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|  | **Statement of Affairs** | | | | | | | |
|  |  | |  |  | |  | |  |
| Name of company  Delete as necessary  Enter court details (if applicable)  Enter full name of company to which this Statement of Affairs relates  Enter the date (DD/MM/YYYY) of Winding-up Order (or date of resolution appointing the liquidators)  Enter your full name  Enter your full address  Place sworn  Date (DD/MM/YYYY) this form was sworn  Signature of attorney / lawyer / notary public  Signature of person(s) swearing this affidavit | **TITLE:** | |  | | | | | |
|  | |  |  | |  | |  |
| **(IN PROVISIONAL / OFFICIAL LIQUIDATION) [DELETE AS APPLICABLE] (the “Company”)** | | | | | | | |
|  | |  |  | | |  |  |
| **Cause No:** | |  | | | |  |  |
|  | |  |  | | |  |  |
| **STATEMENT OF AFFAIRS OF [NAME OF COMPANY]** | | | | | | | |
|  | | | | | | | |
| The particulars and other information shown in this statement of affairs and any continuation sheets give a full and complete statement of the Company’s affairs as at | | | | | | | |
|  | | | | | | | |
| **Date:** |  | |  | | |  |  |
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| **AFFIDAVIT** | | | | | | | |
| **This affidavit must be sworn before an Attorney at Law / Lawyer / Notary Public** | | | | | | | |
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| **I,** |  | | | | | | |
|  |  | |  | | |  |  |
| **Of,** |  | | | | | | |
|  |  | | | | | | |
| Make oath and say that the \_\_\_\_ pages exhibited hereto, having made all such enquires and reviewed all such documents considered reasonably necessary, is to the best of my knowledge and belief, a complete and accurate statement of affairs of the Company. | | | | | | | |
| **Sworn at:** | |  |
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| **Date:** | |  | |  | | |  |
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| **Before me:** | |  | | | | | |
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| **Signature(s):** | |  | | | | | |
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### A – Summary of Assets

|  |  |  |
| --- | --- | --- |
|  | **Book value**  **(US$)** | **Estimated realisable value (US$)** |
| **Assets subject to secured lending (see Guidance Notes)** |  |  |
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| **Less: amounts due to secured creditors (see Guidance Notes)** |  |  |
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| **Unsecured assets (see Guidance Notes)** |  |  |
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| **Estimated total assets not subject to secured lending** |  |  |

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| Signed |  | Date |  |

### B – Summary of Liabilities

|  |  |
| --- | --- |
|  | **Estimated realisable value / Estimated to rank**  **(US$)** |
| **Estimated total assets not subject to secured lending**  **(carried from Part A)** |  |
|  |  |
| Less: preferential creditors (C – Preferential Creditors) | ( ) |
|  |  |
| **Estimated deficiency/surplus as regards preferential creditors** |  |
|  |  |
| Less: unsecured creditors (D – Creditors) | ( ) |
|  |  |
| **Estimated deficiency/surplus as regards unsecured creditors** |  |
|  |  |
| Less: redeemed and unpaid participating investors (E – Redeemed and Unpaid Investors) | ( ) |
|  |  |
| **Estimated deficiency/surplus as regards redeemed investors** |  |
|  |  |
| Less: unredeemed participating investors (F – Unredeemed Investors) | ( ) |
|  |  |
| **Estimated deficiency/surplus as regards unredeemed investors** |  |
|  |  |
| Less: issued and called up share capital | ( ) |
|  |  |
| **Estimated total deficiency/surplus as regards members** |  |

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| Signed |  | Date |  |

### C

### PREFERENTIAL CREDITORS

**NOTE:** If more convenient, a list of creditors may be attached to this page as long as it contains all the same information as in this table. You must include all creditors per the Company’s records.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of creditor** | **Contact details (address and email)** | **Amount of debt (US$)** | **Particulars of how the debt was incurred** |
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| Signed |  | Date |  |

### D

### CREDITORS

**NOTE:** If more convenient, a list of creditors may be attached to this page as long as it contains all the same information as in this table. You must include all creditors per the Company’s records, and identify under ‘Details of Security’ any security held by a creditor.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name of creditor** | **Contact details (address and email)** | **Amount of debt (US$)** | **Details of Security** | **Particulars of**  **how the debt**  **was incurred** |
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#### E Redeemed and Unpaid Investors

**NOTE:** If more convenient, a list of investors may be attached to this page.

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| --- | --- | --- | --- | --- | --- | --- |
| **Name of shareholder** | **Contact details (address and email)** | **Share class** | **Date(s) of investment** | **Number of shares held** | **Date(s) of redemption** | **Unpaid amount per redemption**  **(US$)** |
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| Signed |  | Date |  |

#### F Unredeemed Investors

**NOTE:** If more convenient, a list of investors may be attached to this page.

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| --- | --- | --- | --- | --- | --- | --- |
| **Name of shareholder** | **Contact details (address and email)** | **Share class** | **Date(s) of investment** | **Number of shares held** | **Current balance**  **(US$)** | **Please indicate any voting rights** |
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| Signed |  | Date |  |

**Guidance Notes for Completion of a Statement of Affairs**

**General**

1. The Statement of Affairs (“**SofA**”) must be sworn before an Attorney at Law / Lawyer / Notary Public.
2. Please sign and date each page of the SofA.
3. Please complete all the pages of the SofA. If a section is not applicable, please mark it as “N/A”.
4. Please enter all the amounts in the SofA to the nearest Unites States dollar. If the currency of the liquidation is different from the United States dollar, please indicate as such on the SofA.

