


ETHICAL CODE AND PROFESSIONAL STANDARD OF INSOLVENCY ADMINISTRATORS

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Purposes of establishing the Code

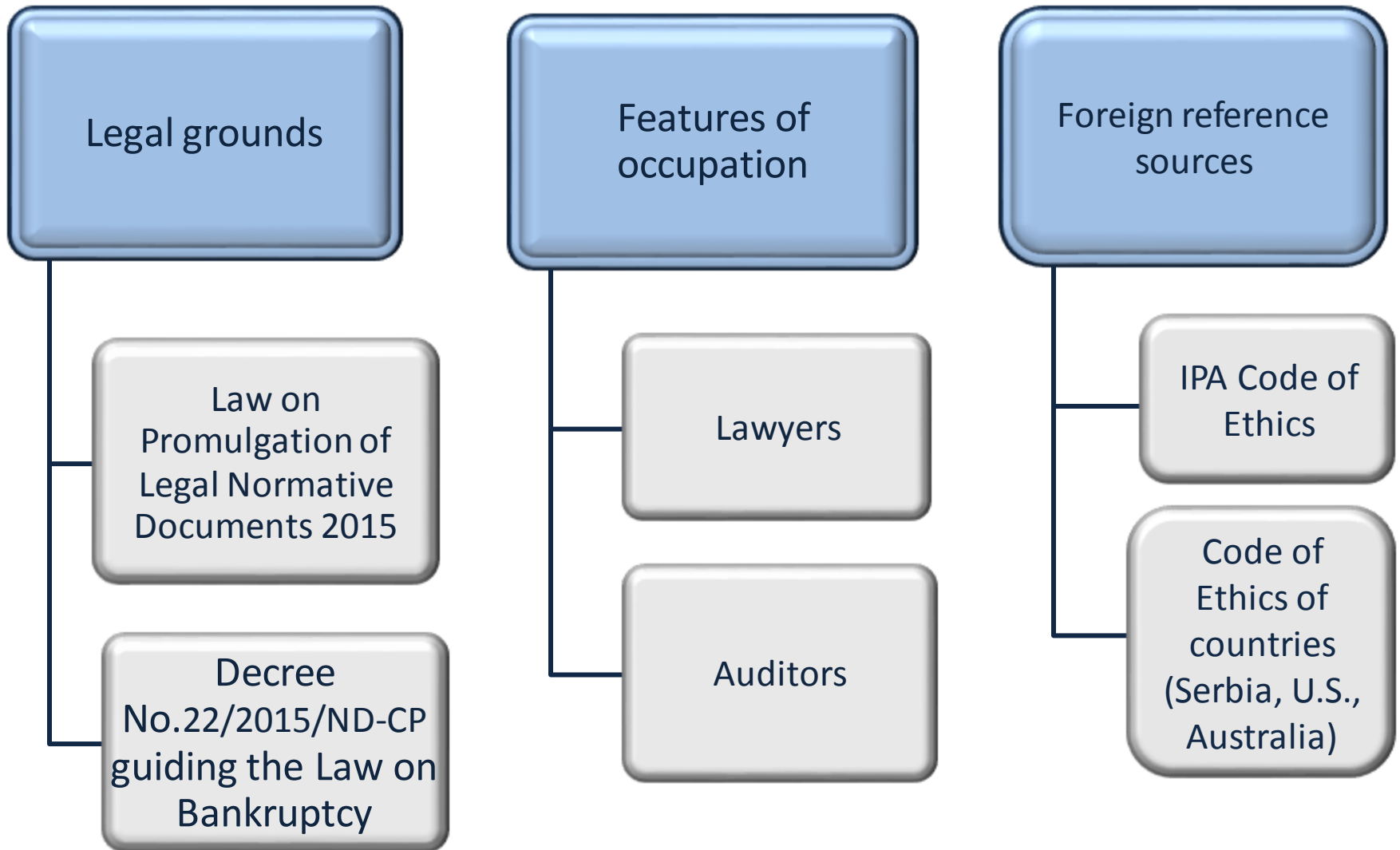


- Law on Bankruptcy 2014

- Professional practising environment

