**COMPANIES ACT 2016**

**\*Section 484 / \*Section 388 & 390**

 **STATEMENT OF AFFAIRS**

**(\*WINDING UP BY COURT/\*RECEIVERSHIP)**

|  |
| --- |
| (Name of company) |
|  |  |
|  |  |

Statement of Assets and Liabilities as at the

|  |  |  |
| --- | --- | --- |
|  | Cost or Book Value\* | Estimated Realizable Values |
| 1. ASSETS NOT SPECIFICALLY CHARGED *(a)* Real estate as detailed in Schedule At . . . . . . *(b)* Sundry debtors as detailed in Schedule B + . . . *(c)* Cash on hand . . . . . . . . . . . . . . . *(d)* Cash at bank . . . . . . . . . . . . . . . *(e)* Stock as detailed in inventory . . . . . . . . . *(f)* Plant and equipment as detailed in inventory . . . *(g)* Other assets as detailed in Schedule C + . . . 2. ASSETS SUBJECT TO SPECIFIC CHARGES, RM sen LINES, MORTGAGES. BILLS OF SALE OR HIRE-PURCHASE AGREEMENTS, as detailed in Schedule D + . . . . . . . . . . . . . . . *Less amounts-owing. as detailed in Schedule D* TOTAL ASSETS . . . . . . . . . . . . . . . 3. Less PREFERENTIAL CREDITORS ENTITLED TO PRIORITY OVER THE HOLDERS OF DEBENTURES UNDER ANY FLOATING CHARGE, as detailed in Schedule E . . . . . . . . . . . . . . . 4. Less AMOUNTS OWING AND SECURED BY DEBENTURE OR FLOATING CHARGE OVER COMPANY's ASSETS TO . . . . . . 5. Less PREFERENTIAL CREDITORS as detailed in Schedule F. . . . . . ESTIMATED AMOUNT AVAILABLE FOR UNSECURED CREDITORS . . . 6. CREDITORS (UNSECURED) as detailed in Schedule G Amount claimed (RM ) . . . . . . . . . . . . . . . 7. BALANCES OWING TO PARTLY SECURED CREDITORS as detailed in Schedule H Total claims (RM )Security held (RM ) | RM sen  | RM sen  |
| 8. CONTINGENT ASSETS RM . . . . . . . . . . . . . . . . . . . . . Estimated to produce RM As detailed in Schedule I . . . . . . . . . . . . . . . . . . 9. CONTINGENT LIABILITIES RM . . . . . . . . . . . . Estimated to rank for RM As detailed in Schedule J . . . . . . . . . . . . . . . . . . . . . ESTIMATED\* DEFICIENCY/\* SURPLUS (Subject to costs of \*administration \*liquidation)  | RM *sen* |  |

SHARE CAPITAL
Issued (RM *sen)*
Paid up (RM *sen)*

SCHEDULE A
REAL ESTATE

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Address and Description of Property | Cost Price or Book Value | Estimated Realizable Value | Valuation for Rating Purposes | Particulars of Tenancy | Where Possession of Deeds may be Obtained | Short Particulars of Title |
|  | RM sen  | RM sen  | RM *sen* |  |  |  |

SCHEDULE B
SUNDRY DEBTORS (INCLUDING LOAN DEBTORS)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name and Address of Debtor | Amount Owing | Amount Realizable | Deficiency | Particulars of Security (if any) Held | Explanation of Deficiency |
|  | RM *sen* | RM *sen* | RM sen |  |  |

SCHEDULE C
OTHER ASSETS

|  |  |  |
| --- | --- | --- |
| Description of Deposit or Investment | Cost | Amount Realizable |
| *Deposits* *Investments -* | *RM sen* | *RM sen* |

SCHEDULE D
ASSETS SUBJECT TO SPECIFIC CHARGES, LIENS, MORTGAGES, BILLS OF SALE OR HIRE PURCHASE AGREEMENTS

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Description of Asset | Date Charge Given | Description of Charge | Holder of Charge | Terms of Repayment  | Cost or Book Value | Estimated Realizable Value  | Amount Owing under Charge |
|  |  |  |  |  | RM sen  | RM *sen*  | *RM sen* |

