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## **FAQ of the insolvency administrator**

### **Questions and answers on the insolvency proceedings regarding Germania Fluggesellschaft mbH**

#### **1. What does the opening of insolvency proceedings in respect of the assets of Germania Fluggesellschaft mbH mean?**

The competent insolvency court in Charlottenburg opened the insolvency proceedings in respect of the assets of Germania Fluggesellschaft mbH in its decision dated 1 April 2019 and appointed Rüdiger Wienberg, a lawyer from the law firm hww hermann wienberg wilhelm, as the insolvency administrator.

The aim of the insolvency proceedings that have been opened is to realise the assets of the insolvent company and ultimately distribute them to the company's creditors. To this end, all claims that creditors have against the company must be recorded and their legality and enforceability assessed on a case-by-case basis. At the same time, the insolvency administrator will pursue potential claims in favour of the insolvency estate. As in any insolvency proceedings, he will also, at the same time, examine any possible asset transfers, as well as liability and rescission scenarios, dating back to the period before the company filed for insolvency and, if necessary, will assert corresponding claims.

#### **2. Will Germania continue with its flight operations?**

The flight operations of Germania Fluggesellschaft mbH (IATA Code ST) were suspended just before the petition for insolvency was filed on 5 February 2019. Considerable efforts were made to find an investor solution to resume flight operations. By 25 March 2019, however, this option had failed to materialise as no investor could be found for a takeover. This means that any resumption of flight operations can be ruled out. As a result, the company had to be closed down. Even now that insolvency proceedings have been opened, operations will not be resumed.

#### **3. Can flights still be booked with Germania?**

Since 5 February 2019, it has no longer been possible to book flights operated by Germania Fluggesellschaft under the IATA code ST. Germania's flight operations have been discontinued, which is why it will no longer be possible to book flights in the future.

#### **4. What about flights that have already been booked?**

The flight operations of Germania Fluggesellschaft mbH were shut down on 5 February 2019 and will not be resumed. None of the flights booked will be operated. If any claims should arise for you as a result of this, they can be registered as of 8 April 2019 using the following link that will take you to the insolvency table: <https://germania.insolvenz-solution.de>. If you are registered with Germania as an aggrieved passenger, the insolvency administrator will also be sending you a separate request to register your claims, with corresponding information on registering your claim, by email or post without delay.



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**5. Am I entitled to alternative transportation for the Germania flight I have booked?**

That depends on whether the flights were booked as part of a package holiday or directly with Germania:

Passengers who booked their flight as part of a package holiday can contact their tour operator to organise alternative transport. Consumer protection law provides for insurance to compensate travellers on package holidays when their airline is no longer available.

Passengers who booked their tickets directly with Germania are not entitled to alternative transport under the applicable law. They are creditors of the company and have the option of entering any claims against Germania Fluggesellschaft mbH in the insolvency table. Claims can be registered as of 8 April 2019 using the following link: <https://germania.insolvenz-solution.de>. If you are registered with Germania as an aggrieved passenger, the insolvency administrator will also be sending you a separate request to register your claims, with corresponding information on registering your claim, by email or post without delay.

**6. I have submitted a refund request that has not yet been processed - will I still get my money back?**

Once insolvency proceedings have been opened, you can only register your claims in the insolvency proceedings. It is not yet possible to predict whether or not, and when, a pro rata payment can be made against these claims. As a result, the only option available to the creditors affected is to register their claims from 8 April 2019 onwards in the insolvency table available at <https://germania.insolvenz-solution.de>.

**7. I have a Germania flight voucher - is it still valid and if so, until when?**

The use of vouchers that have not yet been redeemed is ruled out for insolvency law reasons, meaning that vouchers can no longer be redeemed. Individuals affected only have the option of registering their claim in the insolvency table from 8 April 2019 onwards. You can find the link here: <https://germania.insolvenz-solution.de>.

**8. Will I be refunded for airline tickets that have already been purchased, paid for and issued?**

All flight tickets issued by Germania Fluggesellschaft mbH on Germania ticket stock (246) are non-refundable. A refund is ruled out for insolvency law reasons. Individuals affected only have the option of registering their claims in the insolvency table available at <https://germania.insolvenz-solution.de> from 8 April 2019 onwards.



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**9. Will my claims for compensation and damages due to flight cancellations or delays still be settled?**

Compensation for flight cancellations or delays cannot be paid by Germania either. This is ruled out under insolvency law. The passengers affected only have the option of registering their claim for compensation in the insolvency table available at (<https://germania.insolvenz-solution.de>) from 8 April 2019 onwards.

**10. I paid for my ticket using my credit card. Can I get a refund from my credit card company?**

Whether or not this is possible depends on the terms and conditions of use that apply to your credit card in the relationship between you and your credit card provider. Please contact your credit card provider.

