

***KINGDOM OF CAMBODIA***

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**ROYAL GOVERNMENT OF CAMBODIA**

**Ministry of Commerce**

**INSOLVENCY LAW**

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**CHAPTER 1**  
**GENERAL PROVISIONS**

***Article 1. Scope and Purpose***

- (a) This Law establishes the conditions and procedures governing the insolvency of debtors.
- (b) Insolvency proceedings shall provide collective, orderly and fair satisfaction of creditors' claims out of a debtor's estate and, where the parties in interest agree it is appropriate, the rehabilitation of the business of the debtor.

***Article 2. Definition of Terms***

- (a) "Claim" means any right to receive payment from the debtor or from assets of the debtor which arose before the opening of insolvency proceedings, regardless of whether such claim is conditional, unliquidated or contingent, unless expressly qualified as an "administrative claim".
- (b) "Creditor" means any natural or legal person or partnership who owns a claim against the debtor or assets of the debtor.
- (c) "Company" means a limited company formed under the Law of Commercial Enterprises.
- (d) "Costs of the proceedings" and "costs of the resumed proceedings" mean the court's fees and costs and the remuneration, fees and expenses of the provisional administrator and administrator.
- (e) "Court" means a court which, under the laws of the Kingdom of Cambodia, has jurisdiction over insolvency proceedings opened under this Law.
- (f) "Debtor" means any natural or legal person who is engaged in a business enterprise and who may be made a subject of insolvency proceedings under this Law.
- (g) "Partnership" means a general or limited partnership formed under the Law of Commercial Enterprises.
- (h) "Related person" means:
  - (i) in the case of a debtor which is not a natural person, any shareholder, director, partner or manager of the debtor;

- (ii) the debtor's spouse or, in the case of a debtor which is not a natural person, the spouse of any shareholder, director, partner or manager of the debtor;
- (iii) any ascendant or descendant of the debtor or of any person described in paragraphs (i) and (ii);
- (iv) the spouse of any person described in paragraph (iii);
- (v) any sibling, or the spouse of any sibling, of the debtor or of any person described in paragraphs (i) to (iv);
- (vi) any company in which a person described in paragraphs (i) to (v) holds

(a) In the case of a ruling of the court made under this Law, an appeal shall not operate as a stay on the execution of the court's ruling.

(b) Unless this Law contains special provisions, the provisions of the Code of Civil Procedure shall apply





- (vi) in the case of a petition by the debtor, a list of all known creditors of the debtor, indicating the names of the creditors, their addresses and the amounts of their respective claims.

***Article 8. Duty to Petition for the Opening of Insolvency Proceedings***

(a) A debtor that has ceased to meet any of its mature and valid obligations of the kind mentioned in Article 6(a) to pay shall, within thirty days of such cessation, petition for the opening of insolvency proceedings against itself, if the aggregate of such mature obligations exceeds the amount stipulated under Article 6(a).

(b) In the case of a debtor who is a natural person, it shall be his duty to ensure that a petition is filed pursuant to paragraph (a). In the case of a debtor which is a partnership or a company, it shall be the duty of every individual director, partner or manager, as the case may be, to ensure that a petition is filed pursuant to paragraph (a).

(c) Any person who, intentionally or with gross negligence, fails to discharge the duty under paragraph (b) shall be personally liable to the debtor's creditor or creditors for damages that result directly from such failure. If the duty under paragraph (b) falls on more than one person, all such persons, acting intentionally or with gross negligence, shall be jointly and severally liable for damages that result directly from the failure to observe the duty. Should insolvency proceedings be commenced against the debtor, such damages shall be included in the estate and the administrator shall act on behalf of all creditors in their recovery.

provisions of Chapter 10, Part A shall apply, *mutatis mutandis*, to a provisional administrator.

(c) Any rulings of the court made under paragraphs (a) and (b) shall be published, including in the Official Gazette of the Kingdom of Cambodia.

**CHAPTER 3**  
**DECISION ON THE PETITION TO OPEN INSOLVENCY PROCEEDINGS**

***Article 11.***

represents has the support of creditors required for the approval of a plan of compromise under Article 44.

(c) If the court is satisfied, after the hearing of the petition, that the ground or grounds on which the petition is based do not exist or, in the case of a petition by the debtor or by a creditor acting in concert with the debtor, that the debtor's failure to meet his obligations is frivolous or was made in bad faith, the court shall issue a written ruling dismissing the petition.

