

Schedule

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(L.N. 81 of 1998; L.N. 125 of 2007; 1 of 2016 s.13)

Forms

(E.R. 4 of 2020)

Form 1

[rule 7]

GENERAL TITLE

In the Court of First Instance of Hong Kong
In Bankruptcy

No. of .

Re [JAMES BROWN].

Ex parte [here insert the Debtor, or J.S., a Creditor, or the Official Receiver, or the Trustee]

(25 of 1998 s. 2)

Form 2

(Repealed L.N. 81 of 1998)

Form 3

[rule 50]

DEBTOR'S BANKRUPTCY PETITION

(Title)

(a) Insert full name(s), address(es), occupation, trade or profession and Hong Kong Identity Card No. (if any) or number and issuing country of any passport of debtor.

I, (a) _____

(b) Insert in full any other name(s) by which the debtor is or has been known.

_____,
[also known as (b) _____]
_____]

(c) Insert former address or addresses at which the debtor may have incurred debts or liabilities still unpaid or unsatisfied.

[and lately residing at (c) _____]

_____]

(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business.

[and carrying on business as (d) _____]

_____]

(e) Insert any former trading name(s) (adding “with another or others”, if this is so), business address(es) and nature of the business in respect of which the debtor may have incurred debts or liabilities still unpaid or unsatisfied. [and lately carrying on business as (e) _____]

_____]

request the court that a bankruptcy order be made against me and say as follows—

(f) Delete as applicable. 1. I am domiciled in Hong Kong/personally present in Hong Kong on the date of presentation of this petition/have within 3 years immediately preceding the presentation of this petition (f) [resided at] [carried on business at] _____

within Hong Kong.

2. I am unable to pay my debts.

3. A statement of my affairs is filed with this petition.

Dated this _____ day of _____.

Signature of witness _____

ENDORSEMENT

Complete only if petition not heard immediately. This petition having been presented to the court on _____, it is ordered that the petition shall be heard as follows—

Date _____

Time _____ hours

Place _____

Registrar

(L.N. 81 of 1998)

Forms 4 — 9

(Repealed L.N. 81 of 1998)

Form 10

[rule 50]

CREDITOR’S BANKRUPTCY PETITION ON FAILURE TO

COMPLY WITH A STATUTORY DEMAND FOR A
LIQUIDATED SUM PAYABLE IMMEDIATELY

(Title)

(a) Insert full name(s) and address(es) of petitioner(s).

I/We, (a) _____

(b) Insert full name, place of residence, occupation (if any), Hong Kong Identity Card No. (if any) or number and issuing country of any passport of debtor (if known).

petition the court that a bankruptcy order may be made against (b) _____

[also known as (c) _____

(c) Insert in full any other name(s) by which the debtor is or has been known.

[and carrying on business as (d) _____

(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business.

_____]

[and lately residing at (e) _____

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred.

_____]

[and lately carrying on business as (f) _____

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred.

_____]

and say as follows—

1. The debtor is domiciled in Hong Kong/personally present in Hong Kong on the date of presentation of this petition/has within 3 years immediately preceding the presentation of this petition (g) [resided at] [carried on business at]

(g) Delete as applicable.

within Hong Kong.

2. The debtor is justly and truly indebted to me[us] in the aggregate sum of \$(h) _____.

(h) Please give the amount of debt(s), what they relate to and when they were incurred. Please show separately the amount or rate of any interest or other charge not previously notified to the debtor and the reasons why you are claiming it.

3. The above-mentioned debt is for a liquidated sum payable immediately and the debtor appears to be unable to pay it.

4. On (i) _____ a statutory demand was served upon the debtor by (j) _____ in respect of the above-mentioned debt. To the best of my/our knowledge and belief the demand has neither been complied with nor set aside in accordance with the Rules and no application to set it aside is outstanding.

(i) Insert date of service of a statutory demand.

(j) State manner of service of the demand.

(k) If 3 weeks have not elapsed since service of statutory demand give reasons for earlier presentation of petition.

(l) Delete as applicable.

(k)

5. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above-mentioned sum.

or,

I/We hold security for the payment of (l) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made.

or,

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be \$. This petition is not made in respect of the secured part of my/our debt.

ENDORSEMENT

This petition having been presented to the court on _____, it is ordered that the petition shall be heard as follows—

Date _____

Time _____ hours

Place _____

(m) Insert name of debtor.

and you, the above-named (m) _____ are to take notice that if you intend to show cause against the petition you must file with the Official Receiver a notice showing the grounds upon which you intend to show cause, and post a copy of the notice to the petitioner or his solicitor, in each case 3 days before the day on which the petition is to be heard.

Registrar

(L.N. 81 of 1998)

Form 10A

[rule 50]

CREDITOR'S BANKRUPTCY PETITION ON FAILURE TO COMPLY WITH A STATUTORY DEMAND FOR A LIQUIDATED SUM PAYABLE AT A FUTURE DATE

(Title)

(a) Insert full name(s) and address(es) of petitioner(s).

I/We, (a) _____

_____,

(b) Insert full name, place of residence, occupation (if any), Hong Kong Identity Card No. (if any) or number and issuing country of any passport of debtor (if known).

(c) Insert in full any other name(s) by which the debtor is or has been known.

(d) Insert trading name (adding “with another or others”, if this is so), business address and nature of business.

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred.

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred.

(g) Delete as applicable.

(h) Please give the amount of debt(s), what they relate to and when they were incurred. Please show separately the amount or rate of any interest or other charge not previously notified to the debtor and the reasons why you are claiming it.

(i) Insert date or dates when the debt becomes payable.

(j) Insert date of service of statutory demand.

(k) State manner of

petition the court that a bankruptcy order may be made against (b) _____

[also known as (c) _____

[and carrying on business as (d) _____

[and lately residing at (e) _____

[and lately carrying on business as (f) _____

and say as follows—

1. The debtor is domiciled in Hong Kong/personally present in Hong Kong on the date of presentation of this petition/has within 3 years immediately preceding the presentation of this petition (g)

[resided at] [carried on business at] _____

within Hong Kong.

2. The debtor is justly and truly indebted to me[us] in the aggregate sum of \$(h) _____.

3. The above-mentioned debt is for a liquidated sum payable on (i) _____ and the debtor appears to have no reasonable prospect of being able to pay it.

4. On (j) _____ a statutory demand was served upon the debtor by (k) _____ in respect of the above-mentioned debt. To the best of my/our knowledge and belief the demand has neither been complied with nor set aside in accordance with the Rules and no application to set it aside is outstanding.

(l)

service of the demand.

(l) If 3 weeks have not elapsed since service of statutory demand give reasons for earlier presentation of petition.

(m) Delete as applicable.

5. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above-mentioned sum.

or,

I/We hold security for the payment of (m) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made.

or,

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be \$ _____. This petition is not made in respect of the secured part of my/our debt.

ENDORSEMENT

This petition having been presented to the court on _____, it is ordered that the petition shall be heard as follows—

Date _____

Time _____ hours

Place _____

(n) Insert name of debtor. and you, the above-named (n) _____ are to take notice that if you intend to show cause against the petition you must file with the Official Receiver a notice showing the grounds upon which you intend to show cause, and post a copy of the notice to the petitioner or his solicitor, in each case 3 days before the day on which the petition is to be heard.

Registrar

(L.N. 81 of 1998)

Form 10B

[rule 50]

CREDITOR'S BANKRUPTCY PETITION WHERE EXECUTION OR OTHER PROCESS ON A JUDGMENT HAS BEEN RETURN IN WHOLE OR PART

(Title)

(a) Insert full name(s) and address(es) of petitioner(s).

I/We, (a) _____,

(b) Insert full name, place of residence, occupation (if any), Hong Kong Identity

petition the court that a bankruptcy order may be made against (b) _____

Card No. (if any) or number and issuing country of any passport of debtor (if known).

(c) Insert in full any other name(s) by which the debtor is or has been known.

(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business.

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred.

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred.

(g) Delete as applicable.

(h) Please give the amount of debt(s), what they relate to and when they were incurred. Please show separately the amount or rate of any interest or other charge not previously notified to the debtor and the reasons why you are claiming it.

(i) Insert date on which judgment was obtained.

(j) Insert date of execution.

_____ [also known as (c) _____]

_____ [and carrying on business as (d) _____]

_____ [and lately residing at (e) _____]

_____ [and lately carrying on business as (f) _____]

and say as follows—

1. The debtor is domiciled in Hong Kong/personally present in Hong Kong on the date of presentation of this petition/has within 3 years immediately preceding the presentation of this petition (g) [resided at] [carried on business at]

_____ within Hong Kong.

2. The debtor is justly and truly indebted to me [us] in the aggregate sum of \$(h) _____.

3. The above mentioned debt is for a liquidated sum payable immediately and the debtor appears to be unable to pay it.

4. On (i) _____ judgment was obtained in _____ Court on an action the short title and reference to the record whereof is Number _____ in the sum of \$ _____ following which execution was issued in the _____ court in respect of the debt and on (j) _____ the bailiff [made a return] [endorsed upon the writ a statement] to the effect that the execution was unsatisfied (g) [as to the whole] [as to part] and the above-mentioned debt represents the amount by which the execution was returned unsatisfied.

5. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above-mentioned

sum.

or,

I/We hold security for the payment of (g) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made.

or,

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be \$ _____. This petition is not made in respect of the secured part of my/our debt.

ENDORSEMENT

This petition having been presented to the court on _____, it is ordered that the petition shall be heard as follows—

Date _____

Time _____ hours

Place _____

(k) Insert name of debtor.

and you, the above-named (k) _____ are to take notice that if you intend to show cause against the petition you must file with the Official Receiver a notice showing the grounds upon which you intend to show cause, and post a copy of the notice to the petitioner or his solicitor, in each case 3 days before the day on which the petition is to be heard.

Registrar

(L.N. 81 of 1998)

Form 10C

[rule 50]

BANKRUPTCY PETITION FOR DEFAULT IN CONNECTION WITH VOLUNTARY ARRANGEMENT

(Title)

(a) Insert full name(s) and address(es) of petitioner(s).

I/We, (a) _____

(b) Insert full name, place of residence, occupation (if any), Hong Kong Identity Card No. (if any) or number and issuing country of any passport of debtor (if known).

_____,

petition the court that a bankruptcy order may be made against (b) _____

[also known as (c) _____]

(c) Insert in full any other name(s) by which the debtor is or has been known. _____
[and carrying on business as (d) _____]

(d) Insert trading name (adding “with another or others”, if this is so), business address and nature of business. _____

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred. _____
[and lately residing at (e) _____]

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred. _____
[and lately carrying on business as (f) _____]

(g) Delete as applicable. and say—

1. That the debtor has within 3 years immediately preceding the presentation of this petition (g) [resided at] [carried on business at] _____
_____ within Hong Kong.

(h) Insert date the debtor entered into voluntary arrangement.

2. On (h) _____ a voluntary arrangement proposed by the debtor was approved by his creditors and I am (g) [a person who is for the time being bound by the said voluntary arrangement and (i) _____ is the nominee] [(i) _____ the nominee of the said voluntary arrangement].

(i) Insert name of nominee.

(j) Give details of the default in connection with the voluntary arrangement, being the grounds under section 20L of the Bankruptcy Ordinance (Chapter 6) upon which the bankruptcy order is sought.

3. (j)

Dated this _____ day of _____.

Signature of witness _____

ENDORSEMENT

This petition having been presented to the court on _____, it is ordered that the petition shall be heard as follows—

Date _____

Time _____ hours

Place _____

Registrar

Form 10D

[s. 9 & rule 56]

CRIMINAL BANKRUPTCY PETITION

In the Court of First Instance

In Bankruptcy

(Title)

(a) Insert name and Hong Kong Identity Card No. or number and issuing country of any passport of debtor.

I, the Official Petitioner [*or, I, C.D., of*] [*or, We, C.D., of* and *E.F., of*], hereby petition the court that a bankruptcy order may be made in respect of the estate of *A.B.* (a) of (b) and lately residing at [*or carrying on business at* (c)] and say—

(b) Insert present address and description of debtor.

1. That a criminal bankruptcy order was made against the said *A.B.* in the Court on the day of , and that an office copy of the said order is annexed to this petition.

(c) Insert address or addresses at which the debtor has lately resided or carried on business.

2. That the said order remains in force.

or,

That the said order was amended by the Court of Appeal on the day of ; that an office copy of the order of the Court of Appeal is annexed to this petition; and that the said order as amended by the Court of Appeal remains in force.

3. That according to the said criminal bankruptcy order the said *A.B.* is indebted to [*insert the names of the persons specified in the order as having suffered loss or damage*] in the aggregate sum of \$ [set out the amount of the loss or damage suffered as specified in the criminal bankruptcy order].

Dated this day of .

(Signed) *Official Petitioner*

C.D.

E.F.

(as the case may be)

*Where it is the Official Petitioner who is the petitioner, this attestation is not required.

[Signed by the petitioner*
in my presence.]

Signature of witness

Address

Description

NOTE — If there be more than one petitioner, and they do not sign together, the signature of each must be separately attested, e.g., "Signed be the petitioner E.F. in my presence". If the petition is signed by a firm, the partner signing should add also his own signature, e.g., "A.S. & Co. by J.S., a partner in the said firm".

ENDORSEMENT

This petition having been presented to the court on the _____ day
of _____, it is ordered that this petition shall be heard at _____ on
the _____ day of _____
, at _____ o'clock in the _____ noon.

And you, the said A.B., are to take notice that if you intend to show cause against the petition you must file with the Registrar of this Court a notice specifying the statements which you intend to deny or dispute, and send by post a copy of the notice to the petitioner and his solicitor, if known, not later than 3 days before the day fixed for the hearing.

(L.N. 153 of 1979; L.N. 81 of 1998; 25 of 1998 s. 2)

Form 11

[s. 9 & rule 56]

AFFIDAVIT OF TRUTH OF STATEMENTS IN PETITION

(Title)

I, _____ the petitioner named in the petition hereunto annexed
make oath and say—

That the several statements in the said petition are within my own knowledge true.

Sworn at, etc.

(Signature)

NOTE — If the petitioner cannot depose that the truth of all the several statements in the petition is within his own knowledge he must set forth the statements the truth of which he can depose to and file a further affidavit by some person or persons who can depose to the truth of the remaining statements.

Form 12

[s. 9 & rule 56]

AFFIDAVIT OF TRUTH OF STATEMENTS IN JOINT PETITION

(Title)

We, *C.D.*, *E.F.*, *G.H.*, etc., the petitioners named in the petition hereunto annexed, severally make oath and say—

And first I the said *C.D.* for myself say—

1. That *A.B.* is justly and truly indebted to me in the sum of \$ _____ as stated in the said before-mentioned petition.

2. That *A.B.* has within 3 years before the date of the presentation of the petition ordinarily resided [*or* carried on business] at _____.

And I the said *E.F.* for myself say—

3. That *A.B.* is justly and truly indebted to me in the sum of \$ _____ as stated in the said before-mentioned petition.

And I the said *G.H.* for myself say—

4. That *A.B.*, is, etc.

C.D.

E.F.

G.H.

Sworn by the deponents *C.D.*, *E.F.*,
and *G.H.*, etc.

(See note to last form)

(L.N. 81 of 1998)

Form 13

[s. 13 & rule 61]

APPLICATION FOR INTERIM TRUSTEE

(Title)

I, *C.D.*, of _____, do, on the grounds set forth in the annexed affidavit, apply to the court to appoint the Official Receiver as interim trustee of the property of the said *A.B.*, and [*here insert any special directions to the interim trustee that may be desired*].

Dated this _____ day of _____.

(Signed) C.D.

ORDER THEREON

Upon reading this application and the affidavit therein referred to, and hearing
it is ordered that upon a deposit of \$100 being lodged by the applicant the Official Receiver be thereupon constituted interim trustee of the property of the said A.B., [here insert nature, short description and locality of the property, and special directions, if any].