**11. My credit card provider is asking for proof that I have a refund entitlement against Germania that will not be fulfilled. Where can I get this sort of proof?**

Unfortunately, no legally binding information can be provided at the moment. To begin with, claims against the insolvent Germania Fluggesellschaft mbH must be registered in the insolvency table available at <https://germania.insolvenz-solution.de> from 8 April 2019 onwards. After the claim has been registered, each individual claim has to be checked to determine whether or not it is justified, a process that takes a considerable length of time for proceedings on this scale.

The second question is whether you will actually receive a payment on your claim. This can only be determined at the very end of the insolvency proceedings, once the claims of all creditors have been offset against the assets involved in the insolvency proceedings in a final statement of account. Individuals with a legitimate claim may then receive a small pro rata payment, i.e. a small percentage of their claim. However, this and the timing of any pro rata payment are still uncertain.

**12. My credit card provider requires proof that the Germania flight I have booked will not be operated. Where can I get this sort of proof?**

The flight operations of Germania Fluggesellschaft mbH were suspended on 5 February 2019. No flights at all have been operated since this date. The closure of business operations on 1 April 2019 also means that any future resumption of flight operations can be ruled out. You will have to notify your credit card provider accordingly.

**13. I would like to register my claim in the insolvency table. What do I need to do?**

You can register your claim online as of 8 April 2019 by following this link: <https://germania.insolvenz-solution.de>. If you are registered with Germania as an aggrieved passenger, the insolvency administrator will also be sending you a separate request to register your claims, with corresponding information on registering your claim, by email or post without delay. This separate request is solely for your information. A registration of your claim is valid



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irrespective of whether you have received a request from the insolvency administrator or not. This means you can register your claim even before or without having received a request at all.

#### **14. How long do I have to file my claims?**

You can register your claims for the first examination hearing to be held on 30 August 2019 up until the deadline for registration set out in the decision on the opening of insolvency proceedings, namely 1 July 2019. You are requested to adhere to this registration deadline. The court examination hearing is free of charge for creditors who register their claims in a timely manner prior to the registration deadline (no court costs).

Although claims can also be registered after this date for a limited period, a separate court examination hearing will be required for these late registrations, and you as the creditor will have to bear the court costs associated with the subsequent examination.

#### **15. How much will my pro rata payment be?**

It is not yet possible to say whether a pro rata payment will be made and, if so, in what amount. This depends on a number of factors, e.g. the total amount of the insolvency claims filed (by all creditors) and established, the amount of the insolvency assets generated (liquidity available for distribution). Questions about the prospects of a pro rata payment will not be answered individually. The insolvency administrator will provide you with information on this at regular intervals on the website set up for the proceedings <https://germania.insolvenz-solution.de>. It will not be possible to make an initial pro rata forecast until the end of 2019 at the earliest.

#### **16. When will I get my pro rata payment?**

You can expect to receive any pro rata payment at the end of the insolvency proceedings at the earliest. It is not yet possible to estimate how long the insolvency proceedings will last. Given the complexity of the asset realisation process, however, the proceedings can be expected to last for a prolonged period spanning several years.

#### **17. I booked a package holiday that included a Germania flight. Will I be automatically rebooked to another airline?**

Air travel as part of a package holiday is covered in the event of insolvency. Please contact your tour operator directly to arrange alternative transport.

#### **18. I work for a physical travel agency, a consolidator or an online travel agency. What do I need to bear in mind?**

All flight tickets issued by Germania Fluggesellschaft mbH on Germania ticket stock (246) are non-refundable. A refund is ruled out for insolvency law reasons. Individuals affected only have the option of registering their claim in the insolvency table (see above).



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**19. Does my Germania agency agreement remain valid?**

The suspension of business operations means that the insolvency administrator will not opt for the performance, and thus the continuation, of the agency agreements pursuant to section 103 of the German Insolvency Code (InsO). This means that the agency agreements cannot be continued. If you have incurred damages as a result, you only have the option of registering your claim in the insolvency table (see above).

**20. I have a Germania agency agreement and have not yet received any commission payment for the month of November and/or December 2018. When and how will I receive these payments?**

Outstanding receivables from commission claims cannot be paid out for insolvency law reasons. Creditors affected have the option of registering these claim in the insolvency table (see above).

**21. I cannot register my claims on the website in the area for creditors. What should I do?**

For technical reasons, you can only register as of 8 April 2019. Please check your entries again for any typos and try again.

**22. What personal data do I have to enter?**

Your first name and surname are required to log in in order to register your claim. As soon as you have logged in, you will be asked for further personal details for the claim registration process. This is necessary because each creditor has to confirm his/her identity by providing his/her address and other data. The data is protected from access by third parties. Please refer to the registration process for further details.

**23. Where did the insolvency administrator get my data from?**

The court-appointed insolvency administrator has assumed administrative authority and power of disposition over Germania Fluggesellschaft mbH. The insolvency administrator has limited access to your data so that he can give you the opportunity to register your claims. Your data was passed on to the insolvency administrator on the basis of the data protection law provisions, contractually agreed requirements and data protection laws. Your data will be handled by the insolvency administrator with the strictest confidence and in accordance with the statutory data protection provisions. The data was sent to the insolvency administrator by Germania Fluggesellschaft mbH.