(d)

filed. In the event of a dispute as to whether such person failed to discharge his duty, such person shall bear the burden of proving that he did not fail to discharge his duty.

***Article 16. Costs for a Dismissed Petition***

When dismissing a petition for lack of grounds, the court shall also issue a ruling requiring the petitioner to reimburse the debtor, or the creditors, as the case may be, for all reasonable legal costs incurred by such party or parties in attending to the petition. If the court finds that the petition was filed frivolously, maliciously or with intent to do wrongful harm to the debtor or creditors, the court may further rule that the petitioner be held liable to such party or parties for all damages incurred by the party or parties as a result of the petition.

***Article 17. Publication and Notification of the Opening of Insolvency Proceedings***

(a) A court ruling opening insolvency proceedings shall be published, including in the Official Gazette of the Kingdom of Cambodia.

(b) No later than seven days after the opening of the insolvency proceedings, the administrator shall publish notices, including by placing advertisements in at least two major newspapers in the Kingdom of Cambodia, announcing the following:

- (i) that insolvency proceedings have been opened against the debtor;
- (ii) the deadline for the submission of written proofs of claims and the address to which all written proofs of claims should be sent; and
- (iii) the date, time and place for the opening creditors' meeting.

(c) No later than seven days after the administrator receives the statement of the debtor filed pursuant to Article 28, the administrator shall notify in writing all creditors listed in the statement of the matters set out in paragraphs (b)(i) to (b)(iii).

***CHAPTER 4  
EFFECTS OF THE OPENING OF INSOLVENCY PROCEEDINGS***

***PART A – GENERAL EFFECTS***

***Article 18. Stay of all other Proceedings***

(a) Upon the ruling opening insolvency proceedings, and until the termination of the proceedings, no action, proceedings or execution process or any other action of any kind by

or on behalf of a creditor shall be commenced or continued against the debtor or assets of the estate.

(b) The administrator may, however, whenever it is in the best interest of the estate, allow a secured creditor in writing to foreclose his mortgage, repossess and sell an encumbered asset (collateral), or in any other way avail himself of his security right and make himself paid by individual action.

(c) In the case of insolvency proceedings opened against a debtor which is a general partnership or a limited partnership, the stay of action in paragraph (a) shall also apply to any action, proceedings or execution process for debt of the debtor against a partner or general partner of the debtor, respectively, and against the partner's assets. Only the administrator or

The debtor shall cooperate fully with the administrator and shall provide the administrator

- (xii) convene and organize the meetings of creditors as provided for in this Law;
- (xiii) prepare and propose a plan of compromise, where appropriate;
- (xiv) employ the services of agents and professionals to assist in the performance of his duties; and
- (xv) do any and all other things necessary to the performance of his duties and which are consistent with the objectives of the insolvency proceedings.

(b) The Minister of Commerce may issue regulations to supplement the provisions in paragraph (a) regarding the administrator's powers.



(b) Any transaction undertaken in violation of paragraph (a) shall be deemed a violation of the administrator's duties and expose the latter to personal liability for any damage incurred by the estate or any party in the proceedings.

***Article 25. Determination of Secured Status of Claims***

(a) No later than thirty days after the opening of insolvency proceedings, the administrator shall determine in good faith the value of any security right held by a creditor in an

proceedings and for so long as the asset is not sold by the administrator and the relevant proceeds of the sale applied in satisfaction of the creditor's claim, or for so long as the creditor has not been permitted to sell the asset or to foreclose his security right in exercise of his security right.

***Article 27. Maintenance Payments from the Estate***

- (a) The court may decide whether and to what extent a debtor who is a natural person and the debtor's family should be provided with current maintenance from the estate.
- (b) Until the court's decision under paragraph (a), the administrator may, with the consent of

period within which the administrator must declare his decision whether to continue the contract. Each extension shall be for no more than fourteen days.

(c) The counter party to a contract may, at any time, also make a written request to the administrator that the administrator declare himself bound by the contract. In the absence of a written declaration from the administrator to be bound by the contract within seven days of the counter party's request, the contract is deemed terminated and the counter party to the contract may file a claim for damages as a creditor in the insolvency proceedings. The court may, upon a written application of the administrator, extend the period within which the administrator must declare his decision whether to be bound by the contract. Each extension shall be for no more than fourteen days.