Dated this day of .

Registrar

(G.N.A. 124 of 1955; L.N. 125 of 2007)

Form 14

[rule 59]

AFFIDAVIT OF SERVICE OF PETITION

(Title)

In the matter of a petition dated

I, L.M., of , make oath and say—

1. That I did, on day the day of , serve the above-mentioned A.B. [or the partners in the above-mentioned firm of] with a copy of the above-mentioned petition, duly sealed with the seal of the court, by delivering the same personally to the said A.B. [or C.D., a partner, or E.F., a person having at the time of service the control and management of the partnership business there or of the business carried on under the above-mentioned name or style] at* [place] before the hour of in the noon.

2. A sealed copy of the said petition is hereunto annexed.

Sworn at, etc.

L.M.

* NOTE — If the service is effected on a person having at the time of service the control and

management of the partnership business, the affidavit must, after the description of the place of service, contain the words "being the principal place of business of the said ."

Form 15

[rule 48]

SUBSTITUTED SERVICE OF PETITION
NOTICE IN NEWSPAPER

(Title)

In the matter of a bankruptcy petition filed the
day of .

Take notice that a bankruptcy petition has been presented against you
by of

and the court has ordered that the sending of a sealed copy of the
petition together with a sealed copy of the order for substituted service by
registered post addressed to

and/or the publication of this notice in the
newspapers [following the terms of the order for substituted service] shall be
deemed to be service of the petition upon you; (a) and further take notice that the
said petition will be heard at the court on the day of at o'clock
in the

(a) Add this in case of
petition.

noon, on which day you are required to appear, and if you do not appear the court
may make a bankruptcy order against you in your absence.

The petition may be inspected by you on application at the court.

Dated this day of .

Registrar

To A.B.

(L.N. 81 of 1998)

Form 16

[rule 48]

ORDER FOR SUBSTITUTED SERVICE OF A PETITION

(Title)

In the matter of a bankruptcy petition filed the
day of .

Upon the application of an upon reading the affidavit

of
of in the
of .

It is ordered that the sending of a sealed copy of the above-mentioned petition together with a sealed copy of this order by registered post addressed to at and/or by publication in the newspapers of the presentation of such petition and the time and place fixed for hearing the petition shall be deemed to be good and sufficient service of the said petition on the said day of completing such posting or publication as aforesaid.

Dated this day of .

Registrar

(L.N. 81 of 1998)

Form 17

[rule 68]

NOTICE BY DEBTOR OF INTENTION TO OPPOSE PETITION

(Title)

In the matter of a bankruptcy petition presented against me on the day of , by C.D. of [or and E.F. of , G.H. of , etc.]

I, the above A.B., do hereby give you notice that I intend to show cause against the petition and that I intend to dispute the petitioning creditor's debt [or to contend that , or as the case may be].

Dated this day of .

To the Official Receiver, and to C.D. [petitioning creditor]

(L.N. 81 of 1998)

Form 18

[rule 80]

ORDER TO STAY PROCEEDINGS ON PETITION

(Title)

In the matter of a bankruptcy petition against A.B. .

of

Upon the hearing of this petition this day, and the said *A.B.* appearing and denying that he is indebted to the petitioner [*where petition presented by more than one creditor, add the name of the creditor whose debt is denied*] in the sum stated in the petition [*or alleging that he is indebted to the petitioner in a sum of a less amount than \$10,000, or alleging that he is indebted to C.D., one of the petitioners, in a sum less than the sum stated to be due from him in the petition*] it is ordered that the said *A.B.* shall within _____ days enter into a bond in the penal sum of [*the amount of the alleged debt and probable costs, or such other sum as the court may direct*] with such 2 sufficient sureties as the court shall approve to pay [*or deposit with the Official Receiver the sum of*

as security for the payment of] such sum or sums as shall be recovered against the said *A.B.* by *C.D.* the petitioner [*or one of the petitioners*] in any proceeding taken or continued by him against the said *A.B.*, together with such costs as shall be given by the court.

And it is further ordered that, upon the said *A.B.* entering into the bond aforesaid, all proceedings on this petition shall be stayed until after the court shall have come to a decision on the proceedings.

Dated this _____ day of _____ .

Registrar

(*G.N.A. 124 of 1955; L.N. 81 of 1998*)

Form 19

[rules 13 & 80]

BOND ON STAY OF PROCEEDINGS, SECURITY, ETC.

(*Title*)

Know all men by these presents, that we, *A.B.* of etc. and *C.D.* of etc. and *E.F.* of etc. are jointly and severally held and firmly bound to *L.M.* of etc. in _____ dollars to be paid to the said *L.M.*, or his certain attorney, executors, administrators or assigns, for which payment to be made we bind ourselves and each and every of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this _____ day of _____ .

Whereas a bankruptcy petition against the said *A.B.* having been presented to the court he did appear at the hearing of the said petition and deny that he was indebted to the petitioner [*or to one or more of the petitioners*], [*or allege that he was indebted to the petitioner in the sum of*

_____ dollars only *or as the case may be*].

Now, therefore, the condition of this obligation is such that if the above-bounden *A.B.*, or the said *C.D.* or *E.F.*, shall on demand well and truly pay or cause to be paid to *L.M.*, his attorney or agent, such sum or sums as shall be recovered against the said *A.B.* by any proceedings taken or continued within 21 days from the date hereof in any competent court by the said *L.M.* for the payment of the debt claimed by him in the said petition, together with such costs as shall be given to the said *L.M.* by such court [*or whatever the condition of the bond is*] this obligation shall be void, otherwise it shall remain in full force.

A.B. (L.S.)

C.D. (L.S.)

E.F. (L.S.)

Signed, sealed and delivered by the above-bounden
in the presence of

NOTE — If a deposit of money be made the memorandum should follow the terms of the conditions of the bond. This form may be adapted to other cases.

(*L.N. 125 of 2007; 17 of 2018 s. 36*)

Form 20

[rule 18]

NOTICE OF SURETIES

(*Title*)

In the matter of a bankruptcy petition of

Take notice that the sureties whom I propose as my security in the above matter [*here state the proceeding which has rendered the sureties necessary*] are [*here state the full names and descriptions of the sureties and their residences for the last 6 months, therein mentioning the district or city, places, streets and numbers, if any*].

Dated this day of .

(Signature)

To the Registrar
and to *L.M.* of

(*L.N. 81 of 1998*)

AFFIDAVIT OF JUSTIFICATION

(Title)

In the matter of a bankruptcy petition against A.B. of _____.

I, E.F., of _____, one of the sureties for
make oath and say—

1. That I am a householder [*or as the case may be*], residing
[*describing particularly the street or place and the number of the house, if any*].
2. That I am worth property to the amount of \$ _____
[*the amount required*] over and above what will pay my just debts [*if security in any other action or for any other purpose, add and every other sum for which I am now security*].
3. That I am not bail or security in any other matter, action or proceedings, or for any other person [*or if security in any other action or actions, add except for C.D., at the suit of E.F., in the Court of First Instance in the sum of \$ _____; for G.H., at the suit of I.K., in the Court of First Instance in the sum of \$ _____ specifying the several actions or matters, and courts, and the sums in which he has become bound*].
4. That my property, to the amount of the said sum of \$ _____ [*and if security in any other action, etc. over and above all other sums for which I am now security as aforesaid*], consists of [*here specify the nature and value of the property in respect of which the deponent proposes to become bondsman as follows*], stock in trade, in my business of _____ carried on by me at _____ of the value of \$ _____ of good book debts owing to me to the amount of \$ _____, of furniture in my house at _____ of the value of \$ _____, of leasehold property of the value of \$ _____, situate at _____, or of other property, particularizing each description of property, with the value thereof].
5. That I have for the last 6 months resided at _____
[*describing the place of such residence, or if he has had more than one residence during that period, state in the same manner as above directed*].

Sworn at, etc.

E.F.

(G.N.A. 124 of 1955; L.N. 81 of 1998; 25 of 1998 s. 2)

Form 22

ADJOURNMENT OF PETITION

(Title)

Upon the hearing of the petition this day, and hearing _____ for the
petitioner and
for the debtor and the Official Receiver, and reading
it is ordered that the further hearing of this petition be adjourned until
the _____ day of _____
, at _____ o'clock in the _____ noon.

Dated this _____ day of _____ .

Registrar

Form 23

DISMISSAL OF PETITION

(Title)

In the matter of a bankruptcy petition filed the [date].

Upon the hearing of this petition this day, and upon reading _____ and
hearing _____
and the Official Receiver it is ordered that this petition be dismissed [and that the
petitioner do pay to the said A.B. the taxed costs thereof].

Dated this _____ day of _____ .

Registrar

Form 24

ORDER RESTRAINING ACTION, ETC. BEFORE BANKRUPTCY ORDER

(Title)

Upon the application of _____ and upon reading _____
it is ordered that L.M. of _____ shall be restrained from taking
any further proceedings in the action brought by him [or upon the judgment

recovered or obtained by him] against the said A.B. in [*here state the number of the action*] [*or it is ordered that the proceedings in the action (or suit) brought by him against the said A.B. in (here state the number of the action) may be proceeded with on (here insert the terms fixed by the court)*].

Dated this day of .

Registrar

(L.N. 81 of 1998)

Form 25

[s. 12 & rule 72A(3)]

BANKRUPTCY ORDER ON DEBTOR'S PETITION

(Title)

On the petition of the debtor himself, filed the
day of , , a bankruptcy order is hereby made against A.B.
[*insert name, addresses and descriptions of debtor as set out in petition*], and the
Official Receiver hereby becomes the provisional trustee of the estate of the said
debtor.

Dated this day of .

Registrar

NOTE — The above-named debtor is required after the service of this order upon him to attend the trustee at such time and place as the trustee may specify.

ENDORSEMENT ON ORDER

The name and address of the solicitor (if any) to the debtor are [*insert name and address*].

(L.N. 46 of 1964; L.N. 81 of 1998; L.N. 125 of 2007)

Form 26

[ss. 12, 72A(3);
rules 69, 75]

BANKRUPTCY ORDER ON CREDITOR'S PETITION

(Title)

On the petition dated the day of
 of J.S., of
a creditor, filed the [insert date], and on reading
and hearing

It is ordered that A.B. [insert name, addresses and descriptions of debtor as
set out in petition] be adjudged bankrupt and the Official Receiver hereby becomes
the provisional trustee of the estate of the said debtor.

Dated this day of .

Registrar

*NOTE — The above-named debtor is required, after the service of this order upon him, to
attend the trustee at such time and place as the trustee may specify.*

ENDORSEMENT ON ORDER

The name and address of the solicitor to the petitioning creditor are [insert
name and address].

(G.N.A. 124 of 1955; L.N. 81 of 1998; L.N. 125 of 2007)

Form 27

[s. 78(1)(f) & rule 78]

NOTICE OF BANKRUPTCY ORDER, ETC. (for local newspaper)

(Title)

Bankruptcy order made

Note — All debts due to the estate should be paid to the trustee.

Official Receiver

Dated this day of .

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 28

(Repealed L.N. 22 of 1995)

Form 28A

**IN THE COURT OF FIRST INSTANCE OF HONG
KONG IN BANKRUPTCY**

NO. OF .

Name: _____

STATEMENT OF AFFAIRS

(Individual, i.e. non-trading)

Please show your financial position as at the date of the Bankruptcy Order by completing all the pages of this form and the attached lists, A, B and C as are applicable, which will then be your Statement of Affairs. You are also required to specify in the relevant list whether or not there is a dispute about any amount due to or by you and, if so, to supply details in a separate sheet which should be signed and attached as part of your Statement of Affairs.

AFFIDAVIT OR AFFIRMATION (you need to complete either the affidavit at (i) below or the affirmation at (ii) overleaf, but not both.)

(i) Affidavit

This Affidavit must be sworn before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

(a) Insert full name,
Hong Kong Identity
Card No. and
occupation

I (a) _____

of (b) _____

(b) Insert full address

Make oath and say that the attached lists exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs as at _____ the date of the Bankruptcy Order made against me.

Sworn at _____

Date _____

Before me _____

Signature _____

A Solicitor or Commissioner of Oaths or Duly authorised officer

Before swearing the affidavit the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the 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

mean that it is refused by the court, and will need to be re-sworn.

(Please see overleaf for the Affirmation)

Page 2

(ii) Affirmation

This Affirmation must be made before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

(a) Insert full name, Hong Kong Identity Card No. and occupation I (a) _____
of (b) _____
(b) Insert full address _____

Solemnly and sincerely affirm that the attached lists exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs as at _____ the date of the Bankruptcy Order made against me.

Affirmed at _____
Date _____ Signature _____
Before me _____

A Solicitor or Commissioner of Oaths or Duly authorised officer

Before making the affirmation the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the Deponent are stated, and to initial any crossings-out or other alterations in the printed form. A deficiency in the affirmation in any of the above respects will mean that it is refused by the court, and will need to be re-affirmed.

SUMMARY OF STATEMENT OF AFFAIRS

List Reference	Particulars	Amount \$
	ASSETS	
A	(1) Various assets	
B	(2) Excess value of assets pledged as security to creditors fully secured	
	(3) Total Assets , i.e. total of items (1) and (2) above	
	LIABILITIES	
B	(4) Secured creditors (net of security) — i.e. after deducting the amount of the security	
C	(5) Unsecured creditors	
	(6) Total Liabilities , i.e. total of items (4) and (5) above	
	(7) Surplus/(Deficiency) , i.e. total assets in item (3) less total liabilities as in item (6)	
	\$	

Signature _____ Date _____

LIST A

VARIOUS ASSETS

Please detail all your assets which may be of value (if necessary, use the space in section (j) below to provide details in respect of any of the items at (a) to (i) below; and/or attach additional sheet(s) if the space in section (j) is not adequate; and complete item (k) below).	Estimated to produce \$
(a) Cash at bank _____ (specify the name of the bank(s) and all account numbers)	_____
(b) Land and buildings _____ Cost \$ _____ (location and address)	_____
(c) Household furniture and belongings _____	_____
(d) Life assurance policies _____ (policy number(s) and insurance companies)	_____
(e) Money owed to you _____ (please provide name and address of debtor and nature of debt)	_____
(f) Investments in stocks and shares _____ _____ Cost \$ _____ (please provide details)	_____
(g) Motor vehicles _____ Cost \$ _____ (please provide details)	_____
(h) Sums due to you from the estate of a deceased person _____ _____ (please provide details)	_____
(i) Any other assets _____	_____
(j) Supplementary Information (specify here also, if applicable, the particulars of any property held by or in the name of *husband/*wife/*concubine or under any alias or in a t'ong name or in trust for you) _____ _____ _____ _____ _____ _____ _____ _____ _____	_____ _____ _____ _____ _____ _____ _____ _____ _____

Show the total under “Assets”, item (1) in the Summary of Statement of Affairs \$

--

(k) *____additional sheets are attached/No additional sheets are attached.*
(specify no.)

