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: |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 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 | | | | | | | |
|  |  |  | | | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | (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 | |
|  |  | |  | |
|  |  | | | |
| (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]

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*[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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