

No. 17

(Rule 41)

STATEMENT OF AFFAIRS

(Title)

Statement of Affairs on the day of, 20.....,
the date of the Winding-up Order.

I – AS REGARDS CREDITORS

Gross Liabilities		Liabilities		Expected to rank		Assets		Estimated to produce	
RM	sen			RM	sen			RM	sen
		Debts and liabilities, viz:	RM	sen					
		(a) ...Unsecured Creditors as per List “A” (State Number)					(a) Property as per List “H”, viz:		
		(b) ...Creditors fully secured (not including debenture holders) as per List “B” .. Estimated value of securities Estimated surplus Carried to List “C” Balance to contra (d) ..					(a) Cash at bankers (b) Cash in hand (c) Stock in trade (Estimated cost, RM.....) (d) Machinery (e) Trade fixtures, fittings, utensils, & c. (f) Investments in shares, etc. .. (g) Loan on mortgage .. (h) Other property, viz:		
		(c) ...Creditors partly secured as per List “C”.. ..					(b) Book debts (debtors), as per List “I”, viz:		
							Good	RM	Sen
							Doubtful		
							Bad		
		Less estimated value of securities					Estimated to produce		
		Estimated to rank for dividend					(c) Bills of exchange, or other similar securities on hands as per List “J”		
		(d) Liabilities on bills discounted other than the company’s own acceptances for values, as per List “D” Of which it is expected will rank for dividend					Estimated to produce		
		(e) Other liabilities as per list “E”.. ..					(d) Surplus from securities in the hands of creditors fully secured as per contra (b)		
		Of which it is expected will rank for dividend					(e) Unpaid calls (...debtors), as per List “K” Estimated to produce Estimated total assets Deduct preferential creditors as per contra (f)		
			RM	Sen			Estimated amount available to meet claims of debenture holders		
		(f) ... Preferential creditors for rates, taxes, wages, etc. as per List “F” deducted contra					Deduct Loans on debenture bonds secured on the assets of the company as per contra (g)		
		(g) Loan on debenture bonds, as per List “G” deducted contra					Estimated amount available to meet unsecured creditors subject to cost of liquidation		
		Estimated surplus (if any) RM..... after meeting liabilities of company, subject to cost of liquidation					Estimated deficiency of assets to meet liabilities of the company, subject to cost of liquidation		

The nominal amount of unpaid capital liable to be called up is RM..... which is (available to meet above deficiency) or (charged to debenture holders), or as the case may be.

II – AS REGARDS CONTRIBUTORIES

	RM	sen	RM	sen		RM	sen
Capital issued and allotted, viz:					Estimated Surplus as above (if any) subject to cost of Liquidation		
Founders' shares of RM..... per share (..... Shareholders) ..							
*Issued as fully paid							
Amount called up at RM..... per share, as per List "L"							
Ordinary Shares of RM..... per share (..... Shareholders) ..							
*Issued as fully paid							
Amount called up at RM..... per share, as per List "M"							
Preference Shares of RM..... per share (..... Shareholders) ..							
*Issued as fully paid							
Amount called up at RM..... per share, as per List "N"							
#Amount, if any, paid in advance of call ..							
Less unpaid calls estimated to be irrecoverable RM.....							
Add deficiency to meet liabilities as above					Total deficiency as explained in Statement "O"		

*When capital is issued as partly paid up the form should be altered accordingly.

#Add particulars of any other capital.

I, of
make oath (solemnly, sincerely and truly affirm) and say that the foregoing statement and the
several lists hereunto annexed marked are, to the best of my knowledge and belief,
a full, true and complete statement of the affairs of the above-named Company, on the
..... day of, 20....., the date of the winding-up
order.

NOTE-

The Magistrate is particularly requested, before swearing the Affidavit, to ascertain
that the full name, address, and description of the Deponent are stated, and to initial all
crossings out or other alterations on 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.

Sworn or affirmed at
in the State of
this day of, 20.....

Signature

Before me,

List "A"

UNSECURED CREDITORS

THE names to be arranged in alphabetical order and numbered consecutively, creditors for RM100 and upwards being placed first.

NOTES-

- When there is a contra account against the creditor, less than the amount of 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:

RM sen

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

No such set-off should be included in List "I".

- 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.
- The name of any creditors who are also contributories, or alleged to be contributories, of the Company must be shown separately, and described as such at the end of the List.

No.	Name	Address and Occupation	Amount of Debt		Date when Contracted		Consideration
					Month	Year	
			RM	sen			

Signature

Dated, 20.....

List “B”

CREDITORS FULLY SECURED (NOT INCLUDING DEBENTURE HOLDERS)

[illegible]

Signature

Dated, 20.....