Signature _____ Date _____

(*delete the inapplicable words)

LIST B

SECURED CREDITORS (either fully or partly secured) /EXCESS VALUE OF ASSETS PLEDGED AS SECURITY TO CREDITORS

Does any creditor of yours hold or claim any item(s) of your property? Yes ☐ No ☐

If "YES" give details below: _____

(i) No.	(ii) Name of creditor or claimant	(iii) Address	(iv) Amount owed to creditor \$	(v) Specify the asset being held or claimed or pledged as security	(vi) Date when security given	(vii) Estimated when of the asset in column (v) \$	(viii) Estimated excess, i.e. (vii) less (iv) \$	(ix) Net indebtedness i.e. (iv) less (vii) \$
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
Show the total of column (viii) under "Assets", item (2) in the Summary of Statement of Affairs							\$	
Show the total of column (ix) under "Liabilities", item (4) in the Summary of Statement of Affairs \$								

Signature _____

Date _____

LIST C
UNSECURED CREDITORS

(i) No.	(ii) Name of creditor or claimant	(iii) Address	(iv) Amount the creditor claims you owe him/her \$	(v) Amount you consider as owed to the creditor \$
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
Show the total of column (v) under “Liabilities”, item (5) in the summary of Statement of Affairs				

Signature _____ Date _____
(L.N. 22 of 1995; L.N. 81 of 1998; 25 of 1998 s. 2; L.N. 125 of 2007)

Form 28B

IN THE COURT OF FIRST INSTANCE OF HONG KONG**IN BANKRUPTCY****NO. of .**

Full Name : _____

Hong Kong Identity Card No. : _____

Trading as : _____

STATEMENT OF AFFAIRS

Please complete this Statement of Affairs and such of the attached lists A, B, C, D and E as are applicable in order to show the state of your affairs on the day on which the Bankruptcy Order was made against you, viz., the _____ day of _____. You are also required to specify in the relevant list whether or not there is a dispute about any amount due to or by you and, if so, to supply details in a separate schedule which should be signed and attached as part of your Statement of Affairs. Such completed schedules will constitute your Statement of Affairs, and must be verified by oath, declaration or affirmation (please see note below).

List Reference	Particulars	Amount \$
	ASSETS	
A	(1) Various assets	
B	(2) Debts receivable	
C	(3) Excess value of assets pledged as security to creditors fully secured	
	(4) Total Assets , i.e. total of items (1) and (3) above	
	LIABILITIES	
D	(5) Claims and amounts due to employees and Government departments	
C	(6) Secured creditors (net of security) — i.e. after deducting the amount of the security	
E	(7) Unsecured creditors and other liabilities (including contingent liabilities)	
	(8) Total Liabilities , i.e. total of items (5) to (7) above	
	(9) Surplus/(Deficiency) , i.e. total assets as in item (4) less total liabilities as in item (8) above	
		\$

Continued Overleaf/...

AFFIDAVIT OR AFFIRMATION—(The format is set out below and you need to complete either the affidavit at (i) or the affirmation at (ii), but not both.)

Before swearing the affidavit or making the affirmation, the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the Deponent are stated, and to initial any crossings-out or other alterations in the printed form. A deficiency in the affidavit/affirmation in any of the above respects will mean that it is refused by the court, and will need to be re-sworn.

(i) Affidavit

This Affidavit must be sworn before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

- (a) Insert full name, Hong Kong Identity Card No. and occupation I (a) _____
 of (b) _____
 (b) Insert full address _____

Make oath and say that the foregoing Statement and attached lists exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs as at _____ the date of the Bankruptcy Order made against me.

Sworn at _____

Date _____

Before me _____

Signature _____

(ii) Affirmation

This Affirmation must be made before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

- (a) Insert full name, Hong Kong Identity Card No. and occupation I (a) _____
 of (b) _____
 (b) Insert full address _____

Solemnly and sincerely affirm that the foregoing Statement and attached lists exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs as at _____ the date of the Bankruptcy Order made against me.

Affirmed at _____

Date _____

Before me _____

Signature _____

LIST A

VARIOUS ASSETS

Full particulars of every description of assets not included in any other lists should be specified in this list. If the space allotted to items (a) to (j) below is not adequate, please provide the requisite information by attaching additional schedule(s) and completing item (l) below.

	Particulars	Estimated to produce \$
(a)	Cash at bank _____ (Please specify the name(s) of the bank(s) and all account numbers) _____	_____
(b)	Cash in hand _____	_____
(c)	Cash deposit held by solicitor or any other person _____ (name of solicitor or person)	_____
(d)	Land and buildings in _____ Cost \$ _____ your name or in the name of your *husband/ *wife/ *concubine _____ (Location and address)	_____
(e)	Stock in trade _____ Cost \$ _____	_____
(f)	Plant and machinery _____ Cost \$ _____	_____
(g)	Life assurance policies _____ (policy number and insurance company)	_____
(h)	Investment in stocks and _____ Cost \$ _____ shares, etc. _____ (Please provide details)	_____
(i)	Amount due to you from _____ the estate of a deceased _____ person _____ (Please provide details)	_____
(j)	Any other assets _____ _____	_____
(k)	Total (show the total under "Assets" on page 1 of the Statement of Affairs)	\$ _____
(l)	* _____ additional schedule(s) are attached/No additional (specify no.) schedule(s) are attached.*	

Dated this day of . (Signature)

(*delete the inapplicable words)

LIST B
DEBTS RECEIVABLE

(i) No.	(ii) Name of debtor	(iii) Address	(iv) Amount of debt \$	(v) Date when contracted	(vi) Estimated to produce \$	(vii) Folio of ledger or other book where particulars are to be found	(viii) Nature of debt and particulars of any securities held for debt
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							
Totals (show the total of column (vi) under "Assets" on page 1 of the Statement of Affairs)							

Dated this day of .

(Signature)

- Notes:
- (1) If you are also indebted to any of the above-mentioned debtor(s), please specify in column (iii) both the amount of your debt due to the debtor and the amount due from the debtor. The net amount due to you by the debtor should be inserted in columns (iv) and (vi). If, however, the amount owed by you to the "debtor" is greater than the amount that the debtor owes you, do not insert any amount in this list but use **List E** for the purpose.
 - (2) To substantiate the amount of debt, copies of the relevant source documents should be attached.

LIST C
SECURED CREDITORS (either fully or partly secured)
/EXCESS VALUE OF ASSETS PLEDGED AS SECURITY TO CREDITORS

(i) No.	(ii) Name of creditor or claimant	(iii) Address	(iv) Amount owed to creditor \$	(v) Date when contracted	(vi) Particulars of the asset being held or claimed or pledge as security	(vii) Date when security given	(viii) Estimated value of the asset in column (vi) \$	(ix) Estimated excess i.e. (viii) less (iv) \$	(x) Net indebtedness i.e. (iv) less (viii) \$
1.									
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
Total amount owed to creditors, i.e. total of column (iv)				Total value of security, i.e. total of column (viii)					
Show the total of column (ix) under “Assets” on page 1 of the Statement of Affairs									
Show the total of column (x) under “Liabilities” on page 1 of the Statement of Affairs									

Dated this day of .

(Signature)

Note: If the amount due to the fully-secured creditor (as stated in column (iv) above) is the same as the estimated value of security (as stated in column (viii) above), please specify a “Nil” amount in columns (ix) and (x). If any estimated surplus from security as reflected in column (ix) above is further pledged to any other creditor as partial security, that surplus should be deleted from column (ix) and shown in column (viii) for that other creditor instead. Such surplus should then be deducted from the relevant amount due to that other creditor before extending the amount to either column (ix) or (x), whichever is appropriate.

LIST D
CLAIMS AND AMOUNTS DUE TO EMPLOYEES AND GOVERNMENT DEPARTMENTS (e.g. Wages, Rates, Taxes, etc.)

(i) No.	(ii) Name of creditor or claimant	(iii) Address	(iv) Name of claim	(v) Period during which claim accrued	(vi) Due date for payment	(vii) Amount of claim \$
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
Show the total of column (vii) under “Liabilities” on page 1 of the Statement of Affairs						\$

Dated this day of .

(Signature)

LIST E
UNSECURED CREDITORS AND OTHER LIABILITIES
(INCLUDING CONTINGENT LIABILITIES)

(i) No.	(ii) Name of creditor or claimant	(iii) Address	(iv) Amount \$	(v) Date when contracted	(vi) Consideration and the nature of liability
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
Show the total of column (iv) under "Liabilities" on page 1 of the Statement of Affairs			\$		

Dated this

day of
.

(Signature)

Notes:

(1)

If any creditor is also indebted to you, please specify in column (iii) both the amount due to the creditor and the amount owed by the creditor. The net amount due by you to the creditor should be inserted in column (iv). If, however, the amount owed to you by the “creditor” is more than the amount that you owe the creditor, do not insert any amount in this list but use **List B** for the purpose.

(2)

The particulars of any bills of exchange and promissory notes held by a creditor should be inserted immediately below the name of such creditor.

Form 28C

[s. 10(2)]

STATEMENT OF AFFAIRS (DEBTOR'S PETITION)

BANKRUPTCY ORDINANCE (CHAPTER 6)

Note—These details will be the same as those shown at the top of your petition.

In the _____ In Bankruptcy

No. _____ of _____ .

Re _____

Show your current financial position by completing all the pages of this form which will then be your Statement of Affairs.

AFFIDAVIT

This Affidavit must be sworn before a Solicitor or Commissioner of Oaths or an officer of the court duly authorized to administer oaths when you have completed the rest of this form.

(a) Insert full name, occupation, Hong Kong Identity Card No. (if any) or number and issuing country of any passport.

I, (a) _____, _____,

of (b) _____

(b) Insert full address.

Make oath and say that several pages exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs at today's date.

Sworn at _____

Date _____

Before me _____

Signature(s) _____

A Solicitor or Commissioner of Oaths or Duly authorized officer

Before swearing the affidavit, the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the 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 mean that it will be refused by the court, and will need to be re-sworn.

LIST A
SECURED CREDITORS

Is anyone claiming something of yours to clear or reduce his or her claim? Yes ☐ No ☐

If "YES" give details below: < _____

	Name of creditor	Address (with postcode)	Amount owed to creditor \$	What of yours is claimed and what is it worth?
1.	_____	_____	_____	_____
	_____	_____		_____
		_____		_____
2.	_____	_____	_____	_____
	_____	_____		_____
		_____		_____
3.	_____	_____	_____	_____
	_____	_____		_____
		_____		_____
4.	_____	_____	_____	_____
	_____	_____		_____
	_____	_____		_____
		_____		_____

Signature _____ < _____

Date _____

LIST B

UNSECURED CREDITORS

[illegible]

Signature _____

Date _____

LIST C1

ASSETS

Do you have any bank accounts or an interest in one?	Yes	No
If "YES" state where they are, how much is in them and how much is your share.	<input type="checkbox"/>	<input type="checkbox"/>

Do you have any business bank accounts, including joint accounts?	Yes	No
If "YES" state the name of the accounts, where they are and how much is in them.	<input type="checkbox"/>	<input type="checkbox"/>

Do you have any bank deposit accounts or an interest in one?	Yes	No
If "YES" state where they are and how much is in them and how much is your share.	<input type="checkbox"/>	<input type="checkbox"/>

Signature _____

Date _____

LIST C2

ASSETS

Do you have any other savings?
If "YES" give details.

Yes
☐

No
☐

Do you use a motor vehicle?
If "YES" who owns it and what is it worth?

Yes
☐

No
☐

Have you an interest in any other motor vehicles?
If "YES" give details and their value.

Yes
☐

No
☐

Signature _____

Date _____

LIST C3

ASSETS

Now show anything else of yours which may be of value.	\$
(a) Household furniture and belongings _____	_____
(b) Life policies _____	_____
(c) Money owed to you _____	_____
(d) Stock in trade _____	_____
(e) Other property _____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
TOTAL	\$

Signature _____

Date _____

LIST D

1. State the name, age (if under 18), and relationship to you of your dependants.

1	_____	6	_____
2	_____	7	_____
3	_____	8	_____
4	_____	9	_____
5	_____	10	_____

2. Has distress been levied against you by or on behalf of any creditor? Yes No
☐ ☐

If “YES” give details below—

Name of creditor	Amount of claim \$	Date Distress levied	Description and estimated value of property seized
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signature _____

Date_____

LIST E

3. At the date you present your bankruptcy petition, is any court judgment or other legal process outstanding against you that has been made by any court in Hong Kong? Yes No
☐ ☐
 If "YES" give details below—

Name of creditor	Amount of claim \$	Type and date of process issued	Description and estimated value of any property seized
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. At the date you present your bankruptcy petition, is any income payments order in force against you? Yes No
☐ ☐
 If "YES" give details below—

Name of creditor	Date of order	Court	Amount of instalment payable under order (per month/week) \$	Total amount paid under order \$	Date order expires (if applicable)
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Signature _____

Date _____

LIST F

-
- | | | |
|--|---------------------------------|--------------------------------|
| 5(a) Have you, before you presented your petition, tried to come to any agreement with your creditors generally for payment of your debts? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| (b) If the answer to 5(a) is "YES", what terms were offered to the creditors— | | |
| (1) time for repayment _____ | | |
| (2) percentage amount receivable by creditors _____ | | |
| (3) when was the offer made? _____ | | |
| (c) Did the attempt fail because the creditors refused to accept the terms offered? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| If "NO" why did it fail? _____ | | |
| _____ | | |
| _____ | | |
-

- | | | |
|---|---------------------------------|--------------------------------|
| 6. Do you think that you will be able to introduce a voluntary arrangement for your creditors under the Bankruptcy Ordinance (Chapter 6), which is likely to be acceptable to them? | Yes
<input type="checkbox"/> | No
<input type="checkbox"/> |
| If "YES" give brief details _____ | | |
| _____ | | |
| _____ | | |
-

Signature _____

Date _____

LIST G
STATEMENT OF MEANS

(List below all items of regular “monthly” income and expenditure)

[illegible]

This page shows that I will now be able to pay creditors \$ _____ a month.

Signature _____

Date _____

LIST H

STATEMENT OF RECENT AND EXPECTED INCOME

Include in the table below details of your gross income in the past 12 months and your estimated gross income for the next 12 months.

Gross income is the amount of your income before any deductions, including tax, are made.

Ensure that you include all income details as any details left out may affect your ability to obtain an early discharge.

Source of Income	Income last 12 months	Estimated income next 12 months
Gross Wages and Salary before income tax is deducted (including overtime & penalty rates) . .	\$ \$	\$ \$
Drawings from Business if self-employed	\$	\$
Government Pensions, Benefits & Allowances (Specify type) . . .	\$ \$ \$	\$ \$ \$
Payments from Retirement or Approved Deposit, Provident Funds (Specify type) . .	\$ \$	\$ \$
Lump Sum payment on termination of employment	\$	\$
Income from deceased estate or trust	\$	\$
Income from Investments (Specify type) ·Interest ·Dividends ·Insurance policies . .	\$ \$ \$ \$ \$	\$ \$ \$ \$ \$
Money from any other allowances, benefits or sources not mentioned above (Specify source & type) . . .	\$ \$ \$	\$ \$ \$
TOTAL	\$	\$

(L.N. 81 of 1998)

Form 29

[rules 99A & 99D]

NOTICE TO CREDITORS OF GENERAL MEETING OF CREDITORS

(Title)

(a) Delete as applicable. A meeting of creditors has been summoned by the (a) [provisional trustee][trustee]

(b) Insert relevant section. (a) [at the request of a creditor under section (b) of the Bankruptcy Ordinance (Chapter 6)] for the purpose of—

The meeting will be held as follows—

Date _____

Time _____ hours

Place _____

(c) Insert date and time by which proxy is to be lodged, which should not be more than 24 hours before the date fixed for the meeting. The forms of general and special proxy are enclosed, one of which must be lodged with me not later than (c) _____ to entitle you to vote by proxy at the meeting (together with a completed proof of debt form if you have not already lodged one).

Dated this _____ day of _____ .

Provisional trustee/Trustee

[address]

Note—Insert any further details which by the nature of the meeting need to be stated.

(L.N. 81 of 1998; L.N. 125 of 2007)

Forms 30 — 31

(Repealed L.N. 81 of 1998)

Form 32

[s. 17]

NOTICE TO CREDITORS OF ADJOURNED MEETING

(Title)

Take notice that the meeting of creditors in the above matter held on the _____ day of _____ at _____ was adjourned to the _____ day of _____ and will accordingly be held at _____ on the said day at _____ o'clock in the _____ noon.

Agenda

[Insert here nature of business to be transacted]

Dated this _____ day of _____ .