(d) In the case of individual contracts for the sale or purchase of securities, rights or other similar goods in a market or stock exchange which are part of a larger framework agreement for the consolidated settlement of the individual contracts, the administrator's election to

The court may, upon a complaint by the administrator and upon a hearing of the other party to a certain transaction adjudicate by judgment the following transactions to be void and pronounce the appropriate effects of such declaration under Article 32:

- (a) a transaction entered into by the debtor with the intent to defraud creditors by placing the debtor's assets beyond the reach of creditors who may seek to recover claims owed by the debtor, provided that the other party to the transaction knew of the debtor's said intent;
- (b) a transaction effected within three years prior to the opening of insolvency proceedings for which no consideration was received by the debtor in return, except for ordinary transactions in favor of the debtor's spouse or relatives of direct descent or ascent;
- (c) a transaction effected within one year prior to the opening of insolvency proceedings in which the value of the debtor's obligation considerably exceeded the value of the other party's obligation;
- (d) a transaction effected within one year prior to the opening of insolvency proceedings in which the debtor discharged a debt which was not due, or provided new or additional security for a debt, and in which the other party to the transaction is a related person;
- (e) a transaction effected within six months prior to the opening of insolvency proceedings in which the debtor discharged a debt which was not due, or provided new or additional security for a debt; and
- (f) a transaction effected within one year prior to the opening of insolvency proceedings in which the debtor discharged, or granted a security right, for a debt of the kind mentioned in Article 35(e).

***Article 32. Effects of an Avoided Transaction***

- (a) Wh[(w)5.3(h)-1e8cwith5( )TjTyhcfTT4 1 Tw4 1 Tf1(i)8.2(c)4.6

(a) If, by force of law or on the basis of a contract, a creditor would have had a right, on the date of the opening of the insolvency proceedings, to set-off his claim in the proceedings against an obligation owed to the debtor, such right of set-off shall not be affected by the opening of the insolvency proceedings.

(b) Set-off shall not be excluded by reason of the fact that the claims or obligations are in different currencies or units of exchange, if such currencies or units of exchange can be freely converted at the place of payment of the claim or obligation against which set-off is to be declared. Conversion shall be at the rate of exchange at such place at the time of the receipt of the declaration of set-off.

(c) Set-off by a creditor against a counter claim of the estate shall be void if:

- (i) the creditor only became a debtor of the estate after the opening of insolvency proceedings;
- (ii) the creditor acquired his claim from another creditor after the opening of the insolvency proceedings;
- (iii) the creditor acquired the right of set-off by means of a transaction which is subject to contest or avoidance under this or other laws; or
- (iv) the creditor's claim is of the kind mentioned in Article 35.

## ***PART C – CLAIMS***

### ***Article 34. Admissible Claims***

(a) The estate shall be used to satisfy all admissible claims against the debtor and administrative claims. Administrative claims shall include the remuneration, fees and expenses of the administrator and all claims incurred by the administrator in the course of the proceedings.

(b) Claims that are not mature on the date of opening of the insolvency proceedings shall be deemed to have matured upon the opening of the insolvency proceedings.

(c) Claims that are subject to a resolutive condition shall be treated as unconditional claims as long as the condition has not been satisfied.

### ***Article 35. Inadmissible Claims***

The following claims shall not be admissible in insolvency proceedings:

- (a) interest accruing on claims from the date of the opening of the insolvency proceedings;
- (b) costs incurred by creditors by reason of their participation in the insolvency proceedings;
- (c) fines, administrative penalties and other incidental legal consequences of a criminal or administrative offence which obliges the debtor to pay money;
- (d) claims for which no consideration was owed by the debtor in return;
- (e) claims for the repayment of a loan made, or caused to be made, to the debtor by a person or partnership holding directly or indirectly not less than ten percent of the equity capital of the debtor, or recourse claims against the debtor for a loan guaranteed or secured, or caused to be guaranteed or secured, by such a person or partnership. If the debtor is a partnership, the subordination of claims in this paragraph shall apply only when all general partners of the debtor are companies or otherwise of limited liability;
- (f) claims for recourse which co-debtors or guarantors may have against the debtor if they satisfy a creditor's claim, unless the creditor fully waives his claim for the purposes of the insolvency proceedings;
- (g)

- (i) the legal nature and cause of the claim;
  - (ii) the time when the claim arose;
  - (iii) the amount of the claim;
  - (iv) any priority that may attach to the claim under Article 56;
  - (v) the nature and rank of any alleged security in any asset of the debtor and details of the asset in which the alleged security exists; and
  - (vi) copies of documents and other evidence in support of the above, if any.
- (c) The administrator shall assist creditors in observing the required formalities.