List “C”

CREDITORS PARTLY SECURED

(STATE WHETHER ALSO CONTRIBUTORIES OF THE COMPANY)

No.	Name of Creditor	Address and Occupation	Amount of Debt		DATE WHEN CONTRACTED		Consideration	Particulars of Security	Month and year when given	Estimated value of Security		Estimated surplus from security	
					Month	Year				RM	sen	RM	sen
			RM	sen						RM	sen	RM	sen

Signature

Dated, 20.....

List "D"

LIABILITIES OF COMPANY ON BILLS DISCOUNTED OTHER THAN THEIR OWN
ACCEPTANCES FOR VALUE

No.	Acceptor's Name, Address and Occupation	Whether liable as Drawer or Indorser	Date when due	Amount		Holder's Name, Address and Occupation (if known)	Amount expected to rank for Dividend	
				RM	sen		RM	sen

Signature

Dated, 20.....

List "E"

OTHER LIABILITIES

FULL particulars of all liabilities not otherwise scheduled to be given here.

No.	Name of Creditor or claimant	Address and Occupation	Amount of Liability or claim		DATE WHEN LIABILITY INCURRED		Nature of liability Consideration		Amount expected to rank against Assets for Dividend	
					Month	Year				
			RM	sen					RM	sen

Signature

Dated, 20.....

List “F”

PREFERENTIAL CREDITORS FOR RATES, TAXES, SALARIES AND WAGES

No.	Name of Creditor	Address and Occupation	Nature of Claim	Period during which claim accrued	Date when due	Amount of claim		Amount payable in full		Different ranking for Dividend	
						RM	sen	RM	sen	RM	sen

Signature

Dated, 20.....

List “G”

LIST OF DEBENTURE HOLDER

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 extends
			RM	sen	

Signature

Dated, 20.....

PROPERTY

Full Statement and Nature of Property	Estimated Cost		Estimated to Produce	
	RM	sen	RM	sen
(a) Cash at Bankers				
(b) Cash in hand				
(c) Stock in Trade, at				
(d) Machinery, at				
(e) Trade fixtures, fittings, office furniture utensil etc,				
(f) Investment in Stock or Shares, etc...				
(g) Loan for which Mortgage or Security held				
State Particulars				
(h) Other property, viz:				
State Particulars				

Dated, 20.....

DEBTS DUE TO THE COMPANY

NOTE-

[illegible]

No such claim should be included in sheet “A”.

No.	Name	Residence and Occupation	AMOUNT OF DEBT						Folio of Ledger or other book where particulars to be found	WHEN CONTRACTED		Estimated to produce	Particulars of any Securities held for Debt	
			Good		Doubtful		Bad			Month	Year			
			RM	sen	RM	sen	RM	sen				RM	sen	

Signature

Dated, 20.....

List “J”

BILLS OF EXCHANGES, PROMISSORY NOTES, ETC. ON HAND AVAILABLE AS ASSETS

No.	Name of Acceptor of Bill or Note	Address, etc	Amount of Bill or Note		Date when due	Estimated to produce		Particulars of any property held as security for payment of Bill or Note
			RM	sen		RM	sen	

Signature

Dated, 20.....

List “K”

UNPAID CALLS

Consecutive No.	Number in Share Register	Name of Shareholder	Address and Occupation	Number of Shares Held	Amount of call per Share unpaid		Total amount due		Estimated to realize	
					RM	sen	RM	sen	RM	sen

Signature

Dated, 20.....

List “L”

LIST OF FOUNDERS' SHARES

Consecutive No	Register No.	Name of Shareholder	Address	Nominal Amount of Share	No. of Shares held	Amount per Share Called Up		Total Amount Called Up	
						RM	sen	RM	sen

Signature

Dated, 20.....

List “M”

LIST OF ORDINARY SHARES

Consecutive No	Register No.	Name of Shareholder	Address	Nominal Amount of Share	No. of Shares held	Amount per Share Called Up		Total Amount Called Up	
						RM	sen	RM	sen

Signature

Dated, 20.....

List “N”

LIST OF PREFERENCE SHARES

Consecutive No	Register No.	Name of Shareholder	Address	Nominal Amount of Share	No. of Shares held	Amount per Share Called Up		Total Amount Called Up	
						RM	sen	RM	sen

Signature

Dated, 20.....