Trustee
(L.N. 125 of 2007)

Form 33

[rule 105]

AFFIDAVIT OF POSTAGE OF NOTICES. GENERAL MEETING

(Title)

I, _____, [insert description], make oath and say as follows—

1. That I did, on the _____ day of _____, send to each creditor mentioned in the bankrupt's statement of affairs, and to the above-named bankrupt, a notice of the time and place of the (a) general meeting of creditors.

(a) Insert here if necessary "adjourned".

2. That such notices were addressed to the said creditors respectively, according to their respective names and addresses appearing in the statement of affairs of the said bankrupt, and also to the said bankrupt at _____

3. That the post office acknowledgment for the same is hereunto annexed and marked "A".

Sworn at, etc.

(Signature)
(L.N. 81 of 1998; L.N. 125 of 2007)

Form 34

[rule 105]

CERTIFICATE OF POSTAGE OF NOTICES. GENERAL MEETING

(Title)

I, _____, [insert description], hereby certify—

1. That I did, on the _____ day of _____, send to each creditor mentioned in the bankrupt's statement of affairs, a notice of the time and place of the (a) general meeting of creditors.

(a) Insert here if necessary "adjourned".

2. That such notices were addressed to the said creditors respectively according to their respective names and addresses appearing in the statement of affairs of the said bankrupt.

3. That the post office acknowledgment for the same is hereunto annexed and marked "A".

4. That I did on the said _____ day of _____, send by registered post notice of the time and place of the said meeting to the said bankrupt, and that such notice was sent to the following address—

Dated this _____ day of _____.

(Signature)

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 35

[rule 100]

NOTICE TO BANKRUPT TO ATTEND GENERAL MEETING OF CREDITORS

(Title)

Take notice that the general meeting of your creditors will be held on the _____ day of _____, at _____ o'clock at _____ and that you are required to attend thereat and submit to such examination and give such information as the meeting may require. And further, take notice that if you fail to comply with the requirements of this notice you will be guilty of a contempt of court and may be punished accordingly.

Dated this _____ day of _____.

Provisional trustee

To:

the above-named bankrupt

Form 36

(Repealed L.N. 81 of 1998)

Form 37

[rule 107]

MEMORANDUM OF ADJOURNMENT OF MEETING

(Title)

Meeting held at _____ on the _____ day of _____
, at _____ o'clock.

Memorandum—A meeting of creditors in the above matter was held at the time and place above-mentioned, and the several proofs of debt lodged were produced; but it appearing that (a)

(a) Here state reason for adjournment.

the meeting was adjourned until the _____ day of _____
, at _____ o'clock in the _____ noon, then to be held at the same place.

Chairman

(L.N. 81 of 1998)

Form 38

MEMORANDUM OF PROCEEDINGS AT ADJOURNED GENERAL MEETING WHERE NO QUORUM

(Title)

Meeting held at _____ on the _____ day of _____
, at _____ o'clock.

Memorandum—The adjourned meeting of creditors in the above matter was held at the time and place above-mentioned, and the several proofs of debt lodged were produced; but it appearing that there was not a quorum of creditors qualified to vote present or represented no resolution was passed, and the meeting was not further adjourned.

Chairman

(L.N. 81 of 1998)

Form 39

[s. 17B & rule 100]

ORDER OF COURT FOR GENERAL MEETING OF CREDITORS

(Title)

Upon the application of *C.D.*, of _____, it is ordered that the trustee of the property of the bankrupt [or the provisional trustee] do summon a meeting of the creditors of the bankrupt to be held at _____ on the _____ day of _____, at _____ o'clock in the _____ noon [here state the purpose for which meeting called].

Dated this _____ day of _____.

Registrar
(L.N. 125 of 2007)

Form 40

[rule 99E]

NOTICE OF MEETING (GENERAL FORM)

(Title)

Take notice that a meeting of creditors in the above matter will be held at _____ on the _____ day of _____, at _____ o'clock in the _____ noon.

(Forms of general and special proxy are enclosed herewith)

[Here insert purpose for which meeting called.]

Agenda

Dated this _____ day of _____.

Trustee
(L.N. 125 of 2007)

Forms 41 — 42

(Repealed L.N. 81 of 1998)

Form 43

[rule 99E]

NOTICE TO CREDITORS OF MEETING TO REMOVE TRUSTEE AND TO APPOINT A
PERSON TO FILL THE VACANCY

(Title)

At the request of one-fourth in value of the creditors of the bankrupt a general meeting of the creditors is hereby summoned to be held at _____ on the _____ day of _____, at _____ o'clock in the _____ noon for the purpose of considering the propriety of removing *G.H.*, the trustee of the property of the bankrupt, from his office as such trustee, and in the event of his removal to appoint a person to fill the vacancy.

Dated this _____ day of _____ .

L.M.,

A member of the Creditors' Committee

[or Official Receiver]

(L.N. 81 of 1998; L.N. 125 of 2007)

NOTICE OF MEETING TO BE HELD TO APPOINT NEW TRUSTEE

(Title)

I, *C.D.*, Official Receiver, hereby give you notice that a meeting of creditors will be held at _____ on the _____ day of _____, at _____ o'clock in the _____ noon, for the purpose of appointing a trustee in the place of the late trustee, who has resigned the office [*or* who has died *or* against whom a bankruptcy order has been made].

Dated this _____ day of _____ .

Official Receiver

(*L.N. 81 of 1998; L.N. 125 of 2007*)

Form 45

[rule 2]

LIST OF CREDITORS ASSEMBLED. TO BE USED AT EVERY MEETING

(Title)

Meeting held at this day of .

Number	Names of creditors present or represented	Amount of proof	
1		\$	¢
2			
3			
4			
5			
6			
7			
7	Total number of creditors present or represented		

(L.N. 81 of 1998)

PROOF OF DEBT—GENERAL FORM
IN THE COURT OF FIRST INSTANCE OF HONG KONG IN BANKRUPTCY

No. of

Except in the case of claims for wages or salary, where the debt proved for exceeds \$250 a fee of \$15 must be paid hereon otherwise the proof cannot be admitted.

Re:

Date of Bankruptcy Order

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any outstanding uncapitalised interest as at the date of the bankruptcy order	(Analysis of claim can be supplied on separate sheet signed by creditor or person authorized to act on his behalf) \$
4	Details of any documents by reference to which the debt can be substantiated [Note: Either the originals or copies of documentary evidence should be submitted. Bills of exchange or other negotiable securities must be produced before the proof can be admitted. The trustee may call for any document or evidence to substantiate the claim at his discretion.]	
5	If total amount above includes outstanding uncapitalised interest please state amount	
6	Particulars of how and when debt incurred	
7	Particulars of any security held, the value of the security, and the date it was given	
8	<p>I hereby declare that the particulars set out in this Proof of Debt are, to the best of my knowledge and belief, true and correct.</p> <p>Signature of creditor or person authorized to act on his behalf _____</p> <p>Name in BLOCK LETTERS _____</p>	

Position with or relation to creditor
and means of knowledge of the
matters declared therein

Warning: A person convicted of making a false statement in respect of a proof of debt
shall be liable to a fine and imprisonment for 2 years.

Admitted to vote for

\$

Date

Trustee

Admitted preferentially for

\$

Date

Trustee

Admitted non-preferentially for

\$

Date

Trustee

To be returned to the trustee.

Note: The proof cannot be admitted for voting at the general meeting of creditors
unless it is properly completed and lodged with the trustee not later than 24
hours before the time specified in the notice convening the meeting.

(L.N. 223 of 1992; L.N. 81 of 1998; 25 of 1998 s. 2; L.N. 125 of 2007)

Form 46B

[rule 109]

AFFIDAVIT OF DEBT

IN THE COURT OF FIRST INSTANCE OF HONG

KONG IN BANKRUPTCY

No. ^(a) of

Re: ^(a)

I, ^(b),
of
make oath and say—

(1)^(c) That I am ^(d)
of the under-mentioned creditor, and that I am duly
authorized by ^(e)
to make this affidavit, and that it is within my own

(a) Here insert the
number of matter, and the
name of debtor, as given on
the notice of meeting.

(b) Fill in full name,
address and occupation of
deponent.

(c) If proof made by
creditor personally strike
out clause (1).

(d) State capacity, e.g.
director, secretary, solicitor

knowledge that the debt hereinafter deposed to was incurred and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

(2) That the said
was/were, at the date of the bankruptcy order, viz.,
the day of , and still is/are justly and truly
indebted to ^(f)
in the sum of dollars as shown in the proof of debt
exhibited hereto marked "A".

etc.

(e) State full name and
address of creditor.

(f) Insert "me" or in case
of a firm "me and C.D. and
E.F., my co-partners
trading as", or if by clerk or
agent etc. insert name,
address and description of
principal.

Debt \$:

Sworn at
this day of

} [Deponent's
Signature]

Before me,

[Notary Public/
Commissioner for Oaths/
other authorized person†]

† Delete as appropriate.

Warning: A person convicted of making a false statement in respect of a proof of debt
shall be liable to a fine and imprisonment for 7 years.

To be returned to the trustee.

(L.N. 223 of 1992; 47 of 1997 s. 10; L.N. 81 of 1998; 25 of 1998 s. 2; L.N. 125 of 2007)

Form 47

[rule 109]

PROOF BY TRUSTEE IN PRIOR BANKRUPTCY

(Title)

I, , of , make oath and say—

1. The said was adjudicated a bankrupt on ,
and I am the trustee under such bankruptcy.

2. There was at the date of the bankruptcy [or administration] order herein,
namely, the day of , and still is an unsatisfied balance of the debts
provable in the foresaid bankruptcy, of which I am trustee, amounting to
\$ as shown in the statement endorsed hereon [or annexed hereto and marked
"A"].

3. I claim to prove in the present bankruptcy for the said amount.

Sworn, etc.

Before me,

Admitted to vote for \$
the day of .

Trustee

Admitted to rank for dividend
for \$ this
day of .

Trustee

(L.N. 81 of 1998; L.N. 125 of 2007)

(*Title*)

I, (a) _____, of
(b) _____,
make oath and say—

1. That (c) _____ at the date of the bankruptcy order, viz.
the _____ day of _____, and still _____ justly and truly indebted to the
several persons whose names, addresses and descriptions appear in the schedule
endorsed hereon in sums severally set against their names in the sixth column of
such schedule for wages due to them respectively as employees or others in
(d) _____ in respect of services rendered by them respectively to
(e) _____ during such periods before the date of the bankruptcy order as are
set out against their respective names in the fifth column of such schedule, for
which said sums, or any part thereof, I say that they have not, nor hath any of them,
had or received any manner of satisfaction or security whatsoever.

Sworn, etc., _____ (Signature)

SCHEDULE referred to on the other side

1 No.	2 Full name of employee	3 Address	4 Description	5 Period over which wages due	6 Amount due	
					\$	¢

(L.N. 81 of 1998)

NOTICE OF REJECTION OF PROOF OF DEBT

(Title)

Take notice, that, as the trustee of the above estate, I have this day rejected your claim against such estate (a) [to the extent of \$ _____] on the following grounds—

(a) If proof wholly rejected strike out words underlined.

And further take notice that if you are dissatisfied with my decision in respect of your proof you may apply to the court to reverse or vary the same, but subject to the power of the court to extend the time, no application to reverse or vary my decision in rejecting your proof will be entertained after the expiration of (b) _____ days from this date.

(b) 21 days or 7 days as the case may be. See Rules 117 and 123(2).

Dated this _____ day of _____ .

Trustee

To

(L.N. 125 of 2007)

GENERAL PROXY

(Title)

(a) If a firm write "we" instead of "I" and set out the full name of the firm.

I, (a) of , a creditor, hereby appoint (b) to be (c) general proxy in the above matter [excepting as to the receipt of dividend (d)].

(b) Here insert *either* "Mr. of , a clerk, manager etc., in my regular employ," *or* "Mr. of , my solicitor," *or* "the trustee". The standing of the person appointed must be clearly set out.

Dated this day of .

(Signed) (e)

(Signature of witness)

(Address)

(c) "my" *or* "our".

(d) See footnote 1.

(e) If a firm, sign the firm's trading title, and add "by A.B., a partner in the said firm".

As to signature by agent, see footnotes 2 and 3.

NOTES

1. When the creditor desires that his general proxy should receive dividends he should strike out the words, "excepting as to the receipt of dividend", putting his initials thereto (f).

2. The authorized agent of a corporation may fill up blanks, and sign for the corporation thus—
For the Company, Limited.

J.S. (duly authorized under the seal of the company)

3. A proxy given by a creditor may be filled up and signed by any person in the employ of the creditor having a general authority in writing to sign for such creditor. Such person shall sign—

J.S. (duly authorized by a general authority in writing to sign on behalf [name of creditor]) (g)

(f) It is not intended that the trustee shall in any case receive dividends on behalf of a creditor.

(g) The trustee may require the authority to sign to be produced for his inspection.

Certificate to be signed by person other than creditor filling up the above proxy

I, , of , being a [here state whether clerk or manager in the regular employment of the creditor or a commissioner to administer oaths in the Court of First Instance], hereby certify that all insertions in the above proxy are in my own handwriting, and have been made by me at the request of the above-named

and in his presence, before he attached his signature [or mark] hereto.

Dated this day of .

(Signature)

The proxy must be lodged with the trustee not later than 24 hours before the time appointed for the meeting at which it is to be used.

(G.N.A. 124 of 1955; 25 of 1998 s. 2; L.N. 125 of 2007)

Form 51

[s. 86B(1)(c)]

SPECIAL PROXY

(Title)

(a) If a firm, write “we” instead of “I” and set out the full name of the firm. I, (a) of , a creditor, hereby appoint (b) as (c) proxy at the meeting of creditors to be held on the day of , or at any adjournment thereof, to vote (d) .
(b) Here insert *either* “Mr. of ,” or “the trustee”. Dated this day of .

(Signed) (e)

(Signature of witness)

(Address)

(c) “my” or “our”.

NOTES

(d) Here insert the word “for” or the word “against” as the case may require, and specify the particular resolution or name of proposed trustee, remuneration, or other matter.

(e) If a firm, sign the firm’s trading title, and add “by A.B., partner in the said firm”.

As to signature by agent see footnotes 2 and 3.

(f) The trustee may require the authority to sign to be produced for his inspection.

1. A creditor may give a special proxy to any person to vote at any specified meeting or adjournment thereof on all or any of the following matters—

(a) for or against any specific proposal for a voluntary arrangement;

(b) for or against the appointment of any specified person as trustee or as member of the Creditors’ committee, or for or against the continuance in office of any specified person, as trustee or member of a Creditors’ committee;

(c) on all questions relating to any matter, other than those above referred to, arising from any specified meeting or adjournment thereof.

2. The authorized agent of a corporation may fill up blanks, and sign for the corporation thus—
For the Company, Limited.

J.S. (duly authorized under the seal of the company)

3. A proxy given by a creditor may be filled up and signed by any person in the employ of creditor having a general authority in writing to sign for such creditor. Such person shall sign—

J.S. (duly authorized by a general authority in writing
to sign on behalf [name of creditor]) (f)

Certificate to be signed by person other than creditor filling up the above proxy

I, _____, of _____, being a [*here state whether clerk or manager in the regular employment of the creditor or a commissioner to administer oaths in the Court of First Instance*], hereby certify that all insertions in the above proxy are in my own handwriting, and have been made by me at the request of the above-named

and in his presence before he attached his signature [*or mark*] hereto.

Dated this _____ day of _____.

(Signature)

The proxy must be lodged with the trustee not later than 24 hours before the time appointed for the meeting at which it is to be used.

(*G.N.A. 124 of 1955; L.N. 81 of 1998; 25 of 1998 s. 2; L.N. 125 of 2007*)

Form 52

[s. 19]

APPLICATION BY THE OFFICIAL RECEIVER OR TRUSTEE FOR
AN ORDER APPOINTING A SITTING FOR THE PUBLIC
EXAMINATION OF THE BANKRUPT

(a) Insert the name and address of the bankrupt.

