



Notes on completing the OWNERSHIP CLAIM FORM (PROOF OF INTEREST) IN REORGANISATION PROCESS

1. INTRODUCTION

The following notes are provided to assist claimants with completion of the Ownership Interest Reorganistaion Claim Form (R25B Proof of Interest). If you are in doubt about any aspect of your claim you are strongly advised to seek independent legal advice and assistance. Such assistance cannot be provided by the Privatisation Agency of Kosovo.

Please especially note that the claim form must be signed. Faxes or copies will be accepted but the Administrator reserves the right to request an original at any time.

Be aware not to use this form to request the inclusion on the lists of employees to participate in 20% of revenues derived from privatization or liquidation of Social Enterprise. If you file such a request through this form it will not be reviewed.

The Claim Form uses the same references as used in art. 34 of the Law on the reorganization of certain enterprises and their assets, and is designed under the provisions of art. 17.4 of the same law.

1.1 NAME OF SOCIALY ENTERPRISE

Name of Social Enterprise is essential to note, as only in this way can be identified and your claim to become possible after for review of the Administrator.

1.2 NAME and ADDRESS OF THE CLAIMANT

The CLAIMANT is the natural or legal person who has claim(s) against the Socially Owned Enterprise.

If you are a natural person please enter in this box your the full name, postal address and contact telephone number(s), fixed and mobile if possible.

If you are a legal person please enter your registered name (and any alternative names), registered postal address, telephone number and name of a contact person.

2.1 TYPE(S) and AMOUNT(S) of CLAIM(S)

Select the type(s) that correspond most closely to the claim(s) being made and enter the total claimed amount for each type (e.g. several invoices for goods), attach a separate list identifying the individual items, their values and the total as entered in the form. If it is not possible in all cases to give an accurate figure, then enter an estimated figure and describe it as an estimate.

State separately interest amount if it is applicable to your claim. Provide details how interest rate is calculated and provide proof for the on legal base of this calculation.

If the amount is not in EUR, state in what currency the claim is filed. If claim is filed in EUR based on transformation of other currency claim, provide details of the currency exchange rate used,

dates, source and details of calculations. If the claimed amount is in EUR based on invoice value or other supporting document, please fill only the amount in the EUR.

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3. OWNERS OF ASSETS

The alleged claims for ownership interest in a specific asset relate to a situation in which the specific asset, subject of the claim, is still in possession or control of the enterprise and the claimant asks that this asset is returned back. Usually these are assets that have been leased, rented out, given out or used in mutual operations between the alleged owner and the enterprise. In this case the claimant should describe the type of the asset, provide proof of ownership and the value of the asset if it is possible to estimate that.

Please provide (on a separate sheet) all relevant details of the assets for which ownership is claimed (serial numbers, physical location, etc.) so that they may be physically identified. If possible, also give an estimate of the individual value of each asset.

You must provide documentary evidence to substantiate that you own the assets and explain why the assets are with the Enterprise.

4. OWNERSHIP OF THE ENTERPRISE

The ownership interest in an Enterprise relates to alleged claim that the claimant owns part of or all shares of the capital of an Enterprise. The claimant has to check [X] the appropriate box in the form which s/he believes best explains what is his/her relationship with the enterprise, like founders, partner, shareholder, participant or owner. The claimant has to provide proof of evidence about his/her ownership, and in particular:

- (i) Documents explaining the legal basis of the alleged ownership claim;
- (ii) Copies of the shares/registration certificates;
- (iii) Share sale-purchase contract. Proof of payment of the shares.
- (iv) Details of the shares value/consideration in case of debt equity conversions (including copies of any such agreements); and
- (v) Evidence that the shares were validly issued and that any transformation from socially-owned enterprise to joint stock enterprise was validly done.
- (vi) Monetary value of the claim
- (vii) Other documents supporting the alleged claim of ownership interest in the enterprise

5. PREVIOUS ACTIONS/PROCEDURES UNDERTAKEN FOR REALISATION OF THE CLAIM

In the particular box with the same title as above, the claimant must describe if s/he has taken any action against the Enterprise or Agency, or has started any legal proceedings for the realization of such alleged claim. Action may be: previous submission of the claim at the Enterprise, former Kosovo Trust Agency or the Privatization Agency of Kosovo or the court. In each case it is necessary to attach documents to identify the action taken or procedure started.

6. SUPPORTING DOCUMENTS

Write here a summary of the documents that will be attached to the form in support of your application. If there is insufficient space to list all the documents being attached, please use a separate sheet of paper

DO NOT SEND ORIGINAL DOCUMENTS – attach only copies that you have authenticated as true copies of the original documents upon which your claim is based.

6. STATEMENT OF TRUTH

Please ensure that this Statement is completed. Enter the name of the Claimant (the natural/legal person). If the claim is made from the authorized person in the name of claimant, the authorized person shall sign the form too. Verified authorization legally shall be attached to the form. Finally, signatures must be handwritten originals.

Warning: Any person who knowingly submits a claim that is false and fraudulent may be prosecuted.