

Corporations Act

**FORMAL PROOF OF DEBT OR CLAIM (GENERAL FORM)**

To the Administrators of \_\_\_\_\_ (Administrators Appointed)  
 (enter the name of the company for which you have a claim)

1. This is to state that the company was on 10 April 2008, and still is, justly and truly indebted to  
 \_\_\_\_\_ of \_\_\_\_\_  
 (name) (address)

for \_\_\_\_\_ dollars and \_\_\_\_\_ cents, including GST  
 of \_\_\_\_\_ dollars and \_\_\_\_\_ cents.

Particulars of the debt are:

Date	Consideration <i>(state how the debt arose)</i>	Amount (GST excl)		GST		Amount (GST incl)		Remarks <i>(include details of voucher substantiating payment)</i>
		\$	c	\$	c	\$	c	

2. To my knowledge or belief the creditor has not, nor has any person by the creditor's order, had or received any satisfaction or security for the sum or any part of it except for the following:  
*(insert particulars of all securities held. If the securities are on the property of the company, estimate the value of those securities. If any bills or other negotiable securities are held, show them in a schedule in the following form).*

Date	Drawer	Acceptor	Amount		Due date
			\$	c	

\*3. I am employed by the creditor and authorised in writing by the creditor to make this statement. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

\*3. I am the creditor's agent authorised in writing to make this statement in writing. I know that the debt was incurred for the consideration stated and that the debt, to the best of my knowledge and belief, remains unpaid and unsatisfied.

\* Do not complete '3' if this proof is made by the creditor personally (ie cross out both). Otherwise cross out the one which is inapplicable.

Dated \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Name \_\_\_\_\_  
 Occupation \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone Contact \_\_\_\_\_  
 Email Address \_\_\_\_\_  
 Creditor's ABN \_\_\_\_\_

Please return completed form to:  
 Fax: 02 8235 8220  
 Post: GPO Box 4195, Sydney NSW 2001  
 Email: liftcapital@mcgrathnicol.com

*If you are business creditor, failure to quote your ABN may result in withholding of tax of 48.5% from any dividend*



### **Guarantees/Indemnities**

- Executed guarantee/indemnity;
- Notice of Demand served on the guarantor; and
- Calculation of the amount outstanding under the guarantee.

### **Judgment Debt**

- Copy of the judgment; and
- Documents/details to support the underlying debt as per other categories.

### **Deficiencies on Secured Debt**

- Security Documents (eg. mortgage);
- Independent valuation of the secured portion of the debt (if not yet realised) or the basis of the creditor's estimated value of the security;
- Calculation of the deficiency on the security; and
- Details of income earned and expenses incurred by the secured creditor in respect of the secured asset since the date of appointment.

### **Loans (Bank and Personal)**

- Executed loan agreement; and
- Loan statements showing payments made, interest accruing and the amount outstanding as at the date of appointment.

### **Tax Debts**

- Documentation that shows the assessment of debts, whether it is an actual debt or an estimate, and separate amounts for the primary debt and any penalties.

### **Employee Debts**

- Basis of calculation of the debt;
- Type of Claim (eg. wages, holiday pay, etc);
- Correspondence relating to the debt being claimed; and
- Contract of Employment (if any).

### **Leases**

- Copy of the lease; and
- Statement showing amounts outstanding under the lease, differentiating between amounts outstanding at the date of the appointment and any future monies.