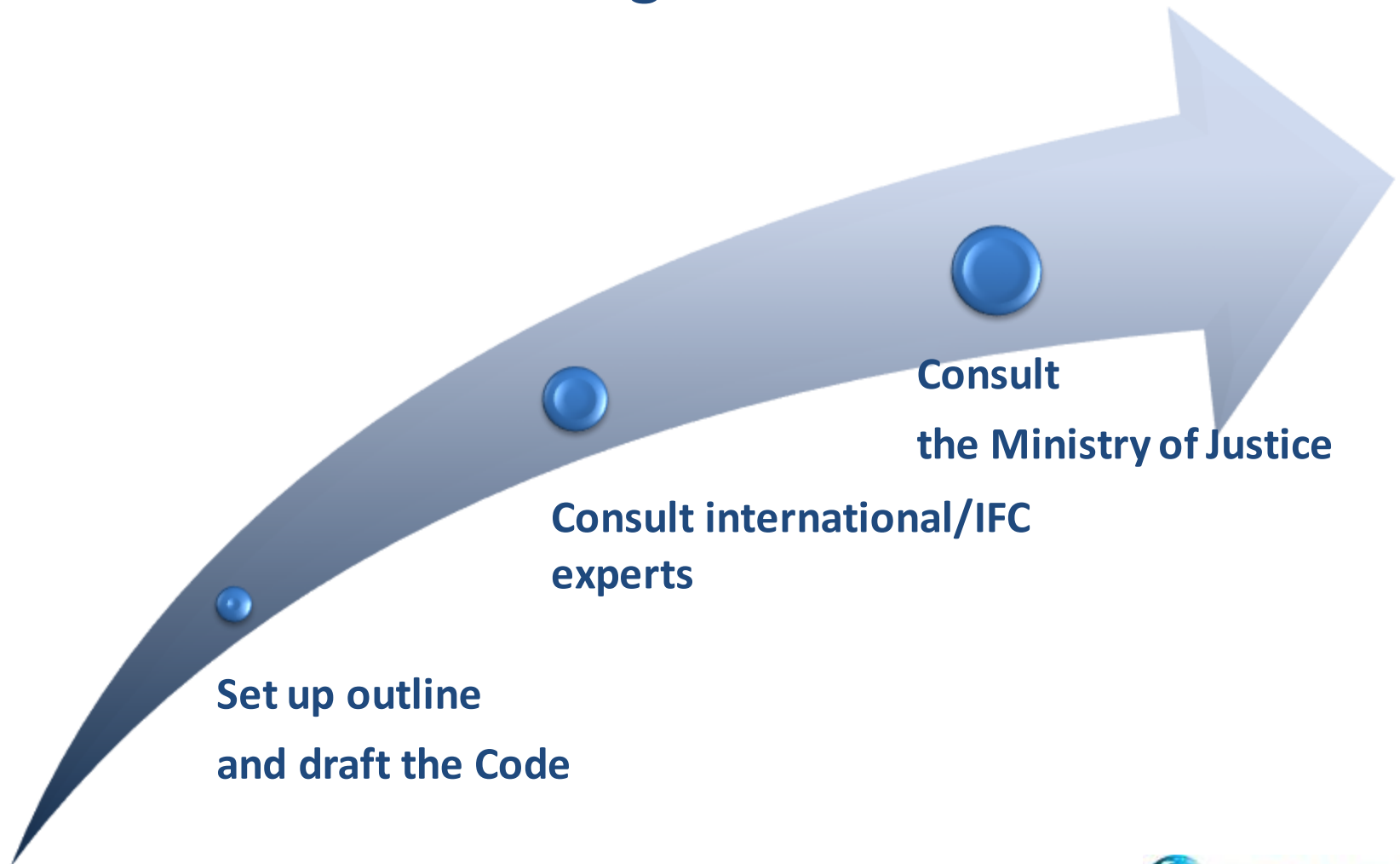
- Business environment

Methodology of establishing of the Code

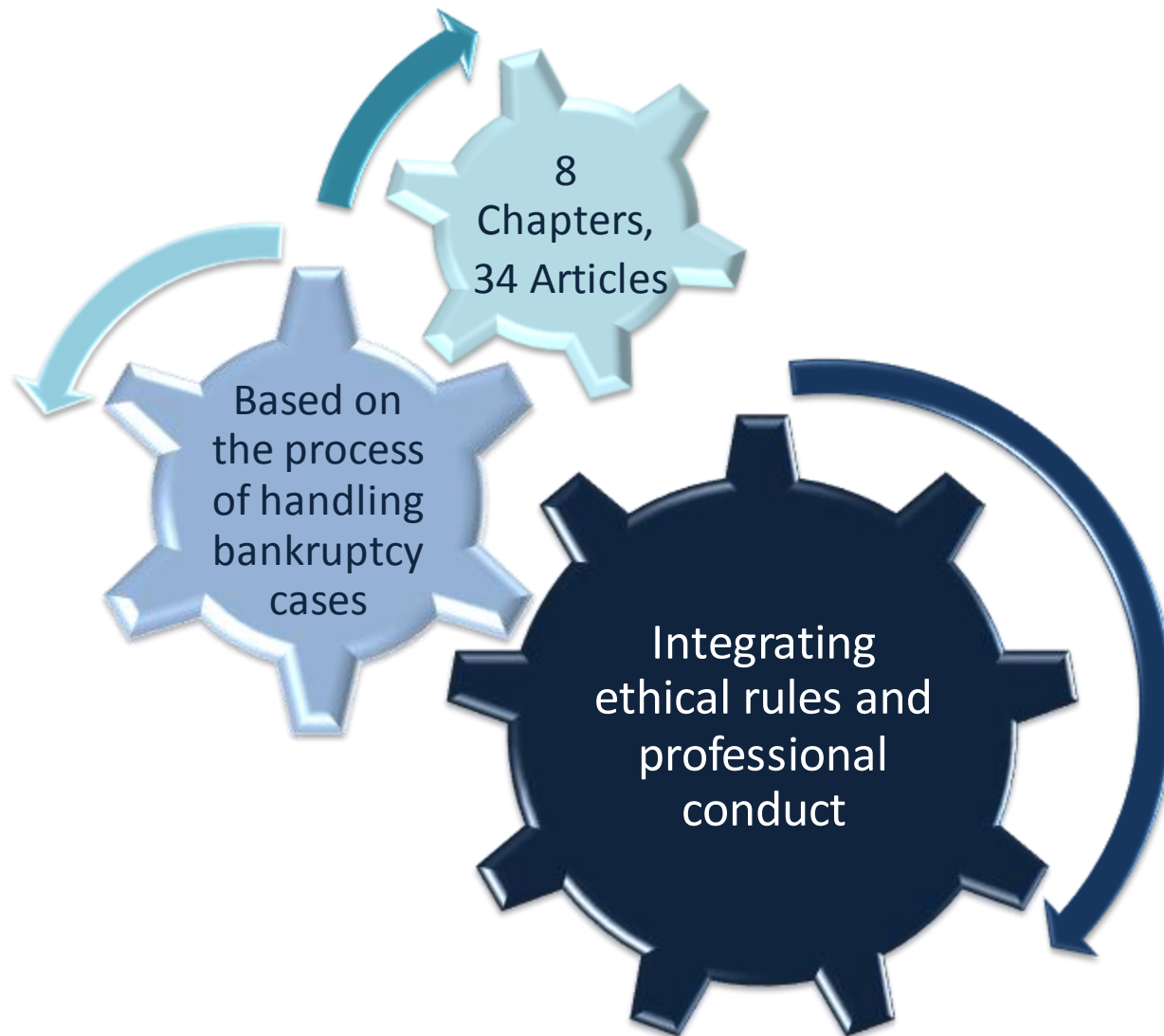


Methodology of establishing the Code

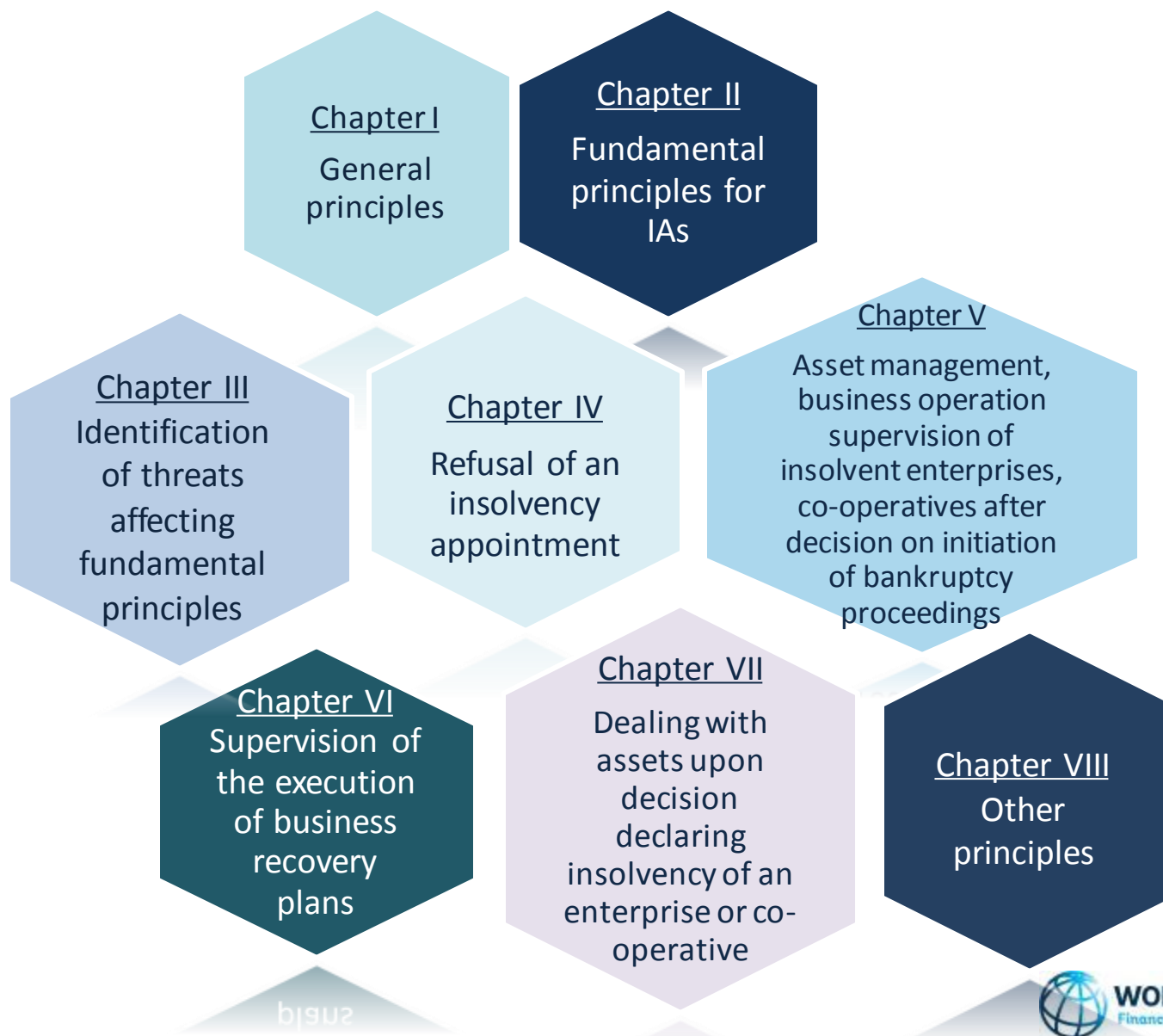
Process of establishing the Code



Structure of the Code



Structure of the Code (cont.)



Summary of contents (Chapter I – Chapter IV)

- **Chapter I:** General principles
- **Chapter II:** Fundamental principles for insolvency administrators
- **Chapter III:** Identification of threats affecting fundamental principles
- **Chapter IV:** Refusal of an insolvency appointment

Summary of contents (Chapter I – Chapter IV)

General principles (Chapter I)

1. Purpose:

- a. Establish fundamental ethical standards;
- b. Provide guidelines for professional activities to ensure such standards.

