06.04 · DRAFT – SUBJECT TO APPROVAL BY THE TRUSTEE

Information on the effects of the sale on encumbrances – Art. 313 of the Bankruptcy Law

Legal effects of a sale in bankruptcy. Information as at: 10 October 2026.

- A sale in bankruptcy proceedings has the effects of an enforcement sale (Art. 313(1) of the Bankruptcy Law).
- Pursuant to Art. 313(2) of the Bankruptcy Law, upon conclusion of the sale agreement, the rights and personal claims encumbering the property that are disclosed in the land and mortgage register or reported to the Trustee within the time limit under Art. 51 of the Bankruptcy Law expire; the entitled person is satisfied from the price.
- Rights are struck off the land and mortgage registers on the terms set out in Art. 313(2) of the Bankruptcy Law (including after the distribution plan becomes final; mortgages – on the basis of the sale agreement).
- Under Art. 313(3) of the Bankruptcy Law, inter alia the easement of necessity (access road) and the transmission easement remain in force.
- The provisions apply accordingly to perpetual usufruct (Art. 313(5)).
- No claims against the property have been reported to the Trustee.

Other exceptions (Art. 313(3))

- The easement related to crossing the boundary during construction also remains in force, as do – in the cases specified in the provision – usufruct and the rights of a life-annuitant (their value may be credited towards the purchase price).

NOTE

This document is for information only and is not legal advice; the statute, the Tender Rules and the sale agreement are binding. Current state of the land and mortgage registers – docs. 02.01 and 02.02.

Sources and status of information

- Sale information brochure (issued 8 October 2026), p. 10.
- Art. 313 of the Bankruptcy Law.