**24. Who can I contact if I have further questions?**

**In order to avoid delays in the proceedings, you are asked to refrain from making enquiries by telephone and, if possible, also from making enquiries in writing. Telephone enquiries cannot be answered due to the large number of creditors.**



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**Please address written enquiries to**

Germania Fluggesellschaft mbH i.I.

by post to:  
Riedemannweg 58  
13627 Berlin

or

using the contact form on the website <https://germania.insolvenz-solution.de>.



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**More FAQ for the Creditor Portal**  
(<https://germania.insolvenz-solution.de>)

**25. Do I receive a confirmation receipt from the insolvency administrator regarding my claim registration?**

You will not receive a separate confirmation receipt with regard to your claim registration. As soon as you have lodged your claims electronically on the creditor portal, they are automatically registered with the insolvency administrator. There you can download and receipt for your claim lodgement meant for your files.

**26. Why was no proposal value for my claim submitted to me when my claim was filed?  
Can I still file claims?**

As far as possible and derivable from Germania's accounting, default values were determined for your claims in the creditor portal and prechecked for you. However, it cannot be ruled out that we were not yet aware of your claim because it had not yet been included in the accounts. However, this has no disadvantage for you. You can also lodge your claims on the creditor portal if no default value is displayed there. In this case, enter the claim to which you are entitled from your point of view by asserting your claim in the "Other" category.

**27. Where do I enter my bank details for quota payments?**

You do not need to disclose bank details at this time. Your bank details will only be queried by the insolvency administrator when quota payments are to be prepared and a payment to you is imminent. You will be informed of this separately. Currently, no bank details need to be provided.

**28. When will quota payments be made on my lodged insolvency claims?**

The fact that your claim has been lodged and ascertained does not mean that you will promptly receive quota payments from the insolvency administrator. In the present insolvency proceedings, quota payments are made at the earliest at the end of the proceedings. In view of the size of the proceedings and the large number of creditors, quota payments cannot be expected for several years at the earliest. Whether and to what extent quota payments can be made depends on the further course of the proceedings and cannot currently be reliably predicted. Therefore, you cannot expect short-term payments.

**29. How can I withdraw a claim once it has been lodged?**

If you no longer wish to pursue a claim you have lodged, you are requested to declare in writing (letter or fax) to the insolvency administrator that you are withdrawing the claim in the amount of € [...].

**30. My ticket number doesn't work in the Creditor Portal. What do I have to do?**

Please use the ticket number you have been sent via letter or e-mail. Enter the ticket number again slowly and check the entry. If this does not work, you can register your claim under



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“Other” without entering a ticket number. In this case, you will not be allocated a default value, but you have to enter the amount of your claim yourself.

**31.I have made the booking through a travel agency, but unfortunately I have not received an e-mail to register my claim. The travel agency referred me to the insolvency administrator. What do I have to do now?**

If you have made your booking through a travel agency, only the travel agency receives the registration data. However, this is not to your disadvantage. You can still register your claims on the Creditor Portal at <https://germania.insolvenz-solution.de> under “Other”. Please follow the instructions there. Whether you have a claim against your travel agency or an insurance claim for the reimbursement of the travel price depends on the specific agency contract concluded between you and the travel agency. We do not have any documentation on this.

**32.I have booked several tickets. Do I have to enter each claim individually?**

If you have made a booking with several ticket numbers, please register your claims on the Creditor Portal at <https://germania.insolvenz-solution.de>. By entering the PNR number and ticket number you received, all tickets booked under this booking number will be displayed and can be registered as a total sum. If this does not work, you will unfortunately have to register each ticket number individually on the Creditor Portal at <https://germania.insolvenz-solution.de>.

**33.Unfortunately, the “Confirm” button does not react. Has my registration been processed?**

Please try again to register via the Creditor Portal at <https://germania.insolvenz-solution.de>. After entering your login details, which you have specified when you first entered the portal, you can check whether your claim has been registered in the portal. You can also print a registration confirmation. If you cannot find your registration, you will have to enter your claim again. An incorrect registration on the Creditor Portal is often caused by an unconfirmed e-mail or the incorrect entry of the registered e-mail address or password. Please check whether these entries have been carried out properly.

**34.I have been an employee of Germania and my personnel number and/or security code was not recognized during the claim lodgement process. What can I do?**

It is possible that your Internet browser has an older version of the website in its cache. You can be sure to see the current version of the process portal by pressing Ctrl+F5 in most popular browsers (Chrome, Firefox, etc.) or by triggering a reload via the “Reload/Refresh” button of your specific browser. If the portal still displays the message that the combination of personnel number and security code is unknown, please contact the e-mail address listed under “Contact”, stating your personnel number and the letter you received.