

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. :—	
.....	
.....	

	(a) Estimated Realisable Values £	(b) Due to Secured Creditors £	(c) Deficiency ranking as Unsecured (see next page) £	Surplus carried to last column £
ASSETS SPECIFICALLY CHARGED OR MORTGAGED (as per List "B") :—				
Immovable Property				
.....				
.....				
	£	£	£	£

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		(d) £
Gross realisable value of assets specifically charged or mortgaged		
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.

Statement of Affairs

Form "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.

State name of bankers	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 J)	...	...	...	...	...	...	...	...	...	...	...	...	...
Trade debtors (as per Schedule II)	...	...	...	...	...	...	...	...	...	...	...	...	...
Loans and advances, viz. :—													
Unpaid calls (as per Schedule III)	...	...	...	...	...	...	...	...	...	...	...	...	...
State nature	Stock in Trade	...	...	...	...	...	...	...	...	...	...	...	...
State nature	Work in progress	...	...	...	...	...	...	...	...	...	...	...	...
State nature	Inmovable property, viz. :—												
	Plant and machinery, viz. :—												
	Furniture, fittings, utensils, etc.	...	...	...	...	...	...	...	...	...	...	...	...
	Patents, trade marks, etc.	...	...	...	...	...	...	...	...	...	...	...	...
	Investments other than marketable securities, viz. :—												
	Other property, viz. :—												

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

(Signature).....

STATEMENT OF ASSETS
List " B "

LIST " B "—As is Specifically Charged or Mortgage 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.]

Particulars of assets specifically charged or mortgaged	Date when security given	Estimated value of security £	No.	Name of creditor	Address and Occupation	Amount of Debt £	Date when contracted Month | Year	Consideration	Balance of debt unsecured carried on List " E "	Estimated surplus from security £

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

(Signature).....

Statement of Affairs

List "C"

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

No.	Name of Creditor	Address and Occupation	Nature of Claim	Period during which claim accrued due	Date when due	Amount of Claim £	Amount payable in full £	Balance not preferential carried to list "E" £

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

(Signature).....

Statement of Affairs

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

List "D"

[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

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

(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 "F"

List "F".—Deficiency or Surplus Account.

The period covered by this Account must commence on a date not less than three years before the appointment of the Receiver or, if the company has not been incorporated for the whole of that period, the date of formation of the company, unless the Receiver otherwise agrees.

ITEMS CONTRIBUTING TO DEFICIENCY (OR REDUCING SURPLUS):

1. Excess (if any) of Capital and Liabilities over Assets on the	19.....	as shown by Balance Sheet (copy annexed) ...	£
2. Net dividends and bonuses declared during the period from	19.....	to the date of the Statement ...	£
3. Net trading losses (after charging items shown in note below) for the same period	19.....	... ..	£
4. Losses other than trading losses written off or for which provision has been made in the books during the same period (give particulars or annex Schedule)	19.....	... ..	£
5. Estimated losses now written off or for which provision has been made for the purpose of preparing the Statement (give particulars or annex Schedule)...	19.....	... ..	£
6. Other items contributing to Deficiency or reducing Surplus:	19.....	... ..	£

ITEMS REDUCING DEFICIENCY (OR CONTRIBUTING TO SURPLUS):

7. Excess (if any) of Assets over (Capital and Liabilities on the	19.....	as shown on the Balance Sheet (copy annexed) ...	£
8. Net trading profits (after charging items shown in note below) for the period from the	19.....	to the date of the Statement ...	£
9. Profits and income other than trading profits during the same period (give particulars or annex Schedule)	19.....	... ..	£
10. Other items reducing Deficiency or contributing to Surplus:	19.....	... ..	£

DEFICIENCY/SURPLUS as shown by Statement

NOTE AS TO NET TRADING PROFITS AND LOSSES:

Particulars are to be inserted here (so far as applicable) of the items mentioned below, which are to be taken into account in arriving at the amount of net trading profits or losses shown in this Account:—

Provisions for depreciation, renewals or diminution in value of fixed assets	19.....	... ..	£
Charges for Cyprus income tax and other Cyprus taxation on profits	19.....	... ..	£
Interest on debentures and other fixed loans	19.....	... ..	£
Payments to directors made by the company and required by law to be disclosed in the accounts	19.....	... ..	£
Exceptional or non-recurring expenditure:—	19.....	... ..	£

Loss: Exceptional or non-recurring receipts:—

Balance, being other trading profits or losses	19.....	... ..	£
Net trading profits or losses as shown in Deficiency or Surplus Account above	19.....	... ..	£

Dated....., 19.....

(Signature).....

Statement of Affairs

LIST "G"

In substantiation 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).....