

No. of Company.....

C39

THE COMPANIES LAW, CAP. 113.

Statement as to the Affairs

of * Limited

Submitted in pursuance of sections 340 (1) (b) and 341 (2) of the Companies Law, Cap. 113

IN THE MATTER OF A DEBENTURE (SERIES OF DEBENTURES)

REGISTERED.....19.....

Statement as at the.....day of....., 19..... the
date of the appointment of the Receiver.

We, of.....
a director of..... Limited
and of.....
the secretary thereof make oath and say that the statement made overleaf and the several
lists hereunto annexed marked..... are to the best of our
knowledge and belief a full, true and complete statement as to the affairs of the above named
company on the.....day of....., 19....., the date of
the appointment of the Receiver.

Sworn at.....in the District
of.....this.....day
of....., 19.....
before me

Signatures.....

Registrar, District Court.

The Registrar, District Court, is particularly requested, before swearing the Affidavit, to ascertain that the full name, address and description of each Deponent are stated, and to initial any crossings-out or other alterations in the printed form. A deficiency in the Affidavit in any of the above respects will entail its refusal by the Court, and will necessitate its being re-sworn.

Note.—The several lists annexed are not exhibits to the Affidavit.

STATEMENT OF

Statement as to the affairs of.....Limited

on the....., 19....., the date of the Appointment of the Receiver,
showing Assets at Estimated Realisable Values and Liabilities expected to Rank.

| | Estimated Realisable Values £ | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|
| ASSETS NOT SPECIFICALLY CHARGED OR MORTGAGED (as per List "A") :— | | | | | | | | | | |
| Balance at Bank | ... | | | | | | | | | |
| Cash in Hand | ... | | | | | | | | | |
| Marketable Securities | ... | | | | | | | | | |
| Bills Receivable | ... | | | | | | | | | |
| Trade Debtors | ... | | | | | | | | | |
| Loans and Advances | ... | | | | | | | | | |
| Unpaid Calls | ... | | | | | | | | | |
| Stock in Trade | ... | | | | | | | | | |
| Work in Progress | ... | | | | | | | | | |
| | ... | | | | | | | | | |
| | ... | | | | | | | | | |
| Immovable Property | ... | | | | | | | | | |
| Plant and Machinery | ... | | | | | | | | | |
| Furniture, Fittings, Utensils, etc. | ... | | | | | | | | | |
| Patents, Trade Marks, etc. | ... | | | | | | | | | |
| Investments other than marketable securities | ... | | | | | | | | | |
| Other property, viz. :— | | | | | | | | | | |
| | ... | | | | | | | | | |
| | ... | | | | | | | | | |

ASSETS SPECIFICALLY CHARGED OR
MORTGAGED (as per List "B") :—

| |
|---------------------------|
| Immovable Property |
| |
| |

| (a) Estimated Realisable Values £ | (b) Due to Secured Creditors £ | (c) Deficiency ranking as Unsecured (see next page) £ | Surplus carried to last column £ |
|---|--|---|---|
| | | | |
| £ | £ | £ | £ |

Estimated surplus from Assets specifically charged or mortgaged

ESTIMATED TOTAL ASSETS AVAILABLE FOR PREFERENTIAL CREDITORS, DEBENTURE HOLDERS
SECURED BY A FLOATING CHARGE, AND UNSECURED CREDITORS* (carried forward to next
page) £

SUMMARY OF GROSS ASSETS

| | |
|---|----------|
| Gross realisable value of assets specifically charged or mortgaged | (d) £ |
| Other Assets | |

Estimated Total Assets available for Preferential Creditors, Debenture Holders secured by a Floating Charge, and Unsecured Creditors* (brought forward from preceding page).

| (e) Gross Liabilities £ | LIABILITIES | | | | | | | | | | £ |
|----------------------------------|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| | (to be deducted from surplus or added to deficiency, as the case may be) | | | | | | | | | | |
| | SECURED CREDITORS (as per List "B") to extent to which claims are estimated to be covered by Assets specifically charged or mortgaged (item (a) or (b) on preceding page, whichever is the less) | | | | | | | | | | |
| | [Insert in "Gross Liabilities" column only] | | | | | | | | | | |
| | PREFERENTIAL CREDITORS (as per List "C") | | | | | | | | | | |
| | Estimated balance of assets available for Debenture Holders secured by a floating charge and Unsecured Creditors * | | | | | | | | | | |
| | DEBENTURE HOLDERS secured by a floating charge (as per List "D") | | | | | | | | | | |
| | Estimated SURPLUS/DEFICIENCY as regards Debenture Holders * | | | | | | | | | | |
| | UNSECURED CREDITORS (as per List "E") :— | | | | | | | | | | £ |
| | Estimated unsecured balance of claims of Creditors partly secured on specific assets, brought from preceding page (c). | | | | | | | | | | |
| | Trade Accounts | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | Bills Payable | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | Outstanding Expenses | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | Contingent Liabilities (state nature) :— | | | | | | | | | | |
| | | ... | ... | ... | ... | ... | ... | ... | ... | ... | |
| | ESTIMATED SURPLUS/DEFICIENCY AS REGARDS CREDITORS * being difference between : | | | | | | | | | | |
| | GROSS ASSETS brought from preceding page (d) | | | | | | | | | | |
| | and GROSS LIABILITIES as per column (e) | | | | | | | | | | |
| | ISSUED AND CALLED-UP CAPITAL :— | | | | | | | | | | |
| |preference shares of.....each | | | | | | | | | | |
| |called-up | | | | | | | | | | |
| |ordinary shares of.....each | | | | | | | | | | |
| |called-up | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | ESTIMATED SURPLUS/DEFICIENCY AS REGARDS MEMBERS * (as per List "F") | | | | | | | | | | |

* These figures must be read subject to the following notes :—

(1)—(f) † There is no unpaid capital liable to be called-up, or

(g) † The nominal amount of unpaid capital liable to be called-up is £ estimated to produce £ which is/is not charged in favour of Debenture Holders.