***Article 38. Preparation of the Claims List***

- (a) The administrator shall prepare a claims list setting out the details of all claims submitted by creditors in accordance with Article 37. The claims list shall be filed with the court no later than five days before the date of the opening creditors' meeting. The claims list shall be open for inspection by any person free of charge.
- (b) The claims list shall contain in a condensed and standardized fashion information in accordance with Article 37(b)(i) to Article 37(b)(v) and additionally, in the case of an alleged security in an encumbered asset, the valuation of the secured portion of a claim as determined under Article 25.
- (c) The claims list shall be verified at the opening creditors' meeting in accordance with the provisions of Chapter 6.

**CHAPTER 5  
PLANS OF COMPROMISE**

**PART A – GENERAL MATTERS**

***Article 39. Proposal for a Plan***

(a) A plan of compromise shall state the period for the implementation of the plan, and may contain any method for the resolution of the debtor's insolvency, including, without limitation:

- (i) the cancellation, or reduction in the amount, of any claim, including in exchange for shares or equity in the debtor's business;
- (ii) the re-scheduling of the payment of any claim;
- (iii) the continuation of the business of the debtor, or a part thereof, by the debtor or another person; and
- (iv) the sale or disposition of any asset of the estate, either subject to or free of any encumbrances or liens, or the distribution of all or any asset of the estate among those having an interest in such asset.

(b) A plan of compromise shall provide for the payment in full of costs of the proceedings and other administrative claims, being the costs and claims incurred by the administrator in the course of the insolvency proceedings.

***Article 41. Effect of Plan on Inadmissible Claims***

Inadmissible claims shall be deemed canceled by the plan of compromise, with the exception of claims falling under Article 35(c).

***Article 42. Costs for the Preparation and Proposal of a Plan***

The costs incurred in the preparation and proposal of a plan of compromise by the debtor or the administrator shall be considered an administrative claim to be satisfied from the estate. Costs incurred in the case of other plan proposals shall be at the expense of the party making the proposal.

***PART B – APPROVAL OF A PLAN OF COMPROMISE***

***Article 43. Meeting to Consider and Approve the Plan***

The plan of compromise shall be submitted for the consideration and approval of creditors at the opening creditors' meeting or at any subsequent creditors' meeting convened for that purpose.



***Article 44. Majorities Needed for Approval of the Plan***

(a) In approving a plan of compromise, creditors shall be grouped into the following classes and shall cast their votes in accordance with the amount of their respective claims in each of these classes:

- (i) creditors holding secured claims;
- (ii) creditors holding claims which fall under Article 56(a)(iii);
- (iii) creditors holding claims which fall under Article 56(a)(iv).

(b) A plan of compromise shall require the approval of:

- (i) each class of creditors, through the affirmative votes of creditors in each class holding not less than three-fourths of the claims of all creditors within the class who are present and voting at the meeting to consider the plan of compromise; or
- (ii) at least one class of creditors, through th n.4(e )531(c)-5(lvoe )531(s).3884.2869-.0014 To

- (ii) if the creditor waives his security right in the encumbered asset.

***Article 46. Approval by the Court***

(a) No later than seven days after a plan of compromise has been approved by the creditors as required under Article 44, the administrator shall make a written application to the court for court approval of the plan of compromise.

(b) The court shall issue a ruling to approve the plan of compromise if the following conditions are satisfied:

- (i) voting was carried out in accordance with the requirements of this Law;
- (ii) under the plan of compromise, all creditors in any given class will be treated on an equal footing, unless the affected creditors consent in writing to being treated less favorably than any other member of the class;
- (iii) under the plan of compromise, each dissenting creditor will receive satisfaction for its claim on terms not less favorable than what that creditor would have received under a distribution made in a liquidation in accordance with Article 56;
- (iv) under the plan of compromise, no creditor will receive more than the full amount of its claim;
- (v) under the plan of compromise, no payments related to income, dividends or equity will be made to any shareholder or partner of the debtor until the final payment of the entitlements, under the plan, of the classes of creditors whose claims have been affected by the plan of compromise; and
- (vi) under the plan of compromise, no maintenance greater than the amount of maintenance ordered by a court will be paid to a debtor who is a natural person, or to a general partner of a debtor which is a partnership, until the final payment of the entitlements, under the plan, of the classes of creditors whose claims have been affected by the plan of compromise.

(c) If the plan of compromise does not satisfy any of the conditions set out in paragraph (b), the court shall make a ruling to commence the liquidation of the estate.