Let (a) _____
attend before _____ as follows—

Date _____

Time _____ hours

Place _____

on the hearing of an application by the Official Receiver or trustee for an order that the bankrupt be publicly examined in court pursuant to section 19 of the Bankruptcy Ordinance (Chapter 6) at such time and place as the court shall direct and that the bankrupt shall attend such public examination.

Dated this _____ day of _____.

*Official Receiver
or Trustee*

(*L.N. 81 of 1998; L.N. 125 of 2007*)

Form 53

[s. 19]

ORDER APPOINTING A TIME FOR THE PUBLIC
EXAMINATION OF THE BANKRUPT

Upon the application of the Official Receiver or Trustee

And upon hearing

And upon reading the evidence

It is ordered that the bankrupt be publicly examined pursuant to section 19 of the Bankruptcy Ordinance (Chapter 6) as follows—

Date _____

Time _____ hours

Place _____

And it is ordered that the bankrupt shall attend at the time and place above-mentioned for such purpose.

Dated this day of .

Registrar

WARNING TO BANKRUPT: If you fail without reasonable excuse to attend your public examination at the time and place set out in the order, you will be liable to be committed to prison without further notice. In addition, if you commit perjury during your examination, you will be liable on conviction to imprisonment for 7 years and a fine.

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 54

[s. 19 & rule 86]

NOTICE OF DAY FOR PROCEEDING WITH PUBLIC EXAMINATION
(FOR LOCAL NEWSPAPER OR *Gazette*)

(Title)

Notice is hereby given that the court has appointed
 day, the day of , at o'clock in the noon,
for Proceeding with the public examination of the above-named bankrupt, which,
on the day of , was adjourned *sine die*.

Dated this day of .

*Official Receiver
or Trustee
(L.N. 81 of 1998; L.N. 125 of 2007)*

Form 55

[s. 19 & rule 23]

APPOINTMENT OF SHORTHAND WRITER TO TAKE EXAMINATION OF BANKRUPT

(Title)

Upon the application of the Official Receiver or trustee the court
hereby, pursuant to rule 23 of the Bankruptcy Rules, appoints of
to take the examination of the said at his public examination this day.

Dated this day of .

*Registrar
(L.N. 81 of 1998; L.N. 125 of 2007)*

Form 56

[s. 19 & rule 23]

DECLARATION BY SHORTHAND WRITER

(Title)

Before I, , of , the shorthand writer appointed by the court
to take down the examination of the said , do solemnly and sincerely
declare that I will truly and faithfully take down the questions and answers put to
and given by the said in this matter, and will deliver true and faithful
transcripts thereof as the court may direct.

Dated this day of .

Declared before me at the time and place
above-mentioned.

(G.N.A. 124 of 1955)

Form 57

NOTES OF PUBLIC EXAMINATION OF BANKRUPT WHERE A
SHORTHAND WRITER IS APPOINTED

(Title)

Public examination of the bankrupt held this day of ,
before .

The above-named bankrupt, being sworn and examined at the time and place
above-mentioned, upon the several questions following being put to him, gave the
several answers thereto respectively following each question, that is to say—

A

This is a transcript of the notes of the public examination of , held
this day of .

Shorthand writer duly appointed under rule 23

or

Shorthand writer attached to the Official Receiver's Office

(G.N.A. 124 of 1955; L.N. 81 of 1998)

Form 58

NOTES OF PUBLIC EXAMINATION OF BANKRUPT WHERE
SHORTHAND WRITER IS NOT APPOINTED

Public examination of the bankrupt held this day of ,
before .

The above-named bankrupt, being sworn and examined at the time and place
above-mentioned, upon his oath saith as follows—

A

These are the notes of the examination of , held this day
of .

Signature of person taking the notes

(G.N.A. 124 of 1955; L.N. 81 of 1998)

Form 59

[s. 19]

ORDER OF ADJOURNMENT OF PUBLIC EXAMINATION

(Title)

(a) Insert here word
“further” if necessary.

This being the day appointed for the (a)
public examination of the above-named , and the
said having submitted himself for such examination; now upon
hearing the Official Receiver or trustee, and upon hearing and it
appearing that .

It is ordered that the said public examination be adjourned to the day
of , at in the
noon. And it is further ordered that the said do attend at the court on
the said day of , for the purpose of being further examined as to
his conduct, dealings, and property. And it is further ordered that the
said .

[Set out any further order
of the court]

Date this day of .

Registrar

(L.N. 125 of 2007)

Forms 60 — 61

(Repealed L.N. 81 of 1998)

Form 62

[s. 19]

MEMORANDUM OF PUBLIC EXAMINATION OF BANKRUPTCY

(Title)

Memorandum — That I,
the above-named bankrupt, being sworn and examined upon my oath say that the
notes of my public examination marked “A”, and appended hereto, were read over
by or to me and are correct.

And I further say that, at the time of this my examination, I have delivered up
to the trustee of my estate, all property, estate and effects, and all books, papers and
writings relating thereto.

And I further say that I have made a full disclosure of all my assets and of all
my debts and liabilities of whatever kind, and that I have not removed, concealed,

embezzled or destroyed any part of my estate, real or personal, nor any books of account, papers or writings relating thereto, with an intent to defraud my creditors or to conceal the state of my affairs.

[*Here insert any special matter*]

Date this day of .

Bankrupt
(*L.N. 81 of 1998; L.N. 125 of 2007*)

Form 63

[s. 19]

ORDER OF COURT THAT EXAMINATION IS CONCLUDED

(*Title*)

Whereas the above-named *A.B.* has duly attended before the court and has been publicly examined as to his conduct, dealings and property;

And whereas the court is of opinion that the affairs of the said *A.B.* have been sufficiently investigated, it is hereby ordered that the examination of the said *A.B.* is concluded.

Date this day of .

Registrar

Form 64

[s. 20B]

ORDER GRANTING STAY PENDING HEARING OF
APPLICATION FOR INTERIM ORDER

(*Title*)

(a) Insert full name and
address of applicant.

Upon the application of (a)

And upon hearing

And upon reading the evidence

(b) Insert details of any
action, execution or other
legal process to be stayed.

It is ordered that (b)

be stayed over the hearing of the application for an interim order pursuant to section 20 of the Bankruptcy Ordinance (Chapter 6), namely the day of or over any adjournment thereof.

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 65

[rule 122F]

INTERIM ORDER OF COURT UNDER SECTION 20 OF THE
BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

(a) Insert full name and
address of applicant.

Upon the application of (a)
And upon hearing
And upon reading the evidence

(b) Delete as applicable.

(b) [And upon the application of , the nominee, for an extension of the
period for which the interim order shall have effect pursuant to section 20D(4) of the
Bankruptcy Ordinance (Chapter 6)]

(c) 14 days unless an
extension is granted on
the application of the
nominee.

It is ordered that during the period of (c) _____ days beginning with the day
after the date of this order and during any extended period for which this interim
order has effect—

(d) Insert debtor's
name.

(i) no bankruptcy petition relating to the above-named (d) _____

_____ (the debtor) may be presented or proceeded with; and

(ii) no other proceedings, and no execution or other legal process, may be
commenced or continued against the debtor or his property except with
the leave of the court.

And it is ordered that the report of the nominee be submitted and delivered by
him to the court not later than (e)

(e) Date to be 2
business days before the
day on which the report is
to be considered.

[And it is ordered that (f)

And it is ordered that

(f) Insert details of any
orders made under
section 20C(3) and (4) of
the Bankruptcy
Ordinance (Chapter 6).

(g) Delete if debtor is
not a bankrupt or if he is a
bankrupt but the
applicant is the Official
Receiver.

(g) [And it is ordered that the applicant forthwith serve a copy of this order on the
Official Receiver.]

Date _____

Time _____ hours

Place _____

to be appointed for consideration of the nominee's report.

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 66

[rule 122F(4)]

ORDER EXTENDING EFFECT OF INTERIM ORDER

(Title)

(a) Insert full name and
address of applicant.

Upon the application of (a)

And upon hearing

And upon reading the evidence

(b) Insert date of filing.

And the court having this day considered the report of the nominee submitted pursuant to section 20D of the Bankruptcy Ordinance (Chapter 6) and filed on (b) _____.

(c) Insert date.

It is ordered that the period for which the interim order made on (c) _____ has effect be extended to (c) _____ to enable a meeting of the debtor's creditors to be summoned to consider the debtor's proposals, such meeting as proposed by the nominee to be held on—

(d) Date to be not less than 14 days from date of filing of report under rule 122J of the Bankruptcy Rules (Cap. 6 sub. leg. A) nor more than 28 days from date of consideration of report under rule 122L of the Bankruptcy Rules (Cap. 6 sub. leg. A).

Date (d) _____
Time _____ hours
Place _____

And it is ordered that this application be adjourned to—

Date _____
Time _____ hours
Place _____

for consideration of the report of the chairman of the Creditors' meeting.

Dated this day of .

Form 67

[ss. 20G, 20H & 20I]

ALTERNATIVE ORDERS TO BE MADE AT HEARING TO
CONSIDER CHAIRMAN'S REPORT

(Title)

(a) Insert full name and
address of applicant.

Upon the application of (a)

And upon hearing

(b) Delete as applicable.

(b) [And upon reading the report of the chairman of the Creditors' meeting that the said meeting had [approved the proposed voluntary arrangement with or without modifications] [declined to approve the debtor's proposal with or without modifications.]]

[It is ordered that this application be [adjourned generally with liberty to restore] [adjourned to the day of to enable an application to be made to extend the time for filing the report of the chairman of the Creditors' meeting.]]

[And it is ordered that the time for filing the said report be extended to this day.]

And whereas—

- (i) on the day of a bankruptcy petition No. of was filed by against the above-named (the debtor); and
- (ii) by virtue of section 20H(3) of the Bankruptcy Ordinance (Chapter 6) the said petition is deemed, unless the court otherwise orders, to have been dismissed.

The court makes no further order save that—

- (i) the registration of the petition as a pending action at the Land Registry on under Reference No. PA may be vacated upon the application of the debtor under the Land Registration Ordinance (Chapter 128);
- (ii) (c)

(c) Insert any other
orders made in respect of
the petition.

Dated this day of .

NOTICE TO DEBTOR—(Where voluntary arrangement approved and there is

a pending petition which is deemed to be dismissed).

It is your responsibility and in your interest to ensure that the registration of the petition at the Land Registry is cancelled.

(L.N. 81 of 1998)

Forms 68 — 78

(Repealed L.N. 81 of 1998)

Form 79

[s. 33 & rule 80]

APPLICATION TO ANNUL ADJUDICATION

(Title)

I, *R.S.*, of _____, being interested in this matter [*or I*, _____, Official Receiver/trustee (a)] do hereby make application to the court that the bankruptcy order against *A.B.* be annulled [*here state grounds of application*].

(a) Delete as appropriate.

Dated this _____ day of _____.

(Signature)

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 80

[rule 12]

ORDER ANNULING ADJUDICATION

(Title)

On the application of *R.S.*, of _____, [*or On the application of the Official Receiver/trustee (a)*], and on reading _____ and hearing _____, it is ordered that the bankruptcy order dated _____ against *A.B.*, of _____, be and the same is hereby annulled.

(a) Delete as appropriate.

Dated this _____ day of _____.

Registrar
(L.N. 81 of 1998; L.N. 125 of 2007)

Form 81

[rule 88]

ORDER OF SUSPENSION OF DISCHARGE UNDER SECTION
30A(3) OF THE BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

in chambers

(a) Insert date. Upon the application of the Official Receiver or trustee and after taking into consideration his report filed on (a) as to the above-named bankrupt's conduct during the proceedings under the bankruptcy.

And upon hearing

And upon reading the evidence

And a bankruptcy order having been made against the above-named bankrupt on (a)

(b) Delete as applicable. And it appearing to the court that the bankrupt (b) [has failed] [is failing] to
(c) State briefly in what respect the bankrupt has failed to comply with his obligations. comply with his[her] obligations under the Bankruptcy Ordinance (Chapter 6) namely (c)

(d) Insert period for which discharge is to be suspended. It is ordered that the relevant period for the purposes of section 30A of the Bankruptcy Ordinance (Chapter 6) shall cease to run (b) [for a period of (d)].

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 82

[s. 30A(4)]

NOTICE OF INTENTION TO OBJECT TO BANKRUPT'S
DISCHARGE UNDER SECTION 30A(4) OF THE
BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

(a) Insert name of creditor or trustee. TAKE notice that I, (a) , intend to object to the bankrupt's discharge on one or more of the following grounds—

(b) Delete any paragraph which is not applicable.

- (i) in the case of a discharge to which section 30A(2)(a) of the Bankruptcy Ordinance (Chapter 6) applies, that the bankrupt is likely within 5 years of the commencement of the bankruptcy to be able to make a significant contribution to his[her] estate;
- (ii) that the discharge of the bankrupt would prejudice the administration of his[her] estate;
- (iii) that the bankrupt has failed to co-operate in the administration of his[her] estate;
- (iv) that the conduct of the bankrupt, either in respect of the period before or the period after the commencement of the bankruptcy, has been unsatisfactory;
- (v) without limiting section 30A(4)(c) or (d) of the Bankruptcy Ordinance (Chapter 6), that the bankrupt has departed from Hong Kong and has failed forthwith to return to Hong Kong following a request to do so from the trustee;
- (vi) that the bankrupt has continued to trade after knowing himself/herself to be insolvent;
- (vii) that the bankrupt has committed an offence under section 129 (fraudulent conduct on the part of the bankrupt) or any of sections 131 to 136 of the Bankruptcy Ordinance (Chapter 6) (obtaining credit, gambling offences, failure to keep proper accounts, absconding with property and concealing oneself to avoid service of bankruptcy proceedings);
- (viii) that the bankrupt has failed to prepare an annual report of his/her earnings and acquisitions for the trustee.

AND THAT I propose to apply for an order under section 30A(3) of the Bankruptcy Ordinance (Chapter 6) suspending the running of the relevant period for the bankrupt's discharge.

Dated this day of .

Creditor/Official Receiver [or Trustee]
(L.N. 81 of 1998)

Form 82A

[s. 30AC]

ORDER FOR NON-COMMENCEMENT OF RELEVANT
PERIOD FOR BANKRUPT UNDER SECTION 30AC(1)
OF BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

On the application of the trustee for a non-commencement order against the above-named (a) _____ (**bankrupt**), and after taking into consideration the trustee's (b) [report][affidavit] filed on (c) _____.

(a) Insert full name of bankrupt.

(b) Delete as appropriate.

(c) Insert filing date.

And on hearing

And on reading the evidence

(d) Insert date of
bankruptcy order.

And on a bankruptcy order made against the bankrupt on (d) _____

And on an initial interview on a day appointed by the trustee for the
administration of the bankrupt's estate

(e) Delete as appropriate.

And it appearing to the court that (e) [the bankrupt has failed to attend the
initial interview] [the bankrupt has attended the initial interview, but failed to
provide the trustee at the initial interview with all of the information concerning the
bankrupt's affairs, dealings and property as reasonably required by the trustee]

And it appearing to the court that the administration of the bankrupt's estate
was prejudiced by the failure

And it appearing to the court that there is no sufficient cause for a
non-commencement order not to be made under section 30AC(1) of the
Bankruptcy Ordinance (Chapter 6) (*Ordinance*).

It is ordered that—

- (1) pursuant to section 30AC(2)(a)(i) of the Ordinance, the relevant
period for the bankrupt is treated as not commencing to run on the
date of the bankruptcy order, i.e. (d) _____;
- (2) the relevant period for the bankrupt does not commence to run until
the date as stated in the trustee's notice under section 30AC(3)(a) of
the Ordinance and on which all of the following term(s) has (have)
been complied with—
 - (i) (f)
 - (ii) (f)
- (3) (g)

(f) List the term(s)
imposed by the court for
commencement of running
of relevant period.

