MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2020

Rule 61.02(1)(b), 61.04(b) FORM 61C

**STATEMENT OF AFFAIRS BY AN OFFICER OF A CORPORATION**

**(Judgment Debt Recovery Act 1984)**

IN THE MAGISTRATES' COURT Court Number

OF VICTORIA AT

|  |  |
| --- | --- |
|       | Judgment Creditor |

and

|  |  |
| --- | --- |
|       | Judgment Debtor |

Of: *(Address):*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date of Document: |       |  |  |  |
| Filed on Behalf of: |       |  | Code: |       |
| Australian Lawyer Name: |       |  | Telephone: |       |
| Address: |       |  | Reference: |       |

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| --- | --- | --- |
| 1. | State the address of the registered office of the judgment debtor corporation. |       |
| 2. | Is the corporation still trading? If no, when did it last trade? | [ ]  Yes [ ]  No*(Give dd/mm/yyyy)*       |
| 3. | What is the corporation's average weekly turnover? | $ |       |
| 4. | Is the corporation owed any money? If yes, give details including— | [ ]  Yes [ ]  No |
|  | (a) | Who owes the money |       |
|  | (b) | The address, telephone number and reference of the person or corporation |       |
|  | (c) | How much is owed | $ |       |
|  | (d) | What are the circumstances that give rise to the indebtedness |       |
|  | (e) | When is the debt due and payable to the corporation? Give details |       |

|  |  |
| --- | --- |
| 5. | Give details of the corporation's accounts at any bank/building society/credit union/etc;For each account give details, including-- |
|  |  |  | ACCOUNT 1 | ACCOUNT 2 | ACCOUNT 3 |
|  | (a) | name of bank etc.; |       |       |       |
|  | (b) | type of account; |       |       |       |
|  | (c) | account number; |       |       |       |
|  | (d) | name of account; |       |       |       |
|  | (e) | present balance of account | $ |       | $ |       | $ |       |
|  |  |  |  |  |  |
| 6. | Do you produce a balance sheet of the corporation? If yes— | [ ]  Yes [ ]  No |
|  | (a) | is it the most up to date balance sheet available? | [ ]  Yes [ ]  No |
|  | (b) | does the balance sheet reflect the corporation's present position? *(give differences)* |       |
| 7. | What other assets does the corporation have? Give details of all— |
|  | (1) | Real estate, listing –(a) locations *(address)*(b) values(c) mortages |
|  |  |       |
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|  |  |  |
|  |  |  |
|  | (2) | plant and equipment *(not included elsewhere)*, listing –(a) a description(b) locations *(address)*(c) values(d) are there any claims against these items, eg. finance, etc |
|  |  |       |
|  |  |  |
|  |  |  |
|  |  |  |  |  |
|  | (3) | motor vehicles, listing for each—(a) make/model/condition(b) registration number(c) lease or other finance details(d) value |
|  |  |       |

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| --- | --- | --- |
|  | (4) | stock *(not included elsewhere)*, listing—(a) a description;(b) locations *(address)* (c) values; (d) are there any claims against these items, eg. finance, etc. |
|  |  |       |
|  |  |  |
|  | (5) | other deposits, investments, shares and debentures, giving for each details of value and in what business/corporation/firm |
|  |  |       |
|  |  |  |
|  | (6) | forward orders and/or pending contracts |
|  |  |       |
|  |  |  |
|  | (7) | trademarks, labels, intellectual property |
|  |  |       |
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| (8) | Is there a registered debenture over the assets of the corporation? If yes, identify the debenture holder, state when the debenture was given and state the amount secured by the debenture. |
|  |       |
|  |  |
| (9) | Are there any other unpaid court orders/fines against the corporation? If so, give details of each court order/fine including—(a) *(for court orders)* name/address/phone number of party to whom the money is owed; (b) date of court order/fine; (c) amount outstanding; (d) reference number (*if any*). |
|  |       |
|  |  |
| (10) | What other monies does the corporation owe, not previously mentioned? |
|  |       |
|  |  |
| (11) | Do you produce a profit and loss statement for the corporation? If yes— | [ ]  Yes [ ]  No |
|  | (a) | is it the most up to date profit and loss statement available? | [ ]  Yes [ ]  No |
|  | (b) | does the profit and loss statement reflect the corporation's present position? *(detail differences)* |       |
|  |  |
| (12) | Give details of any other circumstances which affect the financial position of the corporation |
|  |  |

Dated:       [dd/mm/yyyy]

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

*[Signature]*

Full name:

Position held in judgment debtor corporation:

**WARNING**

**AN INSTALMENT ORDER THAT IS MADE AS A RESULT OF A FALSE STATEMENT
MAY BE VARIED OR CANCELLED**

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