(d) The court's ruling under this article shall be made no later than seven days after the administrator's application for court c5(v)4.2.4(e)420yon162 0 48ttn162 0 48t036 Tw[(1)-6.6(e)-.0002 TTc0





(c) If the opening creditors' meeting is adjourned pursuant to paragraph (b)(i), at the reconvened meeting, the creditors shall consider and vote on any plan of compromise that may be proposed. In the event that no plan of compromise is approved by the creditors at the

- (i) secured claims, up to the higher of:
  - 1. the value of the secured portion of the claim as determined under Article 25, or
  - 2. the relevant net proceeds from an effective sale of the encumbered asset (collateral);
- (ii) any heretofore unpaid administrative claims in the following order:
  - 1. the court fees, if any,
  - 2. the provisional administrator and administrator's remuneration and fees, and
  - 3. any other administrative claims and expenses incurred by the provisional administrator or administrator;
- (iii) claims for back wages payable to any employees of the debtor, for up to Riels 1,200,000 for each employee; and
- (iv) all other admissible unsecured claims.

(b) With respect to any claim listed under paragraphs (a)(i) and (a)(iii), the amount of such claim which is in excess of the respective limits stated in those paragraphs shall be eligible for satisfaction as a general unsecured claim under paragraph (a)(iv).

(c) Any proceeds left undistributed after the satisfaction of all claims set out in paragraph (a) shall be returned to the debtor.

#### ***Article 57. Timing of Liquidation and Distribution***

(a) With the exception of assets in the estate which cannot be sold, the administrator shall complete the liquidation of the estate and the distribution of the sale proceeds no later than six months after the commencement of liquidation. The court may, upon a written application by the administrator, extend by up to six months the period for the liquidation of the estate and the distribution of the sale proceeds.

(b) Funds may be distributed among the creditors of the insolvency proceedings as soon as sufficient cash is available in the estate.

**CHAPTER 8**  
**TERMINATION OF INSOLVENCY PROCEEDINGS FOLLOWING LIQUIDATION**

***Article 58. Administrator's Report following Liquidation***

(a) In the case of insolvency proceedings opened against a debtor who is a natural person domiciled in the Kingdom of Cambodia, the debtor may, in case of the termination of the proceedings upon liquidation, apply to the court to be released from all admissible claims which were not satisfied in the insolvency proceedings. Regardless of such a ruling, inadmissible claims except claims mentioned in Article 35(c) shall be deemed forgiven at the termination of insolvency proceedings, unless undistributed assets or moneys were returned to the debtor under Article 56(c).

(b) All creditors, the Minister of Commerce and the public prosecutor shall be entitled to attend the hearing of an application under paragraph (a) and be heard by the court.

(c) The court shall deny the release of the debtor from the unsatisfied claims if:

- (i) the debtor has been convicted of a crime involving fraud or dishonesty in connection with the insolvency of the debtor's business;
- (ii) in the last three years prior to the opening of insolvency proceedings, the debtor, intentionally or with gross negligence, made incorrect or incomplete statements in writing about his economic situation in order to obtain credit, to obtain payments from public funds or to avoid making payments to public agencies;
- (iii) in the last ten years prior to the opening of insolvency proceedings, the debtor was granted a release from unsatisfied claims in another insolvency proceedings;
- (iv) in the last year prior to the commencement of insolvency proceedings, the debtor, intentionally or with gross negligence, impaired the satisfaction of the debtor's creditors by incurring unreasonable liabilities or wasted assets or delayed the opening of insolvency proceedings with no prospect of improving the debtor's economic condition;
- (v) the debtor, intentionally or with gross negligence, did not discharge his obligations under Article 8;
- (vi) during the course of the insolvency proceedings, the debtor, intentionally or with gross negligence, violated his obligations to provide information and cooperation in the insolvency proceedings; and
- (vii) the debtor, intentionally or with gross negligence, provided false or incomplete information in complying with Article 28.

(d) A ruling made under this Article shall not affect the ability of any creditor to apply for a resumption of insolvency proceedings against the debtor under Chapter 9.



**CHAPTER 9**  
**RESUMPTION OF INSOLVENCY PROCEEDINGS WHICH WERE**  
**TERMINATED AFTER LIQUIDATION**

***Article 64. Application for Resumption***

Any creditor whose claim was included in the claims list and was not satisfied in full may, within the period of one year from the termination of the insolvency proceedings, make a written application to the court to resume the insolvency proceedings.