(g) List any other term(s)
the court thinks fit.

Dated this day of .

Registrar
(1 of 2016 s. 13)

Form 82B

[s. 30AC &
rule 89B]

NOTICE OF COMMENCEMENT OF RELEVANT PERIOD
FOR BANKRUPT UNDER SECTION 30AC(3)(a) OF
BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

Take notice that—

- (a) Insert full name of bankrupt.
- (b) Insert date of bankruptcy order.
- (c) Insert date of non-commencement order.

- (1) a bankruptcy order was made against the above-named (a) _____ (**bankrupt**) on (b) _____, and an order that the relevant period for the bankrupt is treated as not commencing to run on the date of the bankruptcy order (**non-commencement order**) was made on (c) _____; and
- (2) pursuant to section 30AC(3)(a) of the Bankruptcy Ordinance (Chapter 6), I confirm that all the term(s) imposed by the court for the commencement of the running of the relevant period for the bankrupt as specified in the non-commencement order was (were) complied with on (d) _____ such that the relevant period is treated as commencing to run on that date.

- (d) Insert date on which all terms were complied with.

Dated this _____ day of _____.

Signed _____

- (e) Insert name of trustee.

(e)

(1 of 2016 s. 13)

Form 83

[s. 30A(5)]

NOTICE TO CREDITORS BY TRUSTEE UNDER SECTION 30A(5) OF THE BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

- (a) Insert date.
- (b) Insert bankrupt's name.

TAKE notice that under the provisions of section 30A of the Bankruptcy Ordinance (Chapter 6) on (a) _____ (b) _____ will be discharged from his [her] bankruptcy in the absence of any objections from his [her] trustee in bankruptcy or creditors.

AND THAT I do not intend to object to the bankrupt's discharge. [intend to object to the bankrupt's discharge on the following grounds—] (c)

- (c) Delete as applicable.

AND THAT the bankrupt's creditors have the right to object to his[her] discharge on any of the following grounds—

- (i) in the case of a discharge to which section 30A(2)(a) of the Bankruptcy Ordinance (Chapter 6) applies, that the bankrupt is likely within 5 years of the commencement of the bankruptcy to be able to make a significant contribution to his[her] estate;
- (ii) that the discharge of the bankrupt would prejudice the administration of his[her] estate;
- (iii) that the bankrupt has failed to co-operate in the administration of his[her] estate;
- (iv) that the conduct of the bankrupt, either in respect of the period before or the period after the commencement of the bankruptcy, has been unsatisfactory;
- (v) without limiting section 30A(4)(c) or (d) of the Bankruptcy

Ordinance (Chapter 6), that the bankrupt has departed from Hong Kong and has failed forthwith to return to Hong Kong following a request to do so from the trustee;

- (vi) that the bankrupt has continued to trade after knowing himself/herself to be insolvent;
- (vii) that the bankrupt has committed an offence under section 129 or any of sections 131 to 136 of the Bankruptcy Ordinance (Chapter 6);
- (viii) that the bankrupt has failed to prepare an annual report of his/her earnings and acquisitions for the trustee.

AND THAT if any of the bankrupt's creditors wish to object to the bankrupt's discharge he [she] or they must do so on Form 82 notifying the court and me not less than 14 days before (a) _____.

Dated this day of .

Trustee
(*L.N. 81 of 1998*)

Form 84

[rule 90]

APPLICATION FOR EARLY DISCHARGE OF BANKRUPT
UNDER SECTION 30B(1) OF THE BANKRUPTCY
ORDINANCE (CHAPTER 6)

(*Title*)

(a) Insert full name and address of bankrupt.

I, (a) _____,

hereby apply to the court for an order for my early discharge from bankruptcy.

I have not previously been adjudged bankrupt [or I have previously been adjudged bankrupt, but more than 3 years have elapsed since the date of the first bankruptcy order/adjudication order] (b).

(b) Delete as appropriate.

None of the circumstances set out in section 30B(2) of the Bankruptcy Ordinance (Chapter 6) applies to me.

(c) Insert date.

The grounds on which I claim to be entitled to be discharged from bankruptcy are set out in my affidavit sworn on (c) _____ a copy of which affidavit accompanies this application.

(d) State the names and addresses of the trustee(s) to be served.

The names and addresses of the trustee(s) upon whom this application should be served are— (d)

(e) State the bankrupt's

The bankrupt's address for service is— (e)

address for service.

Dated this day of .

Signed _____
(Solicitor for the) Bankrupt

ENDORSEMENT

This application having been filed in court on _____, it is ordered that the application shall be heard as follows—

Date _____

Time _____ hours

Place _____

Registrar
(L.N. 81 of 1998)

Form 85

[rule 89]

APPLICATION BY BANKRUPT UNDER SECTION 30A(7) OF THE BANKRUPTCY
ORDINANCE (CHAPTER 6) FOR
LIFTING A SUSPENSION OF THE RUNNING OF
THE RELEVANT PERIOD FOR DISCHARGE
IMPOSED BY THE COURT UNDER
SECTION 30A(3) OF THE ORDINANCE

(Title)

(a) Insert name and
address of person(s) to
attend hearing.

Let (a)

attend before as follows—

Date _____

Time _____ hours

Place _____

(b) Insert name.

on the hearing of an application by (b)
the bankrupt for an order that the suspension of the running of the relevant period
for his [her] discharge imposed by the court under section 30A(3) of the
Bankruptcy Ordinance (Chapter 6) on (c) be lifted.

(c) Insert date.

The grounds on which the bankrupt claims to be entitled to the order are set
out in the affidavit of the bankrupt sworn on (c) a copy of which affidavit

accompanies this application.

(d) State the names and addresses of the persons to be served.

The names and addresses of the persons upon whom this application should be served are (d)

(e) State the bankrupt's address for service.

The bankrupt's address for service is—(e)

Dated this day of .

Signed _____

(Solicitor for the) Bankrupt

(L.N. 81 of 1998)

Form 86

[rule 89]

ORDER OF COURT LIFTING SUSPENSION OF DISCHARGE

(Title)

in chambers

(a) Insert full name and address of bankrupt.

Upon the application of (a)

(b) Delete as applicable.

the above-named bankrupt, (b) [and after taking into consideration the report of (c) in this matter].

(c) Insert name of Official Receiver's representative or trustee.

And upon hearing

And upon reading the evidence

(d) Insert date.

It is ordered that the order made on (d)

(e) Insert terms of previous order.

whereby it was ordered that (e)

be discharged.

Dated this day of .

Registrar

(L.N. 81 of 1998)

Form 87

[rule 89]

CERTIFICATE THAT ORDER SUSPENDING
DISCHARGE HAS BEEN LIFTED

(Title)

(a) Insert full name and
address of bankrupt.

A bankruptcy order having been made by this court against (a)

(b) Insert date.

on (b) and an order suspending the above-named bankrupt's
discharge having been made on (b)

It is certified that the said order of suspension of discharge was lifted on (b)

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 88

[rule 92]

CERTIFICATE OF DISCHARGE

(Title)

(a) Insert full name and
address of bankrupt.

A bankruptcy order having been made by this court against (a)

(b) Insert date of
bankruptcy order.

on (b)

(c) Insert full name of
bankrupt.

It is certified that the said (c)

(d) Insert effective date of
discharge.

was discharged from his bankruptcy on (d)

Dated this day of .

NOTICE TO BANKRUPT OR PERSONAL REPRESENTATIVE OF
BANKRUPT (IF BANKRUPT IS DECEASED)—

Should you require advertisement of this order in a local newspaper and/or
the Gazette, you should, within _____ days, notify the trustee, enclosing
the prescribed fee, details of which can be obtained by contacting the trustee.

Registrar
(L.N. 81 of 1998)

Forms 89 — 93

(Repealed L.N. 81 of 1998)

Form 94

[rule 29]

APPLICATION BY TRUSTEE FOR COMMITMENT OF BANKRUPT OR OTHER PERSON

(Title)

I, the trustee of the property of the said bankrupt [*or as the case may be*], do apply to the court for an order of commitment for contempt of the court against the said bankrupt [*or L.M.*, _____], on the ground set forth in the annexed affidavit.

Dated this _____ day of _____.

Trustee

Form 95

(Repealed L.N. 81 of 1998)

Form 96

[rule 29]

AFFIDAVIT IN SUPPORT OF APPLICATION FOR COMMITMENT OF BANKRUPT FOR CONTEMPT UNDER SECTION 26 OR 55

(Title)

I, _____, the Official Receiver of the estate of the said bankrupt/the trustee of the property of the said bankrupt (a) make oath, and say—

(a) Delete as appropriate.

Where bankrupt does not submit to examination.

[1. That the said bankrupt did attend at a general meeting of his creditors for the purpose of appointing a trustee held on the _____ day of _____, at _____, and wilfully refused to submit to be examined at such meeting in respect of his property [*or his creditors*], the submitting to examination being a duty imposed upon him by the Bankruptcy Ordinance (Chapter 6).]

or

Where bankrupt fails to attend a meeting other than the first.

[1. That the said bankrupt did wilfully fail to attend a meeting of his creditors held on the _____ day of _____, at _____ [or to wait on me at my office on the _____ day of _____], the attending such meeting [or waiting on me] being a duty imposed upon him by the Bankruptcy Ordinance (Chapter 6).]

or

Where bankrupt fails to execute a deed.

[1. That the said bankrupt has wilfully failed to execute [*here describe the deed, etc., that he has failed to execute*], the execution of such deed when required by me being a duty imposed upon him by section 26 [or 55] of the Bankruptcy Ordinance (Chapter 6).]

Where bankrupt fails to attend a meeting other than the first or to execute a deed.

2. [That the said bankrupt was on the _____ day of _____, duly served with a notice, a copy of which is hereunto annexed, by leaving the same at his usual place of residence, requiring him to attend the said meeting], [or to execute the above-mentioned *deed, etc.*]

Or

Where bankrupt fails to obey special orders of court.

[1. That the said bankrupt has wilfully failed to perform the duty imposed upon him by section 26 of the Bankruptcy Ordinance (Chapter 6) (*here insert any act he has been required to do by any special order of the court, stating the day on which the order was made*).]

2. [That the said bankrupt was duly served with a copy of such order by leaving the same at his usual place of residence on the _____ day of _____.]

Or

Where bankrupt has failed to deliver up property.

[1. That the said bankrupt has failed to deliver up possession of (*here state the property he has failed to deliver up*), which property is divisible amongst his creditors under the Bankruptcy Ordinance (Chapter 6) and which said property was (*or is*) in his possession or control, he having been required by me to deliver up the said property by notice, a copy of which is hereunto annexed, and which notice was served upon him on the _____ day of _____, at _____.]

Sworn at, etc.

Official Receiver
[or Trustee]

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 97

[rule 29]

AFFIDAVIT OF TRUSTEE UNDER SECTION 53(5)

(Title)

I, *G.H.*, the trustee of the property of the said *A.B.*, a bankrupt, make oath and say—

1. That I believe that *L.M.*, of _____, hath in his possession or power as [*here set out the capacity in which the person stands to the bankrupt*] certain moneys [and securities] belonging to the bankrupt, that is to say [*here set out and describe the particular moneys and securities*].

2. That on the _____ day of _____, I did apply personally to the said *L.M.* to pay and deliver to me the said moneys and securities, and that he did not then pay or deliver, nor has he since paid or delivered, to me the same [*or* That I, on the _____ day of _____, posted a letter to the said *L.M.*, addressed to him at _____, calling upon him to, *etc.*, and that on the _____ day of _____, I posted another letter, by which I again called upon him to, *etc.*, and that he has failed to pay and deliver the same].

3. That I firmly believe that the said *L.M.* is not entitled by law to retain such moneys [and securities] as against the bankrupt or against me as the trustee of the property of the bankrupt.

Sworn at, *etc.*

Trustee

Form 98

[s. 110 & rule 30]

NOTICE OF APPLICATION FOR COMMITTAL UNDER SECTION 110

(Title)

To

Take notice that *C.D.*, of _____, will on the _____ day of _____, at _____ o'clock in the _____ noon, apply to the court for an order for your committal to prison for contempt of this court, you having disobeyed the order of the court made on the _____ day of _____, [*here set out order*]. And further take notice that you are required to attend the court on such day at the hour before stated, to show cause why an order for your committal should not be made.

Dated this _____ day of _____.

Registrar
(*L.N. 81 of 1998*)

Form 99

[s. 26(4) & rule 30]

NOTICE OF APPLICATION FOR COMMITTAL UNDER SECTION 26

(Title)

To the said A.B., bankrupt.

Take notice that the trustee [or Official Receiver] of the property of the said bankrupt will on the day of , at o'clock in the noon, apply to the court for an order for your committal to prison for contempt of this court, you having failed to perform the duty imposed on you by section 26 of the Bankruptcy Ordinance (Chapter 6) [*here set out the duty he has failed to perform*]. And further take notice that you are required to attend the court on such day at the hour before stated to show cause why an order for your committal should not be made.

Dated this day of .

Registrar

Form 100

[s. 53(5) & rule 30]

NOTICE OF APPLICATION FOR COMMITTAL UNDER SECTION 53(5)

(Title)

To [*here insert name, address and description of the person to whom the notice is to be sent*].

Take notice that the trustee [or Official Receiver] of the property of the bankrupt will on the day of , at o'clock in the noon, apply to the court for an order for your committal to prison for contempt of this court you having failed to pay and deliver to him certain moneys [and securities] belonging to the bankrupt in your possession or power as [*here state whether as treasurer, banker, etc.*], that is to say [*here set out and describe the particular moneys and securities*]. And further take notice that you are required to attend the court on such day at the hour before stated to show cause why an order for your committal should not be made.

Dated this day of .

Registrar

Form 101

[s. 110]

ORDER OF COMMITTAL UNDER SECTION 110

(Title)

Whereas by an order of this court made on the
day of _____, [here recite the order]. Now upon the application of C.D.,
of _____, and upon hearing A.B. [or as the case may be], [or if he does not appear]
reading the affidavit of [here insert name and description of person by whom the
order was served on A.B.], and upon reading the affidavit of [enter evidence], the
court being of opinion that the said A.B. has been guilty of a contempt of this court
by his disobedience of the said order, it is ordered that the said A.B. do stand
committed to [here insert prison] for his said contempt.

Dated this _____ day of _____ .

Registrar
(L.N. 81 of 1998)

Form 102

[s. 26(4)]

ORDER OF COMMITTAL UNDER SECTION 26

(Title)

Upon the application of the trustee [or Official Receiver] of the property of
the bankrupt, and upon hearing the bankrupt [or if he does not appear], and reading
the affidavit of [here insert name and description of person by whom the notice to
show cause was served] and upon reading the affidavit of [enter evidence], the
court being of opinion that the bankrupt has been guilty of a contempt of this court
by having failed to [here follow the notice], it is ordered that the bankrupt do stand
committed to [here insert prison] for his said contempt.

Dated this _____ day of _____ .

Registrar
(L.N. 81 of 1998)

Form 103

[s. 53(5)]

ORDER OF COMMITTAL UNDER SECTION 53(5)

(Title)

Upon the application of the trustee of the property of the bankrupt, and upon hearing *L.M.* [*or if L.M. does not appear*] and reading the affidavit of [*here insert name and description of person by whom the notice to show cause was served*] and upon reading the affidavit of [*enter evidence*] the court being of opinion that *L.M.* has been guilty of a contempt of this court by having failed to pay and deliver to the said trustee certain moneys [and securities] [*here follow the notice*], it is ordered that the said *L.M.* do stand committed to [*here insert prison*] for the said contempt.

Dated this day of .