2. **Scope of application:** All individuals who hold a Certificate of Insolvency Administrator practice

- a. Working as an individual Insolvency Administrator;
- b. Working at enterprises of asset management and liquidation.

Summary of contents (Chapter I – Chapter IV)

Fundamental principles for insolvency administrators (Chapter II)

Compliance to the
Constitution and
legislation

Honesty

Integrity

Independence and
objectivity

Sense of responsibility
(professional
competence + diligence
in work + professional
behaviour)

Confidentiality + Case
file preservation

Summary of contents (Chapter I – Chapter IV)

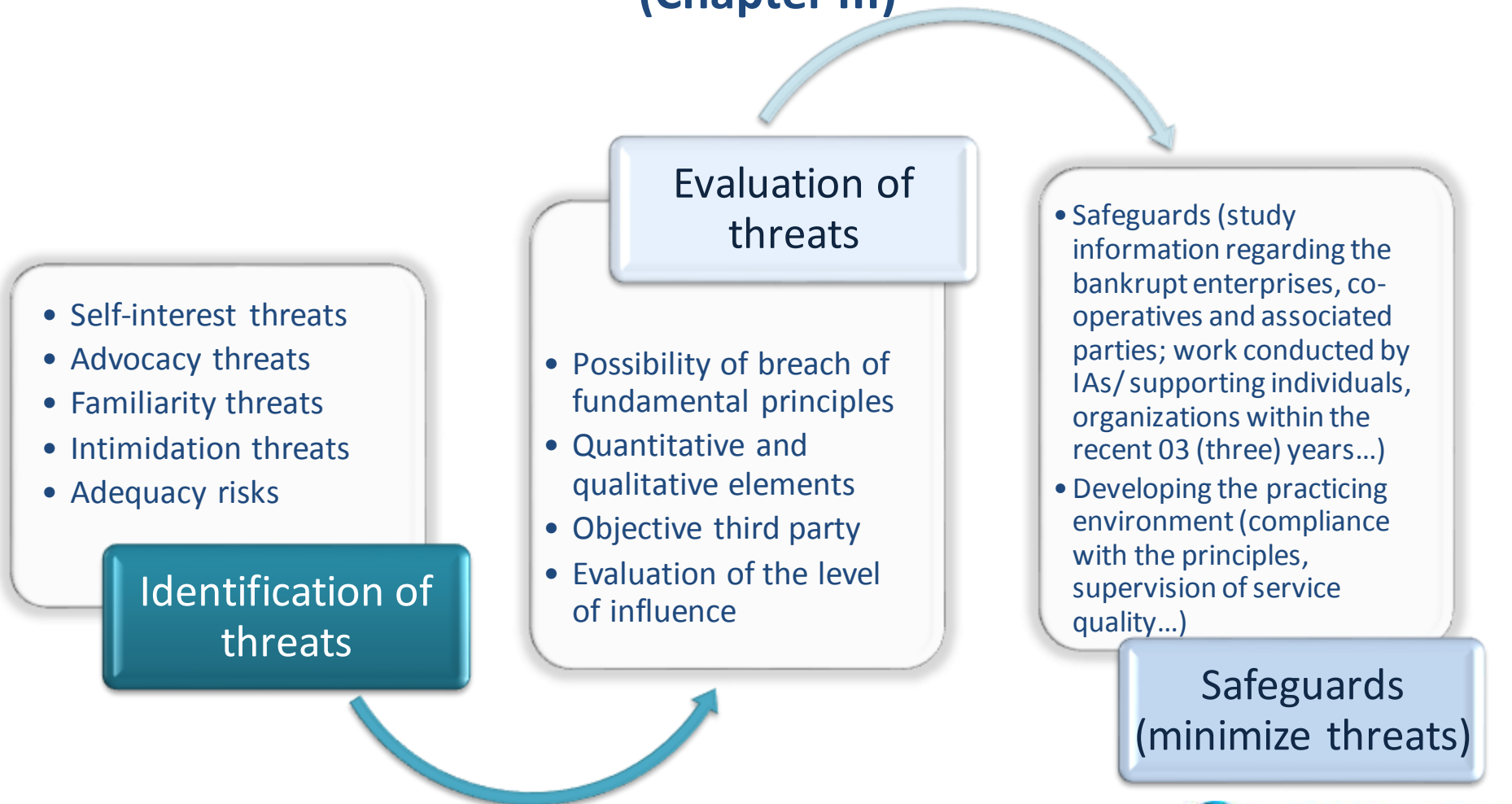
Identification of threats affecting fundamental principles (Chapter III)

