

**Notice of Guangzhou Intermediate People's Court on
Issuing the *Measures for the Supervision of the Work of the
Administrator of Enterprise Bankruptcy Cases***

Sui Zhong Fa [2020] No. 39

To all grass-roots courts and all departments of this court,

With the approval of 2nd meeting of the judicial committee of this court in 2020, these Measures for the Supervision of the Work of the Administrator of Enterprise Bankruptcy Cases are hereby issued to you. Please implement them in light of your specific situations.

Guangzhou Intermediate People's Court
February 27, 2020

Measures for the Supervision of the Work of the Administrator of Enterprise Bankruptcy Cases

These Measures are formulated in order to further promote the standardization, legalization, marketization and IT application of the work of administrators in enterprise bankruptcy cases, and urge them to handle bankruptcy cases equitably and efficiently, in accordance with the *Law of the People's Republic of China on Enterprise Bankruptcy* (hereinafter referred to as the "Enterprise Bankruptcy Law"), the *Provisions of the Supreme People's Court on the Appointment of Administrators in Cases of Enterprise Bankruptcy*, *Some Opinions of Guangdong Higher People's Court on Regulating the Selection and Supervision of Administrators in Enterprise Bankruptcy Case* (hereinafter referred to as the "Opinions of Provincial Courts on Regulating Administrator Works") and relevant provisions, in combination with the reality of bankruptcy trials by people's courts of both levels in this municipality.

1. General Provisions

1.1. The people's court shall, in accordance with the principles of fairness, justice, efficiency and truth-seeking, supervise the work of administrators under law by means of process node management, work report system, limited case management, quality and effectiveness assessment and accountability.

1.2. The administrator shall use the information platform, such as the National Enterprise Bankruptcy Information Disclosure Platform and the intelligent bankruptcy trial system of this court, etc., to carry out the work and pay attention to improving the quality and effectiveness of the work.

1.3. The administrator shall establish a filing system, and sort out, compile catalogues and keep archives for all materials of cases in time, and make electronic archives as necessary, and the period of custody shall be subject to the *Measures of People's Courts on the Administration of Litigation Archives*.

The people's court may inspect the work files of an administrator, and the results of the inspection shall serve as an important basis for the annual assessment of the administrator.

1.4. The bankruptcy trial department of the people's court shall be responsible for the supervision and assessment of the administrator's work. If the head of institution of administrator changes, or the designation of the person in charge suspends, and their demotion or expulsion and the like occur, the bankruptcy court shall timely notify the judicial entrusted administrative department

2. Process Node Management and Work Report System

2.1. The institutional administrator shall appoint a member who has passed the qualifying examination of Guangdong Provincial Higher People's Court as the person in charge of handling the enterprise bankruptcy cases, and shall report it to the judicial entrusted administrative department of this court for record. The administrator also named one to three members who have passed the qualifying examination of Guangdong Provincial Higher People's Court as the heads to handle

the enterprise bankruptcy cases.

The name of changed personnel shall be submitted in writing to the people's court for approval.

2.2. When the number of employees of an institutional administrator, who have passed the qualifying examination of Guangdong Provincial Higher People's Court, has changed and cannot reach the one specified in Article 16(2) of the *Opinions of Provincial Courts on Regulating Administrator Works*, the institutional administrator shall report to this court within three working days. After examination, this court will decide to suspend the appointment of the institution as the administrator of the newly accepted bankruptcy cases heard by people's courts of both levels in this municipality.

When the employees of the institutional administrator reach the number specified in Article 16(2) of the *Opinions of Provincial Courts on Regulating Administrator Works*, the institutional administrator may apply to this court for reinstatement of its qualification to participate in the appointment of administrators.

If the institutional administrator fails to report promptly the circumstances specified in Paragraph 1 of this article, this court shall, upon discovery, suspend the appointment of the institution as the administrator of the newly accepted bankruptcy case heard by people's courts of both levels of this municipality and advise Guangdong Provincial Higher People's Court to delist it.

2.3. The administrator shall, within three working days after receipt of the written decision on designated administrator, determine a case team list and submit it to the people's court for record, and consult the case materials in the people's court.

Except with justified reasons and approval of the people's court, the head-in-charge and personnel in charge of all bankruptcy cases of an institutional administrator, or the individual administrator acting as case administrator, should attend the first creditors' meeting.

2.4. The administrator should ensure that the case team list includes one case head and more than two staff members, and report to the people's court the main information and division of labor of the team members. If it is necessary to replace team member in the case handling, a written report shall be submitted to the people's court for approval before replacement.

2.5. Where an administrator or a team member must withdraw from a case or is not suitable to act as a case administrator, it shall promptly present the withdrawal to the people's court and explain the reasons.

2.6. The administrator shall, within seven working days after receipt of the written decision on designated administrator, publish a notice in accordance with the relevant requirements.

2.7. The administrator shall, within ten working days upon receipt of the written decision on designated administrator, formulate a work plan and a work system, including the working rules, the rules governing procedure of the meeting, the financial system, the administration system of licenses and seals, the archives management system and the confidentiality system, and report them to the people's court for record.

2.8. The administrator shall, within seven working days after receipt of the written decision on designated administrator, engrave the administrator's seal and submit it to the people's court for sample and record.

2.9. An administrator shall, within ten working days upon receipt of the written decision on designated administrator, apply to the bank for the opening of an administrator's account and report it to the people's court for record.

2.10. In the course of handling a bankruptcy case, the administrator shall fulfill their obligations, report to the people's court the work at all stages in a comprehensive, objective and timely manner in accordance with the Enterprise Bankruptcy Law, and subject itself to the supervision of the people's court, the creditors' meeting and the creditors' committee.

2.11. The work report of the administrator shall consist of big event report, working situation report and annual work report.

2.12. The big event report means that the administrator shall report to the people's court within three working days after the date when there occurs the circumstance stipulated in Article 69 of the Enterprise Bankruptcy Law in the progress of the case, and when the people's court makes specific requirements for the case.

If the administrator finds that the case involves a hidden danger of maintaining stability or other emergencies, it shall report it to the people's court on its own initiative.

2.13. The administrator shall regularly report to the people's court on the progress of bankruptcy liquidation for the month, and its obstacles and solutions, and the next work plan (see Annex 1) before 25th of each month.

2.14. The administrator shall submit the annual work report of the previous year before January 10 of each year, including the annual case handling of the administrator, handling effect, the number of cases and experience of the administrator, the building up of professional team, the theoretical and practical research results of the bankruptcy law, etc., as an important basis for evaluating the performance of the administrator.

2.15. The big event reports and annual work reports shall be submitted in writing and signed by the head-in-charge and the person in charge of handling the case, and affixed with the official seal of the administrator.

The monthly work report shall be submitted in writing or electronically, signed by the case heads, and stamped with the official seal of the administrator.

2.16. The administrator shall, within three working days before the first creditors' meeting, report to the people's court on the preparations for the first creditors' meeting and submit the relevant documents of the first creditors' meeting.

Documents of the first creditors' meeting shall include:

2.16.1. Conference agenda;

2.16.2. Stage work reports of the administrator, including takeover and investigation results;

2.16.3. The creditor's rights audit report and the creditor's rights form, which needs to contain s the basic information of creditors, the basis of creditor's rights, the amount of creditor's rights, the nature of creditor's rights, whether it exceeds the limitation of action, etc.

2.16.4. Staff resettlement, and the payment of wages, financial compensation

and social insurance;

2.16.5. A management scheme for the debtor's property;

2.16.6. A sell-off scheme for the bankruptcy property;

2.16.7. A remuneration scheme for the administrator;

2.16.8. If there is a hidden danger of maintaining stability, a plan for maintaining stability should be attached; and

2.16.9. Other contents deemed necessary by the people's court.

2.17. The administrator shall, within one month after receipt of the written decision on designated administrator, complete the takeover of the debtor's official seal, account books and property, and report the takeover to the people's court within three working days of the completion of the takeover. If it cannot be completed under special circumstances, the administrator shall submit to the people's court a written report to explain the reasons.

2.18. Within three working days after conclusion of the creditors' meeting, the administrator shall submit to the people's court a written report to specify the attendance, voting and resolution of creditors.

2.19. Within one month after conclusion of the first creditors' meeting, the administrator shall apply to the people's court for confirmation of the undisputed creditor's rights.

If the number of creditors is large and the case is complicated, the review period of creditor's rights may be extended to three months after the first creditors' meeting. If it cannot be completed, the administrator shall apply to the people's court for an extension.

2.20. The reports and applications submitted by the administrator to the people's court shall be standardized in format, comprehensive in content, clear in organization, clear in conclusion and accompanied by corresponding explanatory materials.

2.21. Where there is pending lawsuit of litigation or arbitration after the conclusion of a bankruptcy case, the administrator is still required to continue to perform its duties, and shall perform its reporting obligations as required in these Measures.

3. Limited Case Management

3.1. The limited case management means that the people's court conducted quantitative assessment of the processing time of the cases being handled by the administrator. Each case is counted at 0.5 points every six months after one year of appointment of the administrator. When the points of all cases amount to a certain number, the people's court will suspend the appointment of him or her as the administrator of the newly accepted bankruptcy cases heard by people's courts of both levels in this municipality.

The value referred to in Paragraph 1 of this article shall be 10 points for the first-level administrator, 7 points for the second-level administrator and 5 points for the individual administrator and the third-level administrator.

If there is a derivative lawsuit in a case, the period of derivative lawsuit shall be deducted.

If there are other circumstances that prevent the case handling except for derivative lawsuit, the joint meeting of the judges of the bankruptcy trial department of this court shall examine the case and decide whether to deduct the

corresponding period.

3.2. This court shall regularly conduct statistics and make public the period during which the administrator is handling the cases in the people's courts at the two levels of the city.

The administrator may report to the court the derivative litigation of stock cases and other circumstances that cannot advance the work within the public notice period. If it fails to do so within the time limit, it shall be deemed that there is no deduction period for derivative action

The court shall, on the basis of the application of the administrator and upon verification, make a decision to suspend the designation if the score of the case being handled by the administrator reaches the point specified in paragraph 2 of Article 26 hereof

3.3. If the administrator objects to the decision to suspend his appointment as administrator of a bankruptcy case, it may, within seven days from the date when this court makes the decision, apply to the bankruptcy judicial department of this court for reconsideration. The execution of decision shall not be suspended during the period of reconsideration.

The court shall, with reference to Article 17(2) of the *Opinions of Provincial Courts on Regulating Administrator Works*, set up a review committee to examine the reconsideration submitted by the administrator.

3.4. Where the circumstances warranting the suspension of appointment of the administrator have disappeared, the administrator may apply for reinstatement of the appointment. After verification, the people's court shall reinstate its qualification for participation in the appointment.

3.5. When an administrator is selected by lot or is appointed by means of competition, consultation and recommendation from first-level institutional administrators for a major bankruptcy case determined under the *Opinions of Provincial Courts on Regulating Administrator Works*, the administrator (including the registered institutional administrators from other provinces or cities) shall make a truthful explanation of the cases being handled by the institution. If the score of the case being handled by an administrator reaches the corresponding points in accordance with Article 2.21 and Article 3.1 of these Measures, the administrator shall not act as the bankruptcy administrator of the case.

If the registered or candidate administrator fails to truthfully state the situation of the case being handled, the people's court may, upon discovery, perform the duties to replace the administrator, and the institution may not be appointed as the administrator of bankruptcy cases heard in people's courts of both levels in this municipality within two years.

4. Supervision and Assessment

4.1. If an administrator is in any of the circumstances stipulated in Article 44 of the *Opinions of Provincial Courts on Regulating Administrator Works*, this court may apply to Guangdong Provincial Higher People's Court for delisting.

4.2. The case assessment is mainly conducted on quantitative and scoring basis in regard to whether the administrator completes the work of each node on time in handling cases, the completion of the specific affairs, and the social effect of

handling the bankruptcy affairs.

4.3. The case assessment shall consist of basic score and floating score.

4.4. The basic score refers to the assessment score of the administrator for personnel management, internal management and legal procedural work.

The basic score of a case is 80 points, and the method of deduction is adopted. If the case does not involve the circumstances specified in the assessment basis table or has the circumstances specified in the assessment basis table but is completed on time, no deduction shall be made; if the case has the circumstances specified in the assessment basis table but fails to be completed or is not completed well, the corresponding score shall be deducted.

4.5. The floating score refers to the score of assessing the social effect of the administrator for handling bankruptcy affairs.

The floating score is added or subtracted. The upper limit of bonus points is 20 points, and the sum of more than 20 points is counted as 20 points. Minimal deduction is 0.

4.6. The collegial panel shall be responsible for the preliminary case assessment, and fill out the assessment forms of basic items and floating items (see Annex 2, Annex 3 and Annex 4) at the conclusion of the case.

4.7. The Comprehensive Evaluation Form of Administrator's Cases completed by creditors (see Annex 5) serves as reference basis for the people's court to conduct preliminary case assessment.

4.8. The assessment committee shall determine the assessment score of a case according to the case situation, the performance of the administrator and the preliminary case assessment. If the score is more than 90 points (including the points), it shall be "excellent"; if the score is more than 80 points (including the points) and below 90 points, it shall be "very good"; if the score is more than 70 points (including the points) and below 80 points, it shall be "good"; if the score is more than 60 points (including the points) and below 70 points, it shall be "average"; if the score is less than 60 points, it shall be "poor".

4.9. Where an administrator or a team member must withdraw from a case or is otherwise unfit to act as a case administrator but fails to apply to the people's court for withdrawal and has not made adverse effects, the assessment score of the case shall not exceed 60 points. If the adverse effect is caused, the assessment score shall be 0 points, and the administrator or team member shall bear the corresponding legal liability.

4.10. The annual assessment, including the results of case assessment and comprehensive evaluation, accounts for 70% and 30%, respectively, in accordance with Article 47 of the *Opinions of Provincial Courts on Regulating Administrator Works*.

The average score of case assessment shall be the result of case assessment in annual assessment.

The comprehensive evaluation results shall be determined by the assessment committee in accordance with Article 47(1) of the *Opinions of Provincial Courts on Regulating Administrator Works*.

4.11. Where three or more cases are rated as "poor" or the annual assessment score is less than 60 points in the cases handled by a second-level administrator for each year, this court shall make a decision to suspend the appointment of the

second-level administrator as the administrator of the newly accepted cases, and advise Guangdong Higher People's Court to demote.

4.12. Where three or more cases are rated as "poor" or the annual assessment score is less than 60 points in the cases handled by a third-level administrator or individual administrator for each year, this court shall make a decision to suspend the appointment of the third-level administrator or individual administrator as the administrator of the newly accepted cases, and advise Guangdong Higher People's Court to delist.

4.13. Where a registered administrator from other provinces or cities acts as the administrator of a bankruptcy heard by people's courts of both levels in this municipality, only a case assessment shall be conducted, and the results of the assessment shall serve as a basis for the determination of the administrator through competition selection, consultation selection, recommendation and appointment in people's courts of both levels in this municipality.

5. Supplementary Provisions

5.1. A compulsory liquidation case may be treated alike by making reference to these Measures.

5.2. The *Provisions on Work Reports of Bankruptcy Administrators (Interim)* issued by this court shall be abrogated.

5.3. These Measures shall come into force as of the date of promulgation, and the power to interpret these Measures shall remain with Guangzhou Intermediate People's Court.

Annex 1

Administrator's Monthly Work Report

(MM/YYYY)

Case No.:

Name of the debtor:

Name of the administrator organization:

Item	Completion	Problem	Work plan
Takeover			
Review of creditor's right			
Audit			
Property investigation and management			
Derivative action			
Disposal of property			
Distribution of property			
Other			

Annex 2

Assessment Form of Basic Items of Administrator

	Item	Details	Value	Score
Personnel and internal management	Personnel management	Within three working days after receipt of the letter of decision from the designated administrator, determine the person in charge of the case and the team list, report to the people's court for filing and consult the files.	-1	
		In case of change in the name of the administrator or the person in charge, the application materials for change shall be submitted, and the change shall be approved by the people's court.	-1	
	System management	Within ten working days after receipt of the letter of decision from the designated administrator, make the work plan and formulate work systems, including work procedures for the administrator, rules of procedure, financial system, license and seal management system, file management system and confidentiality system, etc.	-1	
		The above systems shall be reported to the people's court for filing.	-1	
Proceeding task	Takeover	Within seven working days after the receipt of the letter of decision from the designated administrator, publish the announcement according to the relevant requirements.	-1	
		Within seven working days upon receipt of the letter of decision from the designated administrator, engrave the administrator's seal and report to the people's court for filing.	-1	
		Within ten working days upon receipt of the letter of decision from the designated administrator, apply to the bank for opening the administrator's account, and report to the people's court for filing.	-1	
		Complete the takeover of the debtor's official seal, account book information and property within a month upon receipt of the letter of decision from the designated administrator, and report to the people's court within three working days. If unable to complete the work due to special circumstances, report to the people's court in writing and explain the situation.	-3	
		Make an inventory of the account books and property taken over, and prepare the list and transcript of takeover, which shall be signed by the takeover party for confirmation.	-1	

		Timely request the people's court to take measures to preserve the debtor's property.	-2	
		Participate in litigation and arbitration on behalf of the debtor.	-2	
	Due diligence	Inquire the industrial and commercial archives and get to know the basic situation of the enterprise.	-1	
		Inquire and get to know the unpaid social security and tax arrears of the enterprise.	-1	
		Inquire and get to know the property of the enterprise, including land, real estate, vehicles, equity ownership and intellectual property, etc.	-2	
		Inquire and get to know the enterprise's foreign investment and establishment of branches.	-2	
	Review of creditor's right	Take the initiative to inquire the known creditors that can be inquired through open channels, and notify them of declaring their claims.	-2	
		Separately register, tabulate and review the declared claims according to the nature of creditor's right and the liquidation order.	-2	
		Timely review and make public the labor claim and the declared claims.	-2	
		Complete the review of creditor's right, and prepare the claims table before the first creditors' meeting; request the people's court to give the creditor provisional voting rights as the administrator deems necessary.	-3	
		Unless otherwise specified, apply to the people's court for confirming the undisputed claims within a month after the first creditors' meeting.	-2	
		Where the debtor and the creditor raise an objection to the claims table, the administrator shall state the reasons and legal basis within 5 days upon receipt of the objectors' opinion; where the objectors still refuse to accept the claims table after explanation or adjustment, the administrator shall timely inform them of the litigation filed to the people's court for confirming the creditor's rights.	-1	
		Financial audit	Prepare the inventory of debtor's claims, debts and property, and supervise and urge the audit body to complete audit and issue audit conclusion on time. In case of no accounting books available for audit, make a statement of property status.	-3

	Pay attention to registered capital, foreign investment, capital flow and other relevant information of the company. Where the debtor is found to have false capital contribution, capital withdrawal, property transfer and concealment or false bankruptcy by making false financial account books, report to the creditors' meeting or creditors' committee in a timely manner.	-2	
	Collect the accounts receivable of the debtor in a timely manner. If unable to collect the accounts receivable due to the handling of bad debts or beyond the prescribed period for litigation, etc., report to the creditors' meeting or creditors' committee in a timely manner.	-2	
Property management	Prepare a property management plan and submit it to the creditors' meeting for review.	-2	
	Determine whether or not the debtor needs to continue production and operation in a timely and accurate manner.	-2	
	Timely dispose of vulnerable and perishable property that is easy to depreciate and requires higher custody expenses, so as to avoid the depreciation of property.	-2	
	For the contract that both the debtor and the other party fail to perform, determine whether it is necessary to continue to perform or terminate it in a timely and accurate manner.	-2	
Recovery of property	Give a written notice to the debtor and the property holder.	-1	
	Grasp relevant property clues and take the initiative to collect property in time; where it is necessary to stop the collection of property or to waive rights, timely submit to the creditors' meeting for voting and report to the people's court for filing.	-3	
	Where the debtor is found to have the behaviors specified in Article 31, Article 32 or Article 33 of the Enterprise Bankruptcy Law, claim the rights in a timely manner.	-3	
	Recover the false capital contribution and withdrawal of shareholders and investigate the property transferred and concealed.	-3	
	Liquidate the debtor's foreign investment in a timely manner.	-3	
Creditors' meeting	Assist the people's court in preparing the first creditors' meeting and timely submitting meeting materials.	-1	
	Request the people's court to appoint chairman of the creditors' meeting and establish the creditors' committee as the case may be.	-1	
	Notify the participants, check their identity and circulate meeting materials.	-1	
	The creditors' meeting is held successfully without procedural impropriety.	-1	
	Submit the work report to the people's court within three working days after the convening of the creditors' meeting.	-1	
Disposal and distribution of property	Unless otherwise decided by the creditors' meeting, determine the value of property based on the principle of evaluation, and report to the people's court for filing.	-2	
	Unless otherwise decided by the creditors' meeting, sell the property at the going rate based on the principle of auction, and report to the people's court for filing.	-2	
	Unless otherwise decided by the creditors' meeting, distribute the property based on the principle of money distribution. If	-2	

	distributing the property in other ways, report to the people's court for filing.		
	It is necessary to timely evaluate and auction the debtor's property and timely deposit the property that needs to be deposited, so as to maximize the value of the debtor's property.	-1	
	Submit the property variation and distribution plan to the creditors' meeting for voting.	-1	
	Distribute the property according to the distribution plan confirmed by the people's court.	-1	
Termination of proceedings	After distribution, conduct responsibility audit on the bankruptcy expenses; where the property is not distributed and the responsibility audit will not be conducted with the consent of the creditors' meeting, report to the people's court for filing.	-1	
	Timely go through the procedures of industrial and commercial registration and cancellation of the administrator's account, and report to the people's court.	-2	
	Go through the procedures of cancellation of the administrator's seal, and report to the people's court for filing.	-1	
	Hand over the account books, instruments and other materials of the bankrupt enterprise in a timely manner.	-1	

Annex 3

Assessment Form of Basic Items of Liquidation Team

	Item	Details	Value	Score
Personnel and internal management	Personnel management	Within three working days after receipt of the letter of decision from the liquidation team, determine the person in charge of the case and the team list, report to the people's court for filing and consult the files.	-1	
		In case of change in the name or person in charge of the liquidation team, the application materials for change shall be submitted, and the change shall be approved by the people's court.	-1	
	System management	Within ten working days after receipt of the letter of decision from the designated liquidation team, make the work plan and formulate work systems, including work procedures for the administrator, rules of procedure, financial system, license and seal management system, file management system and confidentiality system, etc.	-1	
		The above systems shall be reported to the people's court for filing.	-1	
Proceeding task	Takeover	Within seven working days after the receipt of the letter of decision from the designated liquidation team, publish the announcement according to the relevant requirements.	-1	
		Within seven working days after receipt of the letter of decision from the designated liquidation team, engrave the team's seal and report to the people's court for filing.	-1	
		Within ten working days after receipt of the letter of decision from the designated liquidation team, apply to the bank for opening the team's account, and report to the people's court for filing.	-1	
		Complete the takeover of the debtor's official seal, account book information and property within a month upon receipt of the letter of decision from the designated liquidation team, and report to the people's court within three working days. If unable to complete the work due to special circumstances, report to the people's court in writing and explain the situation.	-3	
		Make an inventory of the account books and property taken over, and prepare the list and transcript of takeover, which shall be signed by the takeover party for confirmation.	-1	
		Timely request the people's court to take measures to preserve the debtor's property.	-2	

		Participate in litigation and arbitration on behalf of the debtor.	-2	
Due diligence		Inquire the industrial and commercial archives and get to know the basic facts of the enterprise.	-1	
		Inquire and get to know the unpaid social security and tax arrears of the enterprise.	-1	
		Inquire and get to know the property of the enterprise, including land, real estate, vehicles, equity ownership and intellectual property, etc.	-2	
		Inquire and get to know the enterprise's foreign investment and establishment of branches.	-2	
Review of creditor's right		Take the initiative to inquire the known creditors that can be inquired through open channels, and notify them of declaring their claims.	-2	
		Separately register, tabulate and review the declared claims according to the nature of creditor's right and the liquidation order.	-2	
		Timely review and make public the labor claim and the declared claims.	-2	
		Complete the review of creditor's right, and prepare the claims table within fifteen days after the expiration of the period for declaring claims.	-3	
		Unless otherwise specified, complete the review of creditor's right for the supplementary declared claims within a month after receipt of the application materials.	-2	
		Where the debtor and the creditor raise an objection to the claims table, the liquidation team shall state the reasons and legal basis within 5 days after receipt of the objectors' opinion; where the objectors still refuse to accept the claims table after explanation or adjustment, the liquidation team shall timely inform them of the litigation filed to the people's court for confirming the creditor's rights.	-2	
Financial audit		Prepare the inventory of debtor's claims, debts and property, and supervise and urge the audit body to complete audit and issue audit conclusion on time. In case of no accounting books available for audit, make a statement of property status.	-3	

	Pay attention to registered capital, foreign investment, capital flow and other relevant information of the Company. Where the debtor is found to have false capital contribution, capital withdrawal, property transfer and concealment or false bankruptcy by making false financial account books, take immediate measures to recover the property and hold those responsible accountable.	-2	
	Collect the accounts receivable of the company (if any) in a timely manner. If unable to collect the accounts receivable due to the handling of bad debts or beyond the prescribed period for litigation, etc., make a statement.	-2	
Property management	Prepare a property management plan.	-2	
	Timely dispose of vulnerable and perishable property that is easy to depreciate and requires higher custody expenses, so as to avoid the depreciation of property.	-2	
Recovery of property	Take the initiative to collect property in time after grasping relevant property clues.	-3	
	Give a notice to the debtor and the property holder.	-1	
	Where the debtor is found to have the behaviors specified in Article 31, Article 32 or Article 33 of the Enterprise Bankruptcy Law, claim the rights in a timely manner.	-5	
	Recover the false capital contribution and withdrawal of shareholders and investigate the property transferred and concealed.	-5	
	Liquidate the debtor's foreign investment in a timely manner.	-4	
Liquidation of debts	If unable to complete liquidation within six months, apply to the people's court for an extension.	-1	
	Timely submit the debt liquidation plan to the people's court.	-2	
	Liquidate the debts with each creditor according to the liquidation plan.	-2	
	Where the people's court does not recognize the liquidation plan, apply for declaring bankruptcy in a timely manner.	-2	
Termination	After distribution, conduct responsibility audit on the liquidation expenses; where the property is not distributed, the responsibility audit may not be conducted after being report to the people's court for approval.	-1	
	For compulsory liquidation cases where the respondent's main property, account books and important documents, etc. are lost, or the present whereabouts of the respondent's personnel are unknown, the liquidation team shall explain the legal liabilities to shareholders, directors and other directly responsible personnel of the respondent.	-5	
	Timely go through the procedures of industrial and commercial registration and cancellation of the administrator's account, and report to the people's court.	-2	
	Go through the procedures of cancellation of the liquidation team's seal, and report to the people's court for filing.	-1	
	Hand over the account books, instruments and other materials of the liquidated enterprise in a timely manner.	-1	

Annex 4

Assessment Form of Floating Case Items

Item	Details	Value	Score
Bonus circumstance	Where the issues concerning major public opinion and stability maintenance involving employees, stock public house and small employers, etc. have been successfully handled.	10-15	
	Where the reorganization is carried out successfully.	5-10	
	Where the reconciliation is achieved successfully.	5-10	
	Where the difficult and complex problems in the cases of demonstration significance have been successfully solved, such as takeover, exercise of the right to take back, right of revocation and recover the capital contribution and withdrawal of shareholders.	1-5	
	Where the cases involving “three-no-enterprises” are settled within 6 months, general cases are settled within a year, and major difficult and complex cases are settled within one and a half years (deducting the time limit of derivative action).	10-15	
Deduction circumstance	Where the instruments, reports and other materials submitted meet the requirements only after being revised for many times.	-1—-5	
	Where the general leader or the person in charge of the case fails to attend the first creditors’ meeting without justified reasons.	-2	
	Where the instruments submitted to the people’s court or the creditors’ meeting are not signed by the person in charge and sealed by the administrator.	-1—-5	
	Where an intermediary and individual are hired to perform the duties of the administrator without the consent of the creditors’ meeting or the people’s court.	-5	
	Where it fails to perform the reporting obligations, including major event report, monthly report and annual report.	-1—-5	
	Where it fails to timely submit the relevant documents to the people’s court for approval in an all-round way.	-1—-5	
	Where it is found to have misrepresentations and false statements and reports.	-5—-10	
	Unless otherwise specified, where the cases involving “three-no-enterprises” are settled for more than a year, general cases are settled for more than 2 years, and major difficult and complex cases are settled for more than 3 years (deducting the time limit of derivative action).	-10—-15	
	Where public opinion and stability maintenance events occur and cause damages to the interests of the creditor due to intentional or gross negligence in the performance of duties.	-10—-15	

Annex 5

Comprehensive Evaluation Form of Administrator (Creditor)

Case No.:

Name of the debtor:

Name of the administrator:

Name of the creditor:

	Item	Details	Value	Evaluation
1	Engagement and diligence	Evaluation of the administrator's engagement and efficiency in handling cases	25	
2	Attitude toward work	Evaluation of the administrator's attitude toward work	20	
3	Professional level	Evaluation on the professional level of the administrator in terms of handling procedures, legal issues, property management and property disposal, etc	20	
4	Right guarantee	Evaluation on whether or not the administrator reports to the creditor on the legal items and submits to the creditors' meeting for voting, and safeguards the creditor's right to know	30	
5	Illegal behavior	Evaluation on whether or not the administrator violates the laws and disciplines in the performance of duties	-30	
6	Interest infringement	Evaluation on whether or not the administrator infringes upon the interests of the creditor in the performance of duties	-20	
7	Others	Other circumstances where the creditor deems scores can be given	5	

Total	Scores
Remarks	

Issued by the General Office of the Guangzhou Intermediate People's Court on
February 28, 2020 28, 2020