(2) The estimates are subject to costs of the Receivership and to any surplus or deficiency on trading pending realisation of the Assets.

† Strike out (f) or (g).

Statement of Affairs

() ST "A"—Assets not Specifically Charged or Mortgaged.

List "A"

Full particulars of every description of property not specifically charged or mortgaged and not included in any other list are to be set forth in this list.

| <i>State name of bankers</i> | Full statement and nature of property | | | | | | Book value £ | Estimated to produce £ |
|----------------------------------|---|-----|-----|-----|-----|-----|-----------------|---------------------------|
| | Balance at bank | ... | ... | ... | ... | ... | | |
| | Cash in hand | ... | ... | ... | ... | ... | | |
| | Marketable securities, viz. :— | | | | | | | |
| | Bills receivable (as per Schedule I) | ... | ... | ... | ... | ... | | |
| | Trade debtors (as per Schedule II) | ... | ... | ... | ... | ... | | |
| | Loans and advances, viz. :— | | | | | | | |
| | Unpaid calls (as per Schedule III) | ... | ... | ... | ... | ... | | |
| <i>State nature</i> | Stock in Trade | ... | ... | ... | ... | ... | | |
| <i>State nature</i> | Work in progress | ... | ... | ... | ... | ... | | |
| | Immovable property, viz. :— | | | | | | | |
| | Plant and machinery, viz. :— | | | | | | | |
| | Furniture, fittings, utensils, etc. | ... | ... | ... | ... | ... | | |
| | Patents, trade marks, etc., viz. — | | | | | | | |
| | Investments other than marketable securities, viz. :— | | | | | | | |
| | Other property, viz. :— | | | | | | | |

Dated.....19.....

(Signature).....

LAST "B"—As (not including Debenture Holders Secured by a Floating Charge) is Specifically Charged or Mortgaged and Creditors Fully or Partly Secured

(not including Debenture Holders Secured by a Floating Charge).

[The names of the secured creditors are to be shown against the assets on which their claims are secured, numbered consecutively, and arranged in alphabetical order as far as possible.]

[illegible]

Dated.....19.....

(Signature)

LIST "C" — Preferential Creditors for Rates, Taxes, Salaries, Wages and otherwise. [The names to be arranged in alphabetical order and numbered consecutively.]

[The names to be arranged in alphabetical order and numbered consecutively.]

[illegible]

Dated.....19.....

(Signature)

LIST "D"—List of Debenture Holders Secured by a Floating Charge.

[The names to be arranged in alphabetical order and numbered consecutively.]

Separate Lists must be furnished of holders of each issue of Debentures, should more than one issue have been made.

| No. | Name of Holder | Address | Amount £ | Description of assets over which security exists |
|-----|----------------|---------|-------------|--|
| | | | | |

(Signature)

Statement of Affairs

List "E"

LIST "E"—Unsecured Creditors.

[The names to be arranged in alphabetical order and numbered consecutively.]

NOTES.—1. When there is a contra account against the creditor less than his claim against the company, the amount of the creditor's claim and the amount of the contra account should be shown in the third column and the balance only be inserted under the heading "Amount of Debt" thus :—

Total amount of claim ... £
Less : Contra account ...

No such set-off should be included in Schedule I attached to List "A".
2. The particulars of any Bills of Exchange and Promissory Notes held by a creditor should be inserted immediately below the name and address of such creditor.

| No. | Name | Address and Occupation | Amount of Debt £ | DATE WHEN CONTRACTED | | Consideration |
|-----|---|--|---------------------|----------------------|------|---------------|
| | | | | Month | Year | |
| | Unsecured balance of creditors partly Balance not preferential of preferential | secured—brought from List "B" ... creditors—brought from List "C" ... | | | | |

Dated.....19.....

(Signature).....

Statement of Affairs

LIST "G"

List "G"

In substitution for such of the Lists "A" to "F" as will have to be returned blank.

| List | Particulars | REMARKS Where no entries are made on any one or more of the Lists "A" to "F" the word "Nil" should be inserted in this column opposite the List or Lists thus left blank. | |
|------|---|--|-----|
| A | Assets not specifically charged or mortgaged | ... | ... |
| B | Assets specifically charged or mortgaged and creditors fully or partly secured (not including debenture holders secured by a floating charge) | ... | ... |
| C | Preferential creditors for Rates, Taxes, Salaries, Wages and otherwise | ... | ... |
| D | Debenture holders secured by floating charge | ... | ... |
| E | Unsecured creditors | ... | ... |
| F | Deficiency or Surplus Account | ... | ... |

Dated.....19.....

(Signature).....