

Guidelines on attending the creditors' meeting for election of the planner

1. Creditor eligible to attend the meeting and exercise his/her right to vote must be the creditor who has already submitted an application form for attending the meeting for election of the planner (Phor.19/1) together with evidence of debt to the official receiver before the meeting date.

Besides, creditor must submit the application form to the official receiver by his/herself or an authorised person between 8.30 a.m. and 4.30 p.m. The application that is submitted by post, email or any other means except by hand will not be accepted.

2. Giving authorisation or giving proxy to other person to attend the meeting and vote.

- 2.1 In the case that the creditor gives authorisation to other person to perform on his/her behalf by using the authorisation form provided by the BRO (Phor.12 or Phor.12/1) affixed 30 Baht stamp duty. If any part of the authorisation form has not been crossed out, such authorised person shall be entitled to attend the creditors meeting, vote and proceed any matter relation go the case on the creditor behalf without a new authorisation required.

- 2.2 In the case that the creditor has authorised other person by using the form provided by the BPO (Phor. 12 or Phor.12/1) with only 10 Baht stamp duty affixed on the form. Despite any part of the authorisation form has not been crossed out, such authorised person can only submit the petition for debt repayment for one time. Therefore the creditor has to submit authorisation form affixed 10 Baht stamp duty if he/she wishes the authorised person to attend the creditors' meeting and vote (his new authorisation is only for attending the creditors' meeting and vote at that time)

- 2.3 In the case that the creditor has authorised other person by using the authorisation form provided by the BRO (Phor.12 or Phor.12/1) affixed 30 Baht stamp duty. If some parts of the authorization have been crossed out, the authorised person can perform on behalf of the creditor only in the matters that are stated or has not been crossed out. In the case that the paragraph on substitution of attend the creditors' meeting is crossed out, the creditor who wish to maintain this power to the authorised person has to submit another authorisation form.
- 2.4 The creditor may give a proxy to other person to attend the creditors' meeting on his/her behalf. The stamp duty is not required in this case (the proxy forms provided by BRO are Phor.37 or Phor.37/1) Any document of a foreign creditor, related to clause 2.1 - 2.4 of this guideline, has to be authorised by the Notary Public before submitting to the official receiver prior to the date of the creditors' meeting.
3. The creditor, the authorised person or the proxy is required to show the following evidence at the creditors' meeting.
- 3.1 An identification card or any other ID card issued by the governmental authority of the person who attends the meeting.

Business Reorganisation Office
Legal Execution Department

Bankruptcy Act B.E. 2483

"Section 90/80 If any person files a petition pursuant to Section 90/3, Submits a form showing intent to attend the meeting to select a plan preparer pursuant to Section 90/22, files an application for repayment of debts for business reorganisation pursuant to Section 90/26, or submits a request asking the plan preparer to issue a letter confirming his rights pursuant to paragraph three of Section 90/27 and if such documents contain false statements in material respect that may cause damage to the debtor, creditors, other persons, or the public, such person shall be liable to a fine not exceeding Baht three hundred thousand or imprisonment not more than 3 years, or both."

Notice: Please be noted that any false filling shall be subject to the criminal charge.