Approach for threat identification



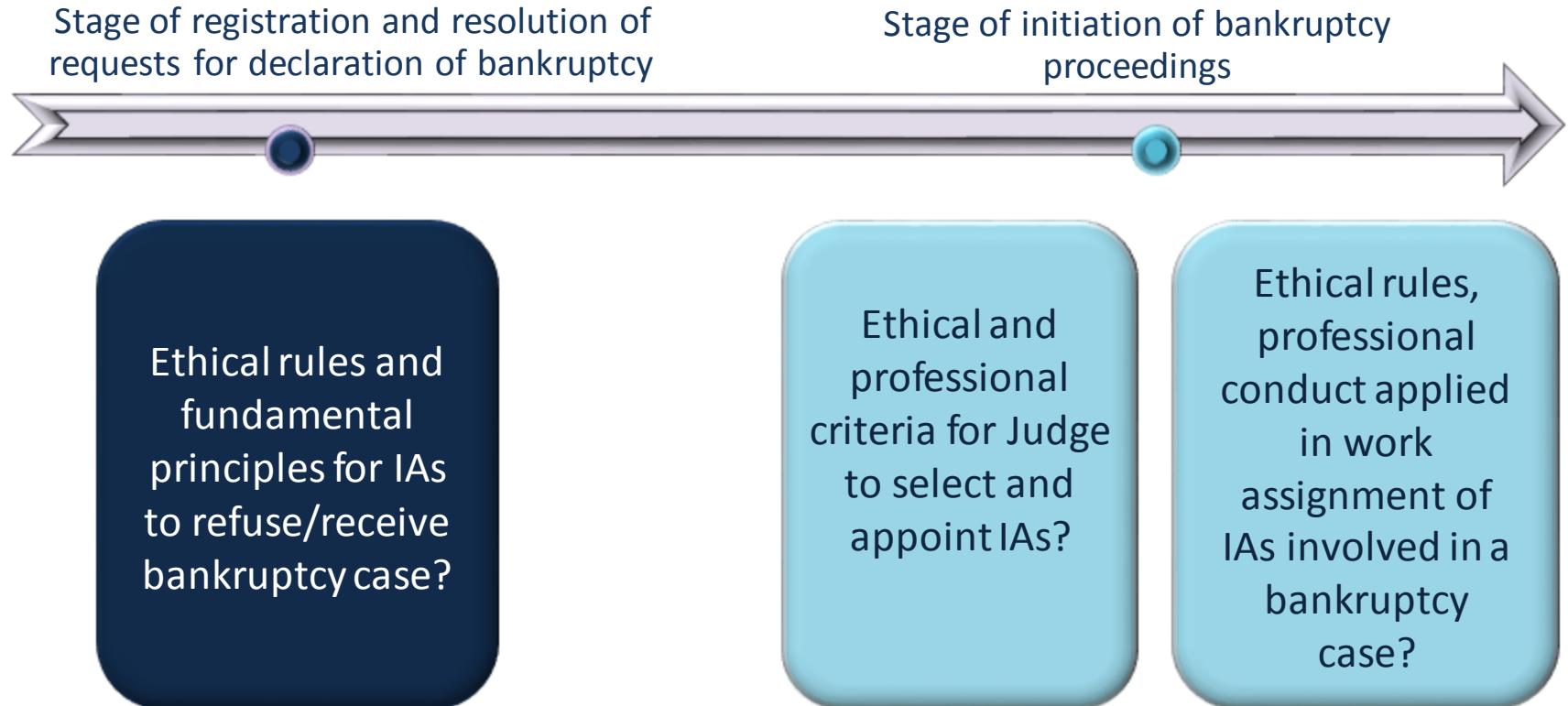
Summary of contents (Chapter I – Chapter IV)