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**Guide to Part A – Summary of Assets**

1. Show the “Book Value” given for each asset in the Company's records. If this is not possible, state the reason.
2. The “Estimated realisable value” should be based on the current market value.
3. List under “Assets subject to secured lending” any of the Company's assets which are held as security by a creditor.
4. If applicable, under “Amounts due to secured creditors” list the value of security held against assets subject to secured lending.
5. List any other assets under “Uncharged assets”.
6. The “Estimated total assets not subject to secured lending” should be calculated as the remaining surplus of assets subject to secured lending, after the deduction of amounts due to secured creditors, plus the value of any uncharged assets.
7. If a creditor’s claim against an asset held as security is not fully covered by the value of the asset shown under “Assets subject to secured lending”, you must show the unsecured balance of that creditor's claim on Part D – Creditors.
8. Include all debts due to the Company, even where these are known to be bad debts, under the appropriate sub-heading on Part A. The “Estimated Realisable Value” should be the amount of the debts due to the Company which are estimated to be recoverable.

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**Guide to Part B – Summary of Liabilities**

1. The “Estimated total assets not subject to secured lending” figure from Part A should be listed at the top of the page.
2. Each category of creditor and shareholder should be listed in the appropriate place on the page, as indicated. Please note that only the total amount for each category is required with detailed listings provided in Part C to F of the SofA.
3. After inserting the relevant figures for the different categories of creditors and investors, the balance should be brought down until the total surplus/deficiency as regards members is calculated.
4. Any categories deemed not applicable should be marked as such and ignored for the purposes of calculating the surplus/deficiency.

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**Guide to Part C – Preferential creditors**

1. Please list separately every preferential creditor of the Company.
2. If there is insufficient space to list all creditors in Part C of the SofA, please affix additional pages, numbering these pages as “C2, C3, C4 continuation sheet” as applicable.
3. The following information should be provided:
   1. The creditor’s name;
   2. The creditor’s physical address and email address;
   3. The total amount of their claim per the Company’s records as at the date the Company went into liquidation;
   4. Brief particulars of how and when the debt was incurred by the Company.

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**Guide to Part D - Creditors**

1. Please list separately every creditor of the Company, whether secured or otherwise. Creditors include debts payable at a future date and contingent claims/liabilities. You must identify creditors under hire-purchase, chattel leasing or conditional sale agreements and customers claiming amounts paid in advance of the supply of goods or services and creditors claiming retention of title over property in the company’s possession.
2. If there is insufficient space to list all creditors in Part D of the SofA, please affix additional pages, numbering these pages as “D2, D3, D4 continuation sheet” as applicable.
3. The following information should be provided:
   1. The creditor’s name;
   2. The creditor’s physical address and email address;
   3. The total amount of their claim per the Company’s records as at the date the Company went into liquidation;
   4. Particulars of any security held by the creditor; and
   5. Brief particulars of how and when the debt was incurred by the Company.

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**Guide to Part E – Redeemed and Unpaid Investors**

1. List all of the redeemed and unpaid investors of the Company as shown in the Company’s records.

Redeemed and unpaid shareholders are those who have requested a redemption, the redemption date occurred prior to the commencement of the winding up and any suspension of the NAV, and the shareholder remains unpaid.

If a redemption has not been requested or the redemption date did not occur until after a suspension of the NAV or the commencement of the winding up, the shareholder should be included in Part F.

1. If there is insufficient space to list all investors in Part E of the SofA, please affix additional pages, numbering these pages as “E2, E3, E4 continuation sheet” as applicable.
2. The following information should be provided:
   1. The former shareholder’s name;
   2. The former shareholder’s physical address and email address;
   3. Type or class of shares held;
   4. The date(s) of the investment;
   5. The number of shares formerly held;
   6. The date(s) of the redemption(s); and
   7. The unpaid amount(s) pursuant to the redemption(s).

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**Guide to Part F – Unredeemed Investors**

1. List all of the unredeemed investors of the Company as shown on the shareholder register. See guide to Part E for explanation of unredeemed investors.
2. If there is insufficient space to list all investors in Part F of the SofA, please affix additional pages, numbering these pages as “F2, F3, F4 continuation sheet” as applicable.
3. The following information should be provided:
   1. The shareholder’s name;
   2. The shareholder’s physical address and email address;
   3. Type or class of shares held;
   4. The date(s) of the investment;
   5. The number of shares held;
   6. The current balance of the investment; and
   7. Details of any voting rights held by the shareholder.