DEFICIENCY ACCOUNT

				RM	sen					RM	sen
I	Gross profit (if any) arising from carrying on business from date of formation of Company to date of Winding-up Order (as per Trading Account annexed)	..	..	..	..	I	Expenditure in carrying on business from date of formation of Company to date of Winding-up Order, viz:				
II	Receipts, (if any) during same period from under-mentioned sources:										
	Interest on Loans	..	..	..	..		
	Interest on Deposits	..	..	..	..		
	Transfer Fees ..	..	..	..	..		
	Amount paid on shares issued and subsequently forfeited (as per list annexed)	..	..	..	..		
III	Other receipts (if any) during same period not included under any of the above headings, viz:	..									
IV	Deficiency as per Statement of Affairs-(Part II)	..									
						II	General Expenditure:				
							Salaries:	..			
							Wages not charged in Trading Account				
							Rent ..	..		
							Rates and Taxes ..	..		
							Law Costs ..	..		
							Commission ..	..		
							Interest on Loans ..	..		
							Interest on Debentures ..	..		
							Miscellaneous expenditure (as per details annexed) ..	..		
						III	Director's fees from date of formation of Company to date of Winding-up Order ..	..		
						IV	Dividends declared during same period	..			
						V	Losses and depreciation written off in Company's books ⁽¹⁾ :				
							Bad debts ..	..	..	..	..
							Losses on Investments ..	..	..	..	..
							Depreciation of Property	..	..	..	..
							Preliminary Expenses	..	..	..	..
						VI	Losses and depreciation not written off in Company's books, now written off by the Directors ⁽¹⁾ :				
							Bad debts ..	..	..	..	..
							Losses on Investments ..	..	..	..	..
							Depreciation of Property	..	..	..	..
							Preliminary Expenses	..	..	..	..
						VII	Other Losses and expenses ⁽¹⁾
	Total amount accounted for ⁽²⁾		Total amount accounted for ⁽²⁾

- (1) Where particulars are numerous they should be inserted in a separate Schedule.
- (2) These figures should agree.

Signature
Dated, 20.....

List "O"⁽²⁾

DEFICIENCY ACCOUNT

⁽²⁾Deficiency Account where Winding-up Order made more than Three Years after formation of Company.

	RM	sen		RM	sen
I Excess of Assets over capital and Liabilities on the (⁽¹⁾ day of 20..... (if any) as per Company's Balance Sheet. (This and any previous Balance Sheets to be annexed or handed to O.R.)			I Excess of Capital and Liabilities over Assets on the (⁽¹⁾ day of 20..... (if any) as per Company's Balance Sheet. (This and any previous Balance Sheets to be annexed or handed to O.R.)		
II Gross profit (if any) arising from carrying on business from the (⁽¹⁾ day of 20..... to date of Winding-up Order as per Trading Account annexed			II Expenses of carrying on business from the (⁽¹⁾ day of 19..... to date of Winding-up Order, viz:		
III Receipts, (if any) during same period from under- mentioned sources:				Amount Discharged	Due at date of Winding- up Order
Interest on Loans			General Expen- diture:	RM	sen
Interest on Deposits			Salaries: ..		
Transfer Fees			Wages not charged in Trading Account		
Amount paid on shares issued and subsequently forfeited (as per list annexed)			Rent		
IV Other receipts (if any) during same period not included under any of the above headings ..			Rates and Taxes ..		
V Deficiency as per Statement of Affairs-(Part II) ..			Law Costs ..		
			Commission ..		
			Interest on Loans ..		
			Interest on Deben- tures		
			Miscellaneous ex- penditure (as per details annexed) ..		
			III Director's fees from the (⁽¹⁾ day of 19..... to date of Winding-up Order ..		
			IV Dividends declared during same period		
			V Losses and depreciation from the day of 19.....(⁽¹⁾ written off in Company's books, viz. ⁽²⁾ :		
			Bad debts		
			Losses on Investments		
			Depreciation of Property		
			Preliminary Expenses		
			VI Losses and depreciation not written off in Company's books, now written off by the Directors ⁽²⁾ :		
			Bad debts		
			Losses on Investments		
			Depreciation of Property		
			Preliminary Expenses		
			VII Other Losses and Expenses ⁽²⁾ ..		
Total amount accounted for ⁽³⁾			Total amount accounted for ⁽³⁾		

NOTES-

- (1) Three years before date of Winding-up Order.
 (2) Where particulars are numerous they should be inserted in a separate Schedule.
 (3) These figures should agree.

Signature

Dated, 20.....

List "P"

IN SUBSTITUTION FOR SUCH OF THE LISTS NAMES "A" TO "O" AS WILL HAVE TO BE
 RETURNED BLANK

List	Particulars, as per front sheet	REMARKS Where no particulars are entered on any one or more of the lists named "A" to "O" the word "Nil" should be inserted in this column opposite the particular List or Lists left blank
A.	Unsecured Creditors	
B.	Creditors fully secured (not including debenture holders)	
C.	Creditors partly secured	
D.	Liabilities on Bills discounted other than the Company's own acceptances for value	
E.	Other liabilities	
F.	Preferential creditors for rates, taxes, wages, etc.	
G.	Loans on Debenture Bonds	
H.	Property	
I.	Book Debts	
J.	Bills of Exchange or other similar securities on hand	
K.	Unpaid calls	
L.	Founders' Shares	
M.	Ordinary Shares	
N.	Preference Shares	
O.	Deficiency Account	

Signature

Dated, 20.....