Identification of threats affecting fundamental principles (Chapter III)



Suggests for discussion – Part I

Structure of chapters, language & some shortcomings/unclear matters of the Code



Suggests for discussion – Part I

GROUP DISCUSSION



Summary of contents (Chapter V – Chapter VIII)

- **Chapter V:** Asset management, business operation supervision of insolvent enterprises, co-operatives after decision on initiation of bankruptcy proceedings
- **Chapter VI:** Supervision of the execution of business recovery plans
- **Chapter VII:** Dealing with assets upon decision declaring insolvency of an enterprise or co-operative
- **Chapter VIII:** Other principles
- **Appendices**

Summary of contents (Chapter V – Chapter VIII)

Asset management, business operation supervision of insolvent enterprises, co-operatives after decision on initiation of bankruptcy proceedings (Chapter V)

Request for
change of the
legal
representatives

Attend
creditors'
meetings

Request to
handle
secured debts

Supervise the
offset of
contractual
liabilities

Request the
court to
consider
declaring
invalid
transactions

Request the
Court to apply
preliminary
injunctive
measures


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Summary of contents (Chapter V – Chapter VIII)

Supervision of the execution of business recovery plans (Chapter VI)



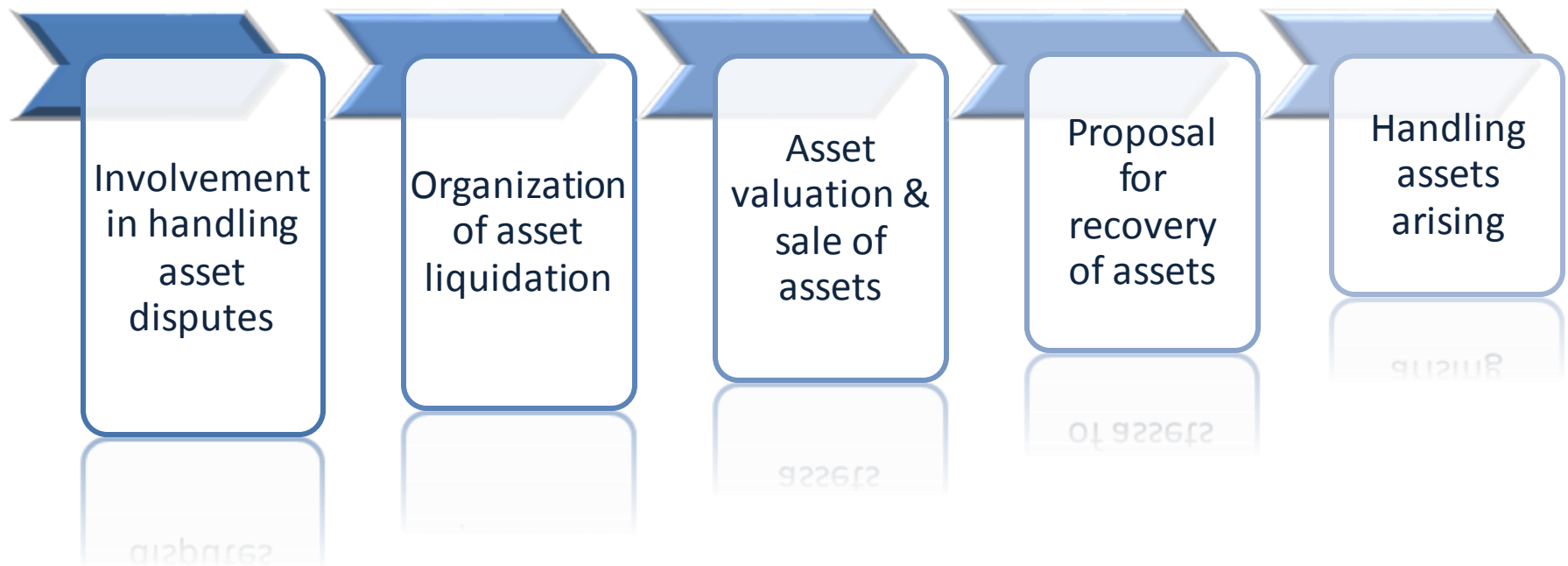
Supervision of
the execution
of business
recovery plans



