezogenes Geschäft</i>].

EVIDENCE OF THE ASSERTED CLAIM

Enforceable instrument (If an enforceable instrument exists it should be listed.)
Court/authority File number

PROCEEDINGS PENDING WITH REGARD TO THE LODGED CLAIM

Court/authority File number
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RIGHTS OF PREFERENTIAL TREATMENT OF SECURED CREDITORS

Please state here whether the claim is secured by a lien, collateral security or any other right of preferential satisfaction.

Type of right of preferential satisfaction and Subject-matter of preferential satisfaction	Date of accrual	Amount up to which the lodged claim is probably secured

FURTHER SUBMISSIONS/ALLEGATIONS

e.g., nomination of a service of process agent resident in Austria by creditors outside Austria

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