Registrar

Form 104

[s. 26(4) & rule 30]

AFFIDAVIT OF NON-COMPLIANCE WITH ORDER OF COURT

(*Title*)

I, *L.M.* of make oath and say—

1. That *G.H.* of was by an order of the court made on the day of , ordered to [*here set out order*].
 2. That [a copy of] the said order was duly served on the said *G.H.*
 3. That the said *G.H.* has failed to obey the order.
- Sworn, etc.

(*Signature*)

Form 105

[rule 26]

WARRANT OF COMMITTAL FOR CONTEMPT

(*Title*)

To the Bailiff of the High Court of Hong Kong and his assistants and to all police officers of Hong Kong and to the Commissioner of Correctional Services.

Whereas by an order of this court bearing date the day of , it was ordered that the said debtor or bankrupt [*or L.M.* of] should stand committed for contempt of this court.

These are therefore to require you the said bailiff, and others, to take the said

debtor or bankrupt [*or L.M.*] and to deliver him to the Commissioner of Correctional Services, and you the said Commissioner to receive the said debtor or bankrupt [*or L.M.*], and him safely to keep in prison in your custody until such time as this court shall order; and you the said Commissioner shall, while the said debtor or bankrupt [*or L.M.*] is in your custody, at all times when the court shall so direct produce the said debtor or bankrupt [*or L.M.*] before the court.

Dated this day of .

Registrar

(*G.N.A. 124 of 1955; L.N. 232 of 1984; L.N. 81 of 1998; 25 of 1998 s. 2*)

Form 106

ORDER FOR DISCHARGE FROM CUSTODY ON CONTEMPT

(*Title*)

Upon application made this day of for A.B., who was committed to prison for contempt by order of this court, dated the day of , and upon reading his affidavit showing that he has cleared [*or is desirous of clearing*] his contempt and has paid the costs occasioned thereby, and upon hearing the trustee [*or Official Receiver or C.D. of*], it is ordered that the Commissioner of Correctional Services do discharge the said A.B. out of his custody, as to the said contempt.

Dated this day of .

Registrar

(*L.N. 232 of 1984*)

Form 107

ORDER FOR PRODUCTION OF PERSON IN PRISON FOR EXAMINATION BEFORE THE COURT

(*Title*)

Upon application made this day of by [*applicant*] for an order for the production of A.B., who was committed to prison for contempt by order of this court dated the day of , for examination before this court, it is ordered that the Commissioner of Correctional Services do cause the said A.B. to be brought in custody before the court at on the day of for examination before the court, and afterwards to be taken back to prison to be there safely kept pursuant to the said order.

Dated this day of .

Registrar

Form 108

[s. 54 & rule 26]

SEARCH WARRANT

(Title)

Whereas by evidence duly taken upon oath it hath been made to appear to the court that there is reason to suspect and believe that property of the said debtor or bankrupt is concealed in the house [*or other place, describing it, as the case may be*] of one *X.M.*, of

such house [*or place*] not belonging to the said debtor or bankrupt.

These are therefore to require you to enter in the daytime into the house [*or other place, describing it*] of the said *X.M.* situate at aforesaid, and there diligently to search for the said property, and if any property of the said debtor or bankrupt shall be there found by you on such search, that you seize the same, to be disposed of and dealt with according to the provisions of the Bankruptcy Ordinance (Chapter 6).

Dated this day of .

Registrar

To the Bailiff of the High Court and his assistants

(L.N. 81 of 1998; 25 of 1998 s. 2)

Form 109

[s. 27 & rule 26]

WARRANT OF SEIZURE

(Title)

Whereas on the day of , a bankruptcy order was made against the said bankrupt: These are therefore to require you forthwith to enter into and upon the house and houses, and other the premises of the said bankrupt, and also in all other place and places belonging to the said bankrupt where any of his goods and moneys are, or are reputed to be; and there seize all the ready money, jewels, plate, household stuff, goods, merchandise, books of account, and all other things whatsoever, belonging to the said bankrupt, except his necessary clothing, bedding, furniture and household equipment, as excepted by the Bankruptcy Ordinance (Chapter 6).

And that which you shall so seize you shall safely detain and keep in your

possession until you shall receive other orders in writing for the disposal thereof from the trustee [*or* Official Receiver]; and in case of resistance or of not having the key or keys of any door or lock of any premises belonging to the said bankrupt where any of his goods are or are suspected to be, you shall break open, or cause the same to be broken open, for the better execution of this warrant.

Dated this day of .

Registrar

To the Bailiff of the High Court and his assistants

(*L.N. 81 of 1998; 25 of 1998 s. 2*)

Form 110

[s. 27 & rules 26 & 27]

WARRANT AGAINST DEBTOR ABOUT TO QUIT HONG KONG, ETC.

(*Title*)

To the Bailiff of the High Court of Hong Kong and his assistants and to all police officers of Hong Kong and to the Commissioner of Correctional Services.

Whereas, by evidence taken upon oath, it hath been made to appear to the satisfaction of the court that there is probable reason to suspect and believe that the said *A.B.*, of has absconded and gone outside Hong Kong [*or* quitted his place of residence], [*or* is about to go outside Hong Kong (*or* quit his place of residence)] with a view to avoiding service of a bankruptcy petition [*or* to avoiding appearing in a bankruptcy petition, *or* to avoiding examination in respect of his affairs, or otherwise delaying or embarrassing the proceedings in bankruptcy *or* to avoiding payment of a debt in respect of which a statutory demand has been served or an attempt to serve a statutory demand has been made].

[*Or* that there is probable cause to suspect and believe that the said *A.B.* is about to remove his goods or chattels with a view to preventing or delaying such goods or chattels being taken possession of by the trustee of the property of the bankrupt *or* that the said *A.B.* has concealed (*or* is about to conceal or destroy) his goods or chattels, or some of them, or his books, documents or writings, or some or one of them, which books, documents or writings, or some or one of them, may be of use to the creditors in the course of the bankruptcy of the said *A.B.*]

[*Or* that it hath been made to appear to the satisfaction of this court that the said *A.B.* has removed certain of his goods and chattels in his possession, above the value of \$500, without the leave of the Official Receiver or trustee, that is to say (*here describe the goods or chattels*).]

[*Or* that the said *A.B.* did without good cause fail to attend at this court on the day of , for the purpose of being examined, according to the requirements of an order of this court made on the day of , directing him so to attend.]

[Or that there is probable cause for believing that the said A.B. has committed an offence punishable under the Bankruptcy Ordinance (Chapter 6).]

These are therefore to require you the said bailiff, and others, to take the said A.B. and to deliver him to the Commissioner of Correctional Services and you the said Commissioner to receive the said A.B., and him safely to keep in prison until such time as this court may order.

Dated this day of .

Registrar

(G.N.A. 124 of 1955; L.N. 46 of 1964; L.N. 232 of 1984; L.N. 81 of 1998; 23 of 1998 s. 2; 25 of 1998 s. 2)

Form 111

[s. 28]

ORDER TO POSTMASTER GENERAL UNDER SECTION 28

(Title)

Upon the application of the Official Receiver [*or* the trustee] of the property of the above bankrupt, it is ordered that for a period of 3 months from the day of , all post letters, telegrams and postal packets directed or addressed to the said bankrupt, at (a) shall be re-directed, sent or delivered by the Postmaster General, or officers acting under him, to (b) except any letter on which there is a specific direction signed by the Official Receiver [*or* trustee] that it is to be delivered as addressed, if possible, and that a sealed duplicate of this order be forthwith transmitted by the Official Receiver [*or* trustee] to the Postmaster General, or officers acting under him.

- (a) Here insert the full address or addresses.
(b) “the said Official Receiver [*or* trustee] at ” or otherwise as the court may direct.

Dated this day of .

Registrar

(L.N. 81 of 1998)

Form 112

[s. 29 & rule 25]

SUMMONS UNDER SECTION 29

(Title)

- (a) Insert the name and address of the person to attend court.

Let (a) attend before _____ as follows—

(b) Insert the name of the person to attend court.

Date _____

Time _____ hours

Place _____

(c) State any particular documents required, e.g., all ledgers and books of account, invoices, statements of account, letters, books, papers and documents of every kind, in any manner relating to your dealings and transactions with A.B. a bankrupt, touching a debt alleged to be due by you to the said bankrupt's estate amounting to the sum of \$.

on the hearing of an application by the Official Receiver or trustee for an order that (b) _____ shall attend the court at such time and place as the court shall direct for the purpose of giving evidence in the above matter, and then and there to have and produce (c) _____.

Dated this _____ day of _____ .

Registrar

Note:

This summons is issued on the application of the Official Receiver or trustee, and take notice, that if the sum of \$

, stated to be due by you to this estate, be paid to _____, Official Receiver or trustee, at _____, on or before the _____ day of _____, this summons will be discharged.

If you fail without lawful impediment to attend the court at such time and place as the court shall direct, the court may by warrant cause you to be apprehended and brought up for examination.

If you commit perjury while giving evidence in connection with this matter, you will be liable on conviction to imprisonment for 7 years and a fine.

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 113

[s. 29 & rule 25]

ADMISSION OF DEBT BY DEBTOR OF BANKRUPT

(Title)

In the matter of A.B. of _____, a bankrupt.

I, the undersigned J.K. of _____, do hereby admit that I am indebted to the said bankrupt in the sum of \$ _____ upon the balance of accounts between myself and the said bankrupt.

J.K.

Dated this day of .

Witness,

C.D., Registrar,

[or *Official Receiver*]

Form 114

[s. 29 & rule 25]

ORDER TO PAY DEBT

(Title)

Whereas on the examination before the court of *J.K.* of _____, it has appeared to the court that the said *J.K.* is indebted to the said bankrupt in the sum of \$ _____, on the balance of accounts between him and the bankrupt; it is ordered that the said *J.K.* do pay to the trustee of the property of the bankrupt, in full discharge of the said sum the sum of \$ _____ forthwith [*or if otherwise state the time and manner of payment*], and do further pay to the said trustee the sum of \$ _____ for costs.

Dated this _____ day of _____.

Registrar

(*L.N. 81 of 1998*)

Form 115

[s. 29 & rules 26 & 28]

WARRANT TO APPREHEND A PERSON SUMMONED UNDER SECTION 29

(Title)

To the Bailiff of the High Court of Hong Kong and his assistants and to all police officers of Hong Kong and to the Commissioner of Correctional Services.

Whereas by summons dated the _____ day of _____, and directed to *A.B.*, of _____ [*or F.M.*, of _____], the said *A.B.* [*or F.M.*] was required personally to be and appear on the _____ day of _____ at _____ o'clock in the _____ noon at the court to be examined [and produce such document as hereinafter mentioned] which said summons was afterwards on the _____ day of _____ as hath been proved upon oath duly served upon the said _____ and a reasonable sum was tendered him for his expenses, and whereas the said _____ having no lawful impediment made known to and allowed by the court at the time of its sitting hath refused to appear before the court at the time appointed [and/or hath refused to produce a document in his custody or power relating to the bankrupt, his dealings, or property which the court has required him to produce]. These are, therefore, to require and authorize you and every of you, the said bailiff and your assistants and police officers and constables immediately upon receipt hereof to take the said *A.B.* [*or*

F.M.], and bring him before this court at such time and place as this court shall direct, in order to his being examined as aforesaid, and in the meantime him safely to keep or deliver to the Commissioner of Correctional Services and forthwith, after such taking and delivery, to report the same to the court, and obtain its direction or order fixing a day, time and place for the examination of the said *A.B.*

[or F.M.], and you the said Commissioner of Correctional Services to receive the said A.B. [or F.M.], and him safely keep in prison and in your custody to await the direction or order of the court, and to produce him before the court at such time and place as shall be specified in such direction or order, and for so doing this shall be a sufficient warrant to you and every of you.

Dated this day of .

Registrar

(L.N. 232 of 1984; L.N. 81 of 1998; 25 of 1998 s. 2)

Form 116

[s. 29 & rule 28]

ORDER FOR PRODUCTION OF PERSON APPREHENDED UNDER WARRANT UNDER
SECTION 29 FOR EXAMINATION BEFORE THE COURT

(Title)

Upon report made to the court the day of , that A.B. has been apprehended under a warrant issued by the court on the day of , it is ordered that the Commissioner of Correctional Services do cause the said A.B. to be brought in custody before the court sitting on the day of at o'clock in the noon for examination before the court, and in the meantime to be safely kept, and afterwards if the court shall so direct to be taken back to prison and there safely kept pursuant to the said warrant.

Dated this day of .

Registrar

(L.N. 232 of 1984)

Form 117

[rule 127]

REGISTER OF ASSIGNMENT OF BOOK DEBTS

Satisfaction entered*	No.	Assignor			Assignee			Nature of assign-ment	Consid-eration	Date	Date of regist-ration	Remarks
		Name	Address	Occu-pation	Name	Address	Occu-pation					

* For use only in case of assignment by way of security or other charge.

(L.N. 232 of 1984)

Form 118

[s. 43E & rule 128]

NOTICE OF APPLICATION FOR INCOME PAYMENT ORDER

(Title)

To A.B.

Take notice that I intend to apply to the court on the
day of , at o'clock in the noon, for an order
under section 43E of the Bankruptcy Ordinance (Chapter 6) for the payment of a part
of your pay [*or salary or income*] to me as trustee for the benefit of the creditors under
your bankruptcy. Unless at least 7 days before the date fixed for the hearing you send to
the court and to me written consent to an order being made in the terms of the
application, you are required to attend the hearing; and if you attend, you will be at
liberty to show cause why the order should not be made, or an order should be made
otherwise than as applied for by me.

Dated this day of , .

G.H., Trustee
(L.N. 81 of 1998)

Form 119

(Omitted as spent)

Form 120

[rule 128A(1)]

ORDER FOR INCOME CLAIMED UNDER SECTION 43E(3)(a)
OF THE BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

in chambers

(a) Insert full name and
address of applicant.

Upon the application of (a)

And upon hearing

- (b) Delete as applicable.
(c) Insert total amount to be paid.

(b) [And upon the consent of the above-named bankrupt] it appears to the court that the sum of \$(c) should be paid by the above-named bankrupt by (d)

- (d) Insert intervals at which instalments are to be paid e.g. weekly/monthly and amount to be paid in each instalment.

to the trustee until (e)

It is ordered that the above-named bankrupt to pay (d)

out of his income, the first of such instalments to be made on or before (f)

- (e) Insert date to which order is to remain in force.

- (f) Insert date of first payment.

And it is ordered that the above-named bankrupt do send the payments to (g)

- (g) Insert name and address of trustee to whom payments are to be sent.

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 121

[rule 128A(2)]

ORDER FOR INCOME CLAIMED UNDER SECTION 43E(3)(b)
OF THE BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

in chambers

- (a) Insert full name and address of applicant.

Upon the application of (a)

And upon hearing

- (b) Delete as applicable.
(c) Insert total amount to be paid.

(b) [And upon the consent of the above-named bankrupt] it appears to the court that the sum of \$(c) should be paid by the above-named bankrupt by (d)

- (d) Insert intervals at which instalments are to be paid e.g. weekly/monthly and amount to be paid in each instalment.

to the trustee until (e)

It is ordered that (f)

- (e) Insert date to which order is to remain in force.

do take (d)
out of the above-named bankrupt's income, the first of such instalments to be paid on or before (g)

And it is ordered that (f)

(f) Insert full name and address of payer. do send the sums deducted to (h)

(g) Insert date of first payment.

(h) Insert name and address of trustee to whom payments are to be sent.

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 122

(Omitted as spent)

Form 123

[s. 59 & rule 130]

NOTICE TO LANDLORD OF INTENTION TO DISCLAIM LEASEHOLD
PROPERTY NOT SUBLET OR MORTGAGED

(Title)

(a) *lease or tenancy as the case may be.* Take notice that I intend to disclaim the (a)
dated _____ whereby (b)
(b) *Here specify property let.* was let to the above-named bankrupt as a rent of \$ _____

If you require the matter to be brought before the court, you must give notice thereof to me in writing within 7 days of the receipt by you of this notice.