***Article 65. Conditions for Resumption***

(a) Insolvency proceedings shall be resumed by ruling of the court when:

- (i) amounts allocated for contested claims are released; or
- (ii) assets which may be used to satisfy claims of creditors and the existence of which were not taken into account during the insolvency proceedings are discovered.

(b) Insolvency proceedings shall not be resumed where the amounts or value of assets set out in paragraph (a) are insufficient to cover the costs of the resumed proceedings.

***Article 66. Effect of Resumption***

(a)

- (a) Only a natural person may be appointed as an administrator.
- (b) An administrator shall not:
  - (i) have been convicted by a court of law of an offence involving fraud or dishonesty;
  - (ii) be the debtor, any creditor or a related person; or
  - (iii) be the spouse of any creditor, or be related to the debtor or any creditor in a way which could give rise to reasonable doubts as to his ability to discharge his duties as administrator impartially.
- (c) The Minister of Commerce may by regulation require:
  - (i) administrators to possess qualifications in addition to those set out in paragraph (b); or
  - (ii) that all administrators be licensed by the Ministry of Commerce, subject to such licensing requirements and conditions as the regulation shall determine appropriate.

***Article 68. Discharge***

- (a)

***Article 69. Accountability***

- (a) The administrator shall be considered an officer of the court and shall owe a duty of allegiance only to the court.
- (b) Any creditor or creditors may make a written request to the administrator for information regarding the administration of the estate or the status of the insolvency proceedings. The administrator shall provide such information as soon as possible after the receipt of such written request.

***Article 70. Liability***

- (a) The administrator shall act with the care and diligence of a reasonable business person in similar circumstances.
- (b) The administrator shall be liable to the parties in the proceedings for any damage caused by his failure to exercise the required care and diligence.

***Article 71. Remuneration***

- (a) An administrator shall be paid reasonable remuneration and be reimbursed for all reasonable expenses incurred in the performance of his duties. In calculating the rate of such remuneration, the factors to be taken into account shall include the time spent by the administrator in the performance of his duties, the total value of the estate and the scope and complexity of the insolvency proceedings.
- (b) The Minister of Commerce may issue regulations governing the rate of remuneration for administrators.

***PART B – CREDITORS***

***Article 72. Convening of Creditors' Meetings***

- (a) A creditors' meeting may be convened by the administrator at any time if he thinks that such a meeting will be beneficial to the administration of the insolvency proceedings.
- (b) Any creditor may make a written request to the administrator to convene a creditors' meeting. The written request shall state the matters proposed for discussion at the meeting.

(c) A creditors' meeting shall be convened by the administrator within fourteen days of the receipt of a written request from a creditor for such a meeting to be convened.

(d) All creditors' meetings shall be chaired by the administrator, a judge or other authorized official of the court.

(e) This article shall not apply to the opening creditors' meeting.

### ***Article 73. Notice of Creditors' Meetings***

(a) The administrator shall notify all creditors of the convening of a creditors' meeting by sending written notifications to all known creditors and placing advertisements in at least two major newspapers in the Kingdom of Cambodia announcing the following:

- (i) the date and time of the meeting;
- (ii) the place where the meeting will be held; and
- (iii) the matters proposed for discussion at the meeting.

(b) All creditors shall be given at least seven days' advance notice of the convening of a creditors' meeting.

(c) Any failure to comply with the requirements of this article shall render null and void any decision taken at the relevant creditors' meeting.

(d) This article shall not apply to the opening creditors' meeting.

### ***Article 74. Quorum and Voting at Creditors' Meetings***

(a) Save as otherwise provided in this Law, at any creditors' meeting, all decisions shall be taken by the affirmative votes of creditors holding a majority of the total value of the claims of creditors present and voting at the meeting.

(b) Only creditors whose claims are not disputed by the administrator or by other creditors shall vote at a creditors' meeting. Creditors with disputed claims shall vote only to the extent permitted by the administrator or the creditors with a right to vote at the meeting. Where agreement cannot be reached between the parties as to the right of any creditor to vote at the creditors' meeting, the administrator shall make a written application to the court for a decision on the matter, and the creditors' meeting shall be postponed to a date seven days after the court's decision on the matter.



(b)

Any person who falsifies any document filed in any insolvency proceedings, or who gives false testimony in any insolvency proceedings, shall be punished upon conviction by imprisonment of up to one year, or a fine of up to Riels 40,000,000, or both.

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