



Company and Financial Restructuring Procedure Overview

Abdulaziz bin Nasser Al-Qafari, in his agency on behalf of Manwa Trading and Contracting Company (Client) -- Sole Proprietorship, Commercial Registration No. 1010056094 -- submitted to the Commercial Court in Riyadh a case which entails that its Client, a leading company in the construction and repair of roads industry, has been severely impacted due to the worsening economic conditions, lack of liquidity, business halt due to the COVID-19 pandemic, and the failure to collect its receivables. As a result, the Company has filed a request for a financial restructuring procedure under the Saudi bankruptcy law.

In reference to the judicial ruling issued on 9/9/1442 AH from the Ninth Commercial Circuit of the Commercial Court in Riyadh for Case No. (5046) dated 16/8/1442 AH, stating:

1. Commencing the financial reorganization procedure for Manwa Trading and Contracting Company
2. Assigning Mr. Khalid bin Ahmed Mahdhar - Civil No. 1001070737 - as Officeholder for the procedure, and in accordance with the duties, powers and duties of the Officeholder contained in the bankruptcy law and its executive regulations, the Officeholder calls on all creditors to submit their claims within a period not exceeding (ninety) days from the date of the announcement, which will correspond to 17/12/1442 AH i.e. 27/07/2021 AD

Frequently Asked Questions (FAQs)

<p>1. How to submit the claims to the officeholders? and what are the creditors' rights in this regard?</p>	<p>Each creditor whose debt arose prior to the commencement of any financial restructuring or liquidation procedure must submit to the officeholder within the period specified, any due, future, or conditionally suspended or potential claims. The creditor must state the date and the reason for the established debt and the value of the debt, if the value is not specified, the debtor must write the estimated value, as well as attach the documents supporting the claim, the claim must be brief and made with care.</p> <p>After the officeholder examines the claim and verifies its validity and value, he/she must prepare a list of claims and submit them to the Court with a recommendation for each claim to be accepted or rejected or referred to an expert within 14 days after the expiry of the period specified for the submission of claims from the date of announcement (90 days). The officeholder must notify the creditor in case the claim was rejected or referred to an expert within 5 days after submitting the list of recommendations to the Court. The creditor can object to the Officeholder's recommendation before a court and present his defense. The court later evaluates the defense and makes a judgment to accept the claim completely or partially or reject it.</p> <p>The creditor may also object to the judgment before the Court of Appeal within 14 days of the issuance of the decision or the announcement. The Court of Appeal may choose to uphold the decision to reject the claim completely or partially, or overturn the decision. If the court overturns the decision, then the decision is final and without appeal.</p> <p>Important notice: all timeframes are subject to extension at the Court's discretion.</p> <p><i>Legal document: Articles 63, 68, 217 of the Bankruptcy Law, Articles 13, 14 of the Implementing Regulations</i></p>
<p>2. What is the allotted time period for creditors to file their financial claims?</p>	<p>Creditors are encouraged to submit their claims within a period not exceeding (ninety) days from the date of the announcement, which will correspond to 17/12/1442 AH i.e. 27/07/2021 AD.</p> <p>Creditors can submit a claim after the allotted time period, however, they may risk losing their voting rights.</p>
<p>3. How can creditors submit their financial claims?</p>	<p>Creditors submit their claims:</p> <ol style="list-style-type: none">1. By filling out the creditor's claim form (a creditor's claim to the debtor) in the following link: https://bankruptcy.gov.sa/ar/Eservices/EFForms/Docum

	<p>ents/1.docx</p> <p>2. Attach all the required documents to make your claim file ready for review</p> <p>3. Send the form attached to all the necessary documents to the following e-mail address: mer_claims_manwa@pwc.com or P.O. Box 8282, Riyadh, 11482, Kingdom of Saudi Arabia</p> <p>** Please note that our preferred method for receiving claims is via email, and this is to facilitate the process of communicating with the creditor</p>
4. What are the documents required to submit a claim?	<p>1. A copy of the creditor's National ID if it is an individual or the commercial register if it is an institution or a company.</p> <p>2. A copy of the applicant's National ID.</p> <p>3. A copy of the title deed for submitting the claim.</p> <p>4. A copy of the agency or memorandum of association, if any.</p> <p>5. A copy of the opening deed.</p> <p>6. A copy of the deed of entitlement.</p> <p>7. A copy of the surety bond, if any.</p> <p>8. Other supporting documents to strengthen the claim (example but not limited to: employment contract or salary slip between creditor and debtor, invoices, account statement etc.)</p>
5. How can you ensure the completeness of your claim to be ready for review by the Officeholder?	<ul style="list-style-type: none"> - Please ensure that the information provided is correct, accurate and reconciles with the supporting documents provided. - Ensure that the handwriting or scanned image is clear so that the claim is properly reviewed - Provide us with your full national address with the P.O. Box - Please ensure that there is a handwritten signature of the applicant and the mobile number of the applicant
6. How can creditors facilitate the claim submission & review process?	<p>To facilitate the claims submission and review process, please send a separate email for each claim submitted while attaching all the documents related to it.</p> <p>Kindly specify the applicant name, National ID number, and mobile number in the subject line of the e-mail.</p> <p>Please also make sure that the creditor's name and claim value match all the necessary documents (For example, but not limited to: the form, the National ID, the reconciliation report, the judicial decision)</p> <p>In the event that the entitlement deed has not been obtained yet or entitlement deed is against the plaintiff / the case has been suspended/postponed, please provide us with other documents to help us review your claim i.e. an example, but not limited to: an employment contract and a salary slip between the creditor and the debtor (Manwa Trading and Contracting Company)</p>
7. Can I send more than one claim in the same email?	To facilitate the review process, please send a

	separate email for each claim (even if it belongs to the same creditor) and attach a new creditor claim form for each claim and its necessary documents.
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More information on creditor's rights in the bankruptcy proceedings as per the Saudi Arabian Bankruptcy Commission can be found here:
<https://bankruptcy.gov.sa/ar/KnowledgeCenter/FAQ/Pages/default.aspx>

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