Dated this _____ day of _____ .

Trustee

To
The landlord of the above-mentioned
property

Form 124

[s. 59 & rule 130]

NOTICE OF INTENTION TO DISCLAIM LEASEHOLD PROPERTY
SUBLET OR MORTGAGED

(Title)

(a) *Here insert particulars of demised property.* Take notice that I intend to disclaim the lease dated
whereby (a)
(b) *the above-named bankrupt or as the case* was let to (b) _____ at a rent of \$ _____

If you require the matter to be brought before the court, you must give notice

thereof to me in writing within 14 days of the receipt by you of this notice.

Trustee

The landlord of the above-mentioned
premises *and*

The sub-tenant, or mortgagee

[s. 59 & rule 130]

(*Title*)

I, _____, the trustee of the property of the above-named bankrupt, hereby disclaim the (a) _____ of the premises (b) _____ which were let to the above-named bankrupt (c) _____ at a rent of \$ _____ per _____

Notice of this disclaimer has been given to (d)

Dated this day of .

Trustee
(G.N.A. 124 of 1955)

[s. 59 & rule 130]

114

(Title)

Pursuant to notice dated the _____ day of _____, addressed to
(a) *Here insert names and addresses of persons to whom notice of intention to disclaim has been given.* (a) _____ I, _____, the trustee of the property of the above-named bankrupt, hereby disclaim the lease dated the _____ day of _____, whereby (b) were let to (c) _____ at a rent of \$ _____ for a term of _____
(b) *Here insert particulars of demised property.* Notice of this disclaimer has been given to (d) _____
(c) *the above-named bankrupt or as the case may be.* Dated this _____ day of _____.
(d) *Insert names and addresses of persons to whom notice of disclaimer has been given.* _____

Trustee

(Address)

Form 127

[s. 59 & rule 130]

DISCLAIMER OF LEASE WITH LEAVE OF COURT

(Title)

Pursuant to an order of court dated the _____ day of _____, I, _____, the trustee of the property of the above-named bankrupt, hereby disclaim all interest in the lease dated the _____ day of _____, whereby the premises (a) _____ were demised to _____ at a rent of \$ _____ per annum, for a term of _____
(a) *Insert description of the property disclaimed.*

Notice of this disclaimer has been given to _____

Dated this _____ day of _____.

Trustee

Form 128

[s. 59 & rule 130]

NOTICE OF DISCLAIMER WITHOUT LEAVE OF COURT

(Title)

(a) the lease dated the day of or as the case may be.
(b) Insert description of property disclaimed.
(c) on a tenancy or for a term of years or as the case may be.
(d) Add where necessary pursuant to notice dated the day of

Take notice that, by writing under my hand, bearing date the day of , I, , the trustee of the property of the above-named bankrupt, disclaimed (a) of the premises known as (b) which were let to (c) at a rent of \$ per (d)

The above-mentioned disclaimer has been filed in court with the proceedings in the bankruptcy [and has been registered in the Land Registry].

Your attention is directed to the provisions of the Bankruptcy Ordinance (Chapter 6) on the back hereof.

Dated this day of .

Trustee

To

(Address)

NOTE—On the back of this notice the provisions of subsections (2) and (6) of section 59 of the Bankruptcy Ordinance should appear.

(G.N.A. 124 of 1955; 8 of 1993 s. 30; 20 of 2002 s. 5)

Form 129

[s. 59 & rule 130]

NOTICE OF DISCLAIMER OF LEASE WITH LEAVE OF COURT

(Title)

Take notice that pursuant to an order of court dated the day of , I, , the trustee of the property of the above-named bankrupt, by writing under my hand bearing date the day of disclaimed all interest in the lease dated the day of , whereby the premises were demised to at a rent of \$ per annum, for a term of .

The above-mentioned disclaimer has been filed in court with the proceedings in the bankruptcy [and has been registered in the Land Registry].

Dated this day of .

Trustee

To

(Address)

(G.N.A. 124 of 1955; 8 of 1993 s. 30; 20 of 2002 s. 5)

Form 130

[s. 59 & rule 130]

FORM OF NOTICE BY LANDLORD OR OTHER PERSON
REQUIRING TRUSTEE TO BRING MATTER OF INTENDED
DISCLAIMER OF PROPERTY BURDENED WITH
ONEROUS COVENANTS BEFORE THE COURT

(Title)

To:

Trustee of the property of the above-named bankrupt

Sir,

I hereby give you notice that the bankrupt was, at the date of the bankruptcy order, interested as lessee [*or as the case may be*] in the property described in the schedule to this notice, and that as such lessee [*or as the case may be*] the bankrupt was liable in respect of [*set out nature of the bankrupt's liability*] which liability has devolved on you as trustee in bankruptcy of his property, and I hereby require you to bring the matter of your intended disclaimer of the bankrupt's interest in the said property before the court.

I am, etc.,

(Signature)

[*State how interested in the property*]

SCHEDULE to notice when given by lessor

Date of lease	Names, addresses and descriptions of parties to lease	Full description of property leased	Term and rent	Date of assignment to bankrupt (if any)	Names and addresses of parties to assignment (if any)	Particulars of any notices of mortgage of lease by bankrupt

SCHEDULE to notice when given by mortgagee or assignee

[illegible]

(L.N. 81 of 1998)

Form 131

[s. 82(3) & rule 174]

APPLICATION FOR DIRECTIONS BY TRUSTEE

(*Title*)

I desire to make application to the court for its directions [*here state the particular matter in relation to which they are sought*].

Trustee

Let this application be heard on the _____ day of _____, at _____ o'clock in the _____ noon, and let the trustee give notice to [*here insert the persons to whom it is to be given*].

Dated this day of .

Registrar

Form 132

ORDER ON APPLICATION OF TRUSTEE FOR DIRECTIONS

(Title)

Whereas at a court held [*or in chambers*] this day the trustee of the property of the bankrupt applied to the court for its directions [*here state the particular matter in relation to which they are sought*]. Now upon hearing *C.D.*, of _____ on the matter, it is ordered

[*here set out the order*], and that the trustee do pay out of the property of the bankrupt the sum of _____ the costs of this order, [and the sum of _____ to *C.D.* for his costs] [*or that C.D. do pay the sum of _____ the costs of this order*].

Dated this _____ day of _____ .

Registrar

Form 133

(Repealed L.N. 81 of 1998)

Form 134

[rule 144]

CREDITOR'S PETITION FOR ADMINISTRATION OF ESTATE
OF DECEASED DEBTOR UNDER SECTION 112

(Title)

I, *C.D.*, of _____ [*or We, C.D.*, of _____
, and *E.F.* of _____], hereby petition the court that an order be made for the administration in bankruptcy of the estate of the late [*here insert name and description of deceased debtor*] who died on the _____ day of _____, and say—

1. That the said *A.B.* at some time within 3 years immediately preceding his death was ordinarily resident or had a place of residence or carried on business in Hong Kong.

2. That the estate of the said *A.B.* is justly and truly indebted to me [*or us in the aggregate*] in the sum of \$ _____ [*set out amount of debt or debts and the consideration*].

3. That [I] do not nor does any person on [my] behalf hold any security on the said deceased debtor's estate, or on any part thereof, etc. [*or as in Form No. 10,*

Creditor's petition].

4. That the estate of the said *A.B.* is according to my information and belief insufficient to pay his debts.

5. That the will of the said *A.B.* was on the
day of , proved by *J.S.*, of , and *G.H.*, of

or

That letters of administration were on the day of , granted
to *J.S.*, of , and *G.H.*, of

or

That no probate or administration in respect of the said estate has been applied for.

Dated this day of .

C.D.

E.F.

Signed by the petitioner in my presence.

Signature of witness

Address

Description

ENDORSEMENT

This petition having been presented to the court on the day
of , it is ordered that this petition shall be heard at on
the day of , at o'clock in the noon.

If you, the said *J.S.* or *G.H.*, intend to show cause against the petition, you must file with the Official Receiver a notice showing the grounds upon which you intend to show cause, and post a copy of the notice to petitioner or his solicitor, in each case 3 days before the day on which the petition is to be heard.

Registrar

(*L.N. 81 of 1998*)

Form 135

[s. 112(9) & rule 144]

PETITION BY LEGAL PERSONAL REPRESENTATIVE OR OFFICIAL

ADMINISTRATOR FOR ORDER OF ADMINISTRATION
UNDER SECTION 112

(Title)

I, C.D. of _____, [or We, C.D., of _____, and
E.F., of _____]

], hereby petition the court that an order be made for the
administration in bankruptcy of the estate of the late [here insert name and
description of deceased debtor], who died on the _____ day of _____
, and say—

1. That I am the Official Administrator of the estate [or I am/we are] the
legal personal representative [or representatives] of the said [debtor] and that his
will was on the _____ day of _____, proved by
[or that letters of administration of his estate were on the _____ day
of _____, granted to _____].

2. That the said A.B. at some time within 3 years immediately preceding his
death was ordinarily resident or had a place of residence or carried on business in
Hong Kong.

3. That the estate of [debtor] is according to my [or our] information and
belief insufficient to pay his debts.

(Signed)

Signed by the petitioner in my presence.

Signature of witness

Address

Description

(G.N.A. 124 of 1955; L.N. 81 of 1998)

Form 136

[s. 112(4) & rule 146]

ORDER FOR ADMINISTRATION IN BANKRUPTCY OF ESTATE OF
DECEASED DEBTOR UPON PETITION

(Title)

Upon the petition of C.D., dated _____, and numbered _____ of _____,
and upon reading _____

and hearing _____, it is ordered that the estate of A.B.,
of _____, who died insolvent, be administered in bankruptcy, and that the
Official Receiver be the trustee, and the costs of this application be

Dated this day of .

Registrar

Form 137

[s. 94 & rule 169]

STATEMENT TO ACCOMPANY APPLICATION FOR RELEASE

(Title)

Statement showing the position of estate at the date
of application for release

	\$	\$
Receipts		
Cash found		
Bank balance		
Refund of utility deposits		
Receipts for termination of insurance policies		
Proceeds from Court		
Proceeds of sale		
Book debts collected		
Payment by debtor/bankrupt		
Others		
NET REALIZATIONS		_____
Money paid by third party		
Less: Refund		
Petitioner's deposit	_____	
Less: Refund		
Distrain money	_____	
Less: Refund	_____	_____
Payments		
Petitioner's taxed costs		
Court fees and taxing fees		
Gazetting and advertising charges		
Travelling expenses and transportation charges		
Professional fees		
Photocopying charges		
Official Receiver's fees		
Trustee's remuneration		

	Distribution to creditors	
	Preferential payment	_____ %
	Deferred preferential payment	_____ %
(a) First or final or as the case may be. If more than one payment was made, state each payment separately.	Ordinary dividend (a)	_____ %
	Deferred ordinary dividend	_____ %
	Storage charges	
	Others	_____

Balance

NOTES:

1. There are no further assets to be realized and no further payments to be made to creditors.
2. Creditors — _____ (b) preferential creditors\$
_____ (b) ordinary creditors\$
\$ _____
3. Creditors can obtain any further information by enquiry at the office of the trustee (add here the trustee's address, contact telephone number and contact person).

Dated this _____ day of _____ .

Trustee
(L.N. 125 of 2007)

Form 138

[s. 67 & rule 123]

NOTICE TO CREDITORS OF INTENTION TO DECLARE DIVIDEND

(Title)

(a) Insert here first or second or final or as the case may be.

A (a) dividend is intended to be declared in the above matter. You are mentioned in the bankrupt's statement of affairs, but you have not yet proved your debt.

If you do not prove your debt by the _____ day of _____ , you will be excluded from this dividend.

Dated this _____ day of _____ .

Trustee

(Address)

(L.N. 81 of 1998)

Form 139

[s. 67 & rule 123]

NOTICE TO PERSONS CLAIMING TO BE CREDITORS OF
INTENTION TO DECLARE FINAL DIVIDEND

(Title)

Take notice that a final dividend is intended to be declared in the above matter, and that if you do not establish your claim to the satisfaction of the court on or before the day of , or such later day as the court may fix, your claim will be expunged, and I shall proceed to make a final dividend without regard to such claim.

Dated this day of .

Trustee

(Address)

Form 140

(Repealed L.N. 81 of 1998)

Form 141

[s. 67 & rule 123]

NOTICE OF DIVIDEND

(Title)

(Please bring this dividend notice with you)

Dividend of *per cent*

Notice is hereby given that a dividend of *per cent* has been declared in this matter, and that the same may be received at my office, as above, on the day of , or on any subsequent between the hours of and

Upon applying for payment *this notice must be produced entire* together with any bills of exchange, promissory notes or other negotiable securities held by you. If you do not attend personally you must fill up and sign the subjoined forms of

receipt and authority, when a cheque or money order payable to your order will be delivered in accordance with the authority.

Dated this day of .

(Signed)

*G.H.,
Trustee*

To

RECEIPT

Received of
me/us in respect of the
dividend of

the sum of \$, being the amount payable to
per cent on my/our claim against this estate.

\$

(Creditor's signature)

AUTHORITY

G.H. Sir,

(a) Strike out words inapplicable. If *not* to be sent by post strike out words in italics, and insert the name of the person who is to receive the cheque or money order.

Please deliver (a) *to me/us by post, at my/our risk or* (a) to the bearer,
Mr. the cheque or money order for the dividend payable to me/us in this
matter.

(Creditor's signature)

(Date)

To, *G.H.*, Trustee

(G.N.A. 124 of 1955; 31 of 1981 s. 65)

Form 142

[s. 73]

APPLICATION BY CREDITOR FOR ORDER FOR TRUSTEE TO PAY DIVIDEND WITHHELD AND ORDER THEREON

(Title)

I, *F.K.*, of , make application to this court for an order to be made upon the trustee to pay the dividend in this bankruptcy due to me, with interest thereon for the time it has been withheld from me, that is to say, from the day of , on which day I applied to the trustee for its payment to me, and also to pay to me the costs of this application.

Dated this day of .

F.K.

ORDER

Upon the reading of this application, and upon hearing , it is ordered that the trustee do forthwith pay to the said *F.K.* the sum of \$, the amount of such dividend.

And it is further ordered that the trustee do pay to the said creditor at the same time the sum of , for interest on such dividend, being at the rate specified under section 49 of the High Court Ordinance (Cap. 4) for the time that its payment has been withheld, together with a further sum of for the costs of this application.

Dated this day of .

Registrar

[If the court does not order payment, then after the words it is ordered insert the order made.]

(L.N. 81 of 1998; L.N. 125 of 2007)

Form 143

REQUEST TO DELIVER BILL FOR TAXATION

(Title)

(a) Here state capacity in which person employed or engaged.

I hereby request that you will, within 7 days of this date or such further time as the court may grant, deliver to me for taxation by the Registrar your bill of costs [or charges] as (a) failing which I shall, in pursuance of the Ordinance, proceed to declare and distribute a dividend without regard to any claim you may have against me or against the estate of the debtor.

Dated this day of .

*G.H.,
Trustee*

Form 144

ALLOCATUR FOR COSTS OF DEBTOR'S PETITION

(Title)

I hereby certify—

1. That I have taxed the bill of costs of _____, the debtor's solicitor, for filing the petition herein, and have allowed the same at the sum of \$ _____.

(a) is or is not.

2. That the deposit of _____ paid to the Official Receiver on the filing of the petition (a) _____ included in the above-mentioned sum.

3. That credit has been given in the said bill for the sum of _____ received on account of such costs.

Dated this _____ day of _____.

\$ _____

Registrar

Form 145

[rule 190]

CERTIFICATE BY CREDITORS' COMMITTEE AS TO AUDIT OF
TRUSTEE'S ACCOUNT

We, the undersigned, members of the Creditors' committee in the matter of _____, a bankrupt, hereby certify that we have examined the foregