

St- 1723/2018-219



**REPUBLIKA HRVATSKA**  
**MINISTARSTVO PRAVOSUĐA, UPRAVE**  
**I DIGITALNE TRANSFORMACIJE**  
**UPRAVA ZA EUROPSKE POSLOVE,**  
**MEĐUNARODNU I PRAVOSUDNU**  
**SURADNJU I SPRJEČAVANJE**  
**KORUPCIJE**

KLASA: 720-08/23-01/64  
URBROJ: 514-06-02-02-01-25-06

Zagreb, 2. travnja 2025.

**TRGOVAČKI SUD U OSIJEKU**  
**Zagrebačka 2,**  
**31 000 OSIJEK**  
**Ured predsjednika suda**

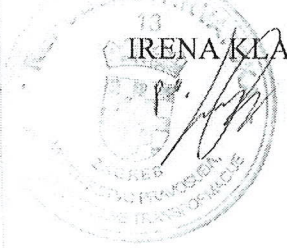
**PREDMET: ALBA MS.S. D.O.O. u stečaju**  
- dostava obavijesti o pravu Ujedinjenog Kraljevstva

**Veza vaš broj: 40-Su-60/2024-16**

Nastavno na vaš dopis od 26. studenog 2024. pod gore navedenim brojem kojim ste dostavili predmetnu zamolnicu 16. listopada 2024. radi pribavljanja obavijesti o pravu Ujedinjenog Kraljevstva sukladno odredbama Europske konvencije o obavijestima o stranom pravu od 07. lipnja 1968., u prilogu dostavljamo obavijest o pravu Ujedinjenog Kraljevstva od Foreign, Commonwealth and Development Office broj: CR.25.01 zaprimljenu putem elektroničke pošte 26. ožujka 2025., sa preslikom dopisa ovog Ministarstva od 09. prosinca 2024. i predmetne zamolnice, sve na vaše daljnje postupanje.

Prilog: kao u tekstu

**PO OVLAŠTENJU MINISTRA**  
**VODITELJICA SLUŽBE**



**IRENA KLANAC**



514|72008230164|6

TRGOVAČKI SUD U OSIJEKU  
Stalna služba u Slavonskom Brodu

Primljeno neposredno - preko pošte (obično - preporučeno) ☒ primjerak a  
sa god. u 2 priloga primjeraka rubrika  
07-04-2025  
Podnesak stigao poštom otvoren - s oštećenim omotom.  
Preporučeno dana 10.04.2025. god  
Plaćeno pristojba € u državnim biljezima u državnim biljezima  
Podnesak primljen bez  
Potpis djelatnika: 16 7038 64311  
djelatnika

REPUBLIKA HRVATSKA  
TRGOVAČKI SUD U OSIJEKU  
PREDSJEDNIK SUDA  
Broj: 40 Su 60, 2024-18  
Osijek, 7.4.2025.

**Answers from the Department for Business and Trade, United Kingdom to  
the request from the Ministry of Justice, Public Administration and Digital  
Transformation of the Republic of Croatia  
Our Ref. CR.25.01**

Response to the request for information,  
reference number 720-08/23-01/64  
dated 9 December 2024

Section 1012(1) of the Companies Act 2006 provides that when a company is dissolved, any assets held by that company immediately prior to dissolution will be deemed *bona vacantia*, meaning vacant or ownerless goods. Assets held on trust by the company for the benefit of another do not vest as *bona vacantia* on dissolution.

*Bona vacantia* vests in the Crown, the Duchy of Lancaster or the Duchy of Cornwall (section 1012(1)(a) Companies Act 2006) depending on the location of the last registered office of the dissolved company and the location of the asset.

The jurisdiction of the Companies Act 2006 extends to the United Kingdom only (unless exceptions apply, section 1299) so the *bona vacantia* provisions apply to assets located within the United Kingdom only. Assets located outside of the United Kingdom will therefore not vest as *bona vacantia* and the Crown will not be able to deal with them.

Accordingly, the cash assets currently located in Croatia should be dealt with according to Croatian law.





**REPUBLIC OF CROATIA  
MINISTRY OF JUSTICE,  
PUBLIC ADMINISTRATION AND  
DIGITAL TRANSFORMATION  
DIRECTORATE FOR EUROPEAN  
AFFAIRS, INTERNATIONAL AND  
JUDICIAL COOPERATION  
AND PREVENTION OF CORRUPTION**

Class: 720-08/23-01/64  
Reg.No.: 514-06-02-02-01/01-24-04

Zagreb, December 9, 2024

**EUROPEAN CONVENTION ON INFORMATION  
ON FOREIGN LAW REQUESTS  
LEGAL DIRECTORATE  
FOREIGN, COMMONWEALTH & DEVELOPMENT OFFICE  
King Charles Street,  
London SW1A 2AH  
UNITED KINGDOM**

**SUBJECT: ALBA MS.S. D.O.O. u stečaju**  
- letter of request, seeking information on Italian law

The Ministry of Justice, Public Administration and Digital Transformation of the Republic of Croatia presents its compliments to the Foreign, Commonwealth & Development Office of United Kingdom and in accordance with the provisions of the European Convention on Information on Foreign Law from 7<sup>th</sup> June 1968, has the honour to transmit, enclosed with this letter, the request from the Commercial Court in Osijek, ref.no.: St-1723/2018-212 from 16<sup>th</sup> October 2024, in Croatian language with translation in English language, all in two copies, seeking information about United Kingdom law, more specifically described in the same request.

You are kindly asked to send the requested information to this Ministry with reference to our class number (720-08/23-01/64) and subject for further proceedings.

The Ministry of Justice, Public Administration and Digital Transformation of the Republic of Croatia avails itself of the opportunity to renew to the Foreign, Commonwealth & Development Office of United Kingdom assurances of its highest consideration.

Enclosure: as in text

**AUTHORIZED BY THE MINISTER**  
Head of Service

Irena Klanac  
*[Signature]*

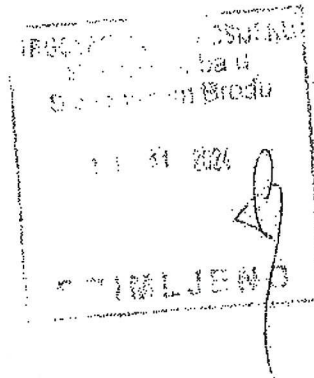


514|72008230164|4

This translation consists of 3 pages

No. 549/2024

Date: 8<sup>th</sup> November 2024



*Certified translation from Croatian to English*



*Ana Radočaj*

Republic of Croatia  
Commercial Court in Osijek  
Permanent attendance in Slavonski Brod  
Trg pobjede 13  
35000 Slavonski Brod

Reference number: St-1723/2018-212

Bankruptcy debtor:

The bankruptcy estate of the dissolved company ALBA M.S. d.o.o. in bankruptcy, Veliko Trgovišće, Dr. Stanka Pinjuha 15C, personal identification number (OIB): 50731192379, represented by the bankruptcy estate trustee Boja Stanković from Osijek, Ilirska 48, OIB: 96757479881

**REPUBLIC OF CROATIA**  
**MINISTRY OF JUSTICE, PUBLIC ADMINISTRATION**  
**AND DIGITAL TRANSFORMATION**  
Directorate for European Affairs, International and  
Judicial Cooperation and Anti-Corruption  
Ulica grada Vukovara 49  
10000 Zagreb

- for the competent authority in the United Kingdom

**SUBJECT:** Letter rogatory for obtaining information on the content of foreign law

Bankruptcy proceedings against the above-mentioned bankruptcy debtor have been conducted before this court.

For the purposes of resolving the case, we need information on the content of the law in the United Kingdom relating to ownership of the assets of the dissolved company (which has ceased to exist but was registered with its registered office in the United Kingdom) and in whose favour it is necessary to pay the sum that belongs to the dissolved company.

The assets of the dissolved company that had its headquarters in the United Kingdom consist of the amount due in the final distribution of the bankruptcy proceedings against ALBA M.S. d.o.o. in bankruptcy, dissolved company, and a deposit has been made on the account of the bankruptcy case for that amount.

The former legal representatives of the dissolved bankruptcy creditor propose that the amount due to the dissolved company in the final distribution of these bankruptcy proceedings be transferred to the Crown's account.



Ana Radošaj



2

Reference number: St-1723/2018-212

It is necessary to determine the content of UK law in order to determine whether particular assets belong to the Crown despite the fact that the assets are not located in the UK.

It is necessary to inform this Court of the account number to which the Court is to pay the fee to the competent authority of the requested state of the United Kingdom for obtaining information on the content of the foreign law.

In order to make the payment, we need the IBAN of the recipient and the bank's SWIFT code or the full name and address of the bank and the bank's sort code.

I enclose a translation of the letter rogatory into English, certified by a court interpreter.

In Slavonski Brod, 16<sup>th</sup> October 2024

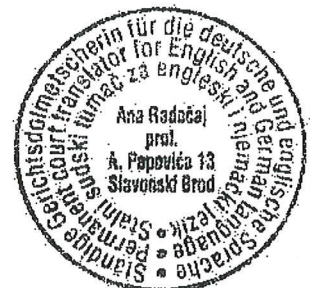
Bankruptcy judge:  
Daniela Martini Maoduš

The document was electronically signed  
by:

Daniela Martini-Maoduš

Signed on:  
08<sup>th</sup> November 2024  
09:03:24 AM

DN:  
C=HR  
O= Commercial court in Osijek  
2.5.4.97=#0C1156415448522D33373538383131353532  
OU=Signature  
S=Martini-Maoduš  
G=Daniela  
CN= Daniela Martini-Maoduš



Ana Radocaj

Registration number: 9-3086d-d7b89

Control number: 0baaf-7bb4f-5d598

This document has been electronically signed in digital form using the following certificate:  
CN=Daniela Martini-Maoduš, O=COMMERCIAL COURT IN OSIJEK, C=HR

Accuracy of the information can be verified at the following web address:  
<https://usluge.pravosudje.hr/provjera-vjerodostojnosti-dokumenta/>



by entering the above registration number and control number of this document.

The document can also be checked by QR-code scanning. The system will show the original of this document in both cases.

If this document is identical to the original shown in the digital form, the Commercial court in Osijek confirms the accuracy of the document.

I, Ana Radočaj, permanent court translator for English and German language, appointed by the Ministry of Justice and Public Administration, class: UP/I-710-02/23-01/378, reg. no.: 514-03-03-03/05-23-07 from 2<sup>nd</sup> October 2023, confirm that this translation corresponds fully to the Croatian original.

No. 549/2024

Slavonski Brod, 8<sup>th</sup> November 2024.



Ana Radočaj, prof.

*Ana Radočaj*



Republika Hrvatska  
Trgovački sud u Osijeku  
Stalna služba u Slavonskom Brodu  
Trg pobjede 13  
35000 Slavonski Brod

Poslovni broj: St-1723/2018-212

Stečajni dužnik:

Stečajna masa iza brisanog društva ALBA M.S. d.o.o. u stečaju, Veliko Trgovišće,  
Dr. Stanka Pinjuha 15C, OIB 50731192379, koju zastupa upravitelj stečajne mase  
Boja Stanković iz Osijeka, Ilirska 48, OIB 96757479881

**REPUBLIKA HRVATSKA**  
**MINISTARSTVO PRAVOSUĐA, UPRAVE**  
**I DIGITALNE TRANSFORMACIJE**  
Uprava za europske poslove, međunarodnu i  
pravosudnu suradnju i sprječavanje korupcije  
Ulica grada Vukovara 49  
10000 Zagreb

**- za nadležno tijelo u Ujedinjenom Kraljevstvu**

**PREDMET:** Zamolnica za pribavljanje obavijesti o sadržaju stranog prava

Pred ovim sudom vođen je stečajni postupak nad gore navedenim stečajnim dužnikom.

Za potrebe rješavanja predmeta, potrebna nam je obavijest o sadržaju prava u Ujedinjenom Kraljevstvu koja se odnosi na vlasništvo nad imovinom brisanog društva (koje je prestalo postojati, a bilo je upisano sa sjedištem u Ujedinjenom Kraljevstvu) i u čiju korist je potrebno isplatiti novčani iznos koji pripada brisanom društvu.

Imovina brisanog društva koje je imalo sjedište u Ujedinjenom Kraljevstvu je iznos koji pripada u završnoj dlobi stečajnog postupka nad ALBA M.S. d.o.o. u stečaju, brisanom društvu i za koji iznos je оформljen depozit na kontu stečajnog predmeta.

Raniji zakonski zastupnici brisanog stečajnog vjerovnika predlažu da se iznos koji pripada u završnoj dlobi ovog stečajnog postupka brisanom društvu isplati na račun Krune.



Potrebno je utvrditi sadržaj prava Ujedinjenog Kraljevstva kako bi se utvrdilo da li konkretna sredstva pripadaju Kruni unatoč činjenici da se sredstva ne nalaze u Ujedinjenom Kraljevstvu.

Potrebno je obavijestiti ovaj sud o broju računa na koji Sud treba platiti naknadu nadležnom tijelu zamoljene države Ujedinjenog Kraljevstva zbog pribavljanja obavijesti o sadržaju stranog prava.

Da bi izvršili isplatu potreban nam je IBAN primatelja i SWIFT code banke ili puni naziv i adresa banke i sort code banke.

U prilogu dostavljam po sudskom tumaču ovjereni prijevod zamolnice na engleski jezik.

U Slavonskom Brodu 16. listopada 2024.

Stečajna sutkinja:  
Daniela Martini Maoduš

Dokument je elektronički potpisan:

Daniela Martini-Maoduš

Vrijeme potpisivanja:

08-11-2024

09:03:24



DN,

C=HR

O=TRGOVAČKI SUD U OSIJEKU

2.5.4.97=#0C1156415446522D3337353838363131353532

OU=Signature

S=Martini-Maoduš

SN=Daniela

CN=Daniela Martini-Maoduš

Broj zapisa: **9-3086d-d7b89**

Kontrolni broj: **0baaf-7bb4f-5d598**

Ovaj dokument je u digitalnom obliku elektronički potpisan sljedećim certifikatom:  
CN=Daniela Martini-Maoduš, O=TRGOVAČKI SUD U OSIJEKU, C=HR

Vjerodostojnost dokumenta možete provjeriti na sljedećoj web adresi:

<https://usluge.pravosudje.hr/provjera-vjerodostojnosti-dokumenta>



unosom gore navedenog broja zapisa i kontrolnog broja dokumenta.

Provjeru možete napraviti i skeniranjem QR koda. Sustav će u oba slučaja prikazati izvornik ovog dokumenta.

Ukoliko je ovaj dokument identičan prikazanom izvorniku u digitalnom obliku, **Trgovački sud u Osijeku** potvrđuje vjerodostojnost dokumenta.