Amendment,
supplement
business
recovery plan

Summary of contents (Chapter V – Chapter VIII)

Dealing with assets upon decision declaring insolvency of an enterprise or co-operative (Chapter VII)



Summary of contents (Chapter V – Chapter VIII)

Other principles (Chapter VIII)

Fees of IAs

Record
keeping and
statistics



Summary of contents (Chapter V – Chapter VIII)

Appendices

Appendix I: Basic contents of a business recovery plan

Appendix II: Form of report on assets and liabilities of insolvent enterprises

Appendix III: Form of final report of bankruptcy case

Suggests for discussion – Part II

Structure of Chapters

Language of the Code

Appendices

Some shortcomings/unclear matters...



Suggests for discussion – Part II



Ethical rules and fundamental principles for IAs in supervising the operation of insolvent enterprises, co-operatives/supervising the execution of business recovery plans?

Ethical rules and fundamental for IAs in asset valuation/asset liquidation/report on asset handling?

Ethical rules and fundamental principles for IAs in calculating the IA fees?

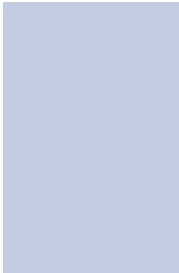
Ability of implementing template of reports, statistics, business recovery plans

Suggests for discussion – Part II

SOME OTHER ISSUES



Method of handling secured debts in practice?



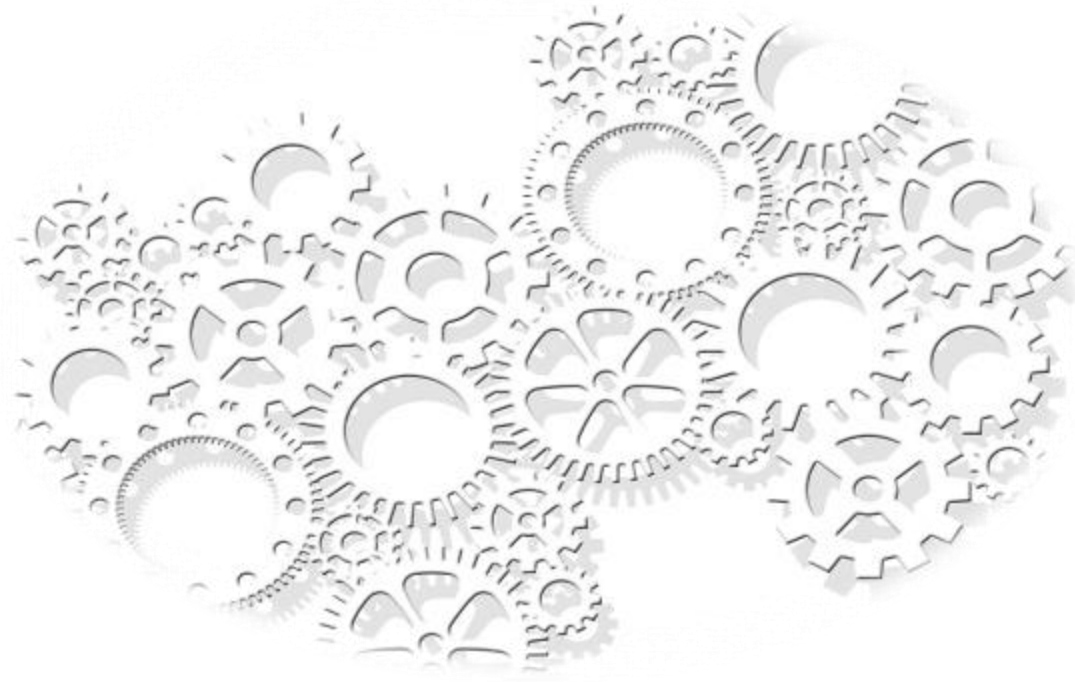
Methods of managing the amount from the sale of assets in practice (i.e. bank account)?



Liability insurance of IAs?

Suggests for discussion – Part II

GROUP DISCUSSION



Thank you!

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