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LEGAL CHECKLIST FOR CREDITORS: KEY ACTIONS IN BANKRUPTCY PROCEDURES IN SPAIN

BANKRUPTCY LAW

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COMMUNICATE THE CLAIM WITHIN THE LEGAL DEADLINE

The creditor must monitor the publication of the bankruptcy declaration order in the BOE and notify their claim to the bankruptcy administrator within one month. This notification must be accurate, well-documented, and classify the type of claim correctly (privileged, ordinary, subordinated).

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DOCUMENT AND JUSTIFY THE DEBT

It is essential to provide clear and complete evidence of the claimed credit: contracts, invoices, delivery notes, emails, etc. Solid documentation increases the likelihood that the claim will be recognized and correctly classified.

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ACTIVELY PARTICIPATE IN THE PROCEDURE

The creditor can appear in the bankruptcy, receive notifications, submit claims, and participate in the classification phase. In bankruptcies without estate, they can even request the appointment of a bankruptcy administrator if they represent at least 5% of the liabilities.

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ASSESS THE POSSIBILITY OF CULPABLE BANKRUPTCY

If there are signs of mismanagement, fraud, or asset stripping by the debtor, the creditor can push for a culpable classification of the bankruptcy. This opens the way to claim directly from the responsible administrators or partners.

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