SCHEDULE E
PREFERENTIAL CREDITORS ENTITLED TO PRIORITY OVER THE HOLDERS OF DEBENTURES UNDER ANY FLOATING CHARGE

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Employee's Name and Address | Wages | Holiday Pay | Long Service Leave  | Estimated Liability |
|  | *RM sen*  | RM *sen*  | RM sen  | RM *sen* |

SCHEDULE F
PREFERENTIAL CREDITORS (OTHER THAN THOSE DETAILED IN SCHEDULE)

|  |  |  |
| --- | --- | --- |
| Name and Address of Preferential Creditor | Description of Amount Owing | Amount Owing |
|  |  | RM *sen* |

SCHEDULE G
UNSECURED CREDITORS

|  |  |  |  |
| --- | --- | --- | --- |
| Name and Address of Creditor | Amount Claimed by Creditor | Amount Admitted as Owing | Reason for Disputed Amount (if any)  |
|  | *RM sen* | *RM sen* |  |

SCHEDULE H
PARTLY SECURED CREDITORS

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name and Address of Creditor | Particulars of Security Held | Nature of Security | Estimated Value of Security Held | Amount Owing to Creditor | Amount Estimated to Rank as Unsecured |
|  |  |  | RM *sen*  | RM *sen*  | RM *sen* |

SCHEDULE I
CONTINGENT ASSETS

|  |  |  |
| --- | --- | --- |
| Description of Asset | Gross Asset | Estimated to Produce |
|  | RM *sen* | RM *sen* |

SCHEDULE J
CONTINGENT LIABILITIES

|  |  |  |  |
| --- | --- | --- | --- |
| Name and Address of Creditor | Nature of Liability | Gross Liability  | Estimated to Rank for |
|  |  | RM *sen* | RM *sen* |

I hereby certify that the particulars contained in the above statement of affairs are true to the best of my knowledge and belief

Dated this……………day of…………. . , 20 ………

(Signature) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

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\*Indicate in respect of each entry whether cost or book value.

† Where this statement of affairs is made for the purposes of subsection (5) of section 449 of the Companies Act, 2016. Schedules A. B, C and D are to show the method and manner in which the valuation of the assets were arrived at.
‡ Strike out whichever is inapplicable.

NOTES

This statement of affairs is to be made as at the following dates:

*(a)* Where submitted to a receiver or manager under sections 388 and 390 of the Companies Act, 2016, the date of the receiver's or manager's appointment;

*(b)* Where submitted to a liquidator under section 484 of that Act, the date of the winding up order.

This statement of affairs is to be submitted by, and is to be verified by an affidavit in accordance with Affidavit Verifying Statement Of Affairs sworn by the following persons:

*(a)* Where the statement is made out for the purposes of section *388* of the Companies Act, *2016,* a person referred to in section *390 (2) of* that Act;

*(b)* Where the statement is made out for the purposes of section *484 of* the Companies Act, *2016,* a person referred to in section *484 (2) of* that Act.

 The copy *of* this statement *of* affairs that is lodged with the Registrar of Companies to be certified in writing to be a true copy of the original statement: -

*(a)* in the case of a copy lodged for the purposes *of* section *388 (2) (a)* of the Companies Act, 2016, by the receiver or receiver and manager *of* the property of the company;

*(b)* in the case of a copy lodged for the purposes of section *484 (3) of* that Act, by the liquidator of the company.

**Declaration:**

I confirm that the facts and information stated in this document are true and to the best of my knowledge.

**Signed by \*Liquidator/\*Receiver/\*Receiver and Manager:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name :

Date :

† insert name, address of the Petitioner and High Court Reference No.

‡ insert name of the Respondent.

|  |
| --- |
| \* strike out whichever is not applicable.  |

**Attention:**

It is an offence under section 591 of the Companies Act 2016 to make or authorize the making of a statement that a person knows is false or misleading and that person may be liable, upon conviction, to imprisonment for a term not exceeding ten years or to a fine not exceeding RM3million or to both.

|  |
| --- |
| **LODGER INFORMATION** |
| Name | :  |
| NRIC No | : |
| Address | :  |
| Phone No | :  |
| Email | : |