

Guidelines for the registration of claims

The following guidelines apply for the registration of claims against **SkyWork Airlines AG in liquidation** (hereafter: "SkyWork"):

- 1 The claims have to be registered no later than **28 February 2019** (date of postmark) at the Bankruptcy Office Bern-Mittelland, Dienststelle Mittelland, Poststrasse 25, CH-3071 Ostermundigen. The validity of the claims must be sufficiently established by means of adequate evidence (contracts, orders, delivery notes, invoices, etc.); copies are sufficient. Late filings are admitted by the Bankruptcy Office until the end of the procedure in accordance with Art. 251 SchKG.
- 2 Claims shall be registered using the forms available on the website www.skywork-konkurs.ch. Depending on the group of creditors, the following points must be observed:
 - 2.1 **Passengers:** The passengers whose flights could not be operated due to the cessation of flight operations respectively the opening of the bankruptcy proceedings can register their claims to the Bankruptcy Office using the form "Passengers claims registration" (available on the website www.skywork-konkurs.ch under the section "Forms").

In principle, only passenger claims reports that are in a direct contractual relationship with SkyWork (e.g. in the case of direct flight booking with SkyWork, flight booking with an Internet booking platform or with any other third party acting only as an intermediary between SkyWork and passengers) can be taken into consideration.

Passengers who are not in a direct contractual relationship with SkyWork (e.g. in the case of a direct purchase and payment of a ticket from a travel agency or in the case of a reservation of a package tour with a tour operator), are required to examine precisely any claims they may have against their contractual partner and, where applicable, to assert them against the latter - and not against SkyWork.

Passengers who have already announced their claims before the call to creditors are kindly requested to re-announce these claims using the corresponding form available on the website ("Passengers claims registration").

For further useful information, see the website of the Federal Office of Civil Aviation (FOCA) at the following address: <https://www.bazl.admin.ch/bazl/en/home/good-to-know/informationen-skywork-passagiere.html>.

- 2.2 **Employees**: Employees who have already registered their labour law-related claims in course of the information event in Belp on 21 September 2018 do not have to re-announce their claims. Employees who did not register their claims on 21 September 2018 can download the corresponding form ("Employees claims registration") from the website www.skywork-konkurs.ch (section: "Forms") and return it duly completed in due time to the Bankruptcy Office.
- 2.3 Other **creditors**: All other creditors have to use the general form for claim registrations ("Claims registration"; available on the homepage www.skywork-konkurs.ch under the section "Forms"). Creditors who have already announced their claims before the call to creditors are kindly requested to re-announce these claims using the corresponding form available on the website ("registration of claims").
- 3 Only monetary claims may be taken into account in bankruptcy proceedings. Claims which are not for a sum of money must be converted into a monetary claim of corresponding value. The proceedings will be conducted in Swiss francs. Amounts in foreign currencies must be converted into Swiss francs at the exchange rates prevailing on 6 September 2018 (Source: www.fxtop.com):

EUR/CHF = 1.13
GBP/CHF = 1.26
USD/CHF = 0.97
- 4 Statements of title in respect of items which are in possession of the estate (Art. 242 SchKG) must be asserted within the submission period. The item to be segregated shall be precisely identified by submitting a corresponding third party title of ownership. Furthermore, it must be explained why the item is in the possession of the bankrupt estate.
- 5 Claims secured by pledge and claims that are not yet due must also be registered. Specific mention should be made of pledge rights and other security interests, co-obligated persons and conditional claims.

- 6 Interest can only be claimed until the opening of bankruptcy proceedings, i.e. until 6 September 2018, with the exception of claims secured by pledge. The interest accrued up to this date must be calculated by the creditor.
- 7 Creditors must disclose their names and addresses. Anonymous claim registrations cannot be accepted.
- 8 If a creditor is represented by a third party, a written power of attorney shall be submitted.
- 9 The relevant claim forms must be downloaded from the website www.skywork-konkurs.ch (section "Forms"), completed electronically and, duly signed, submitted by post to the Bankruptcy Office **by no later than 28 February 2019** (date of postmark):

**Konkursamt Bern-Mittelland, Dienststelle Mittelland, Poststrasse 25,
3071 Ostermundigen**

For any further questions

Questions should be addressed to the Bankruptcy Office Bern-Mittelland, Dienststelle Mittelland, Poststrasse 25, CH-3071 Ostermundigen
ka.bemi-dst-bemi@jgk.be.ch, Tel. +41 (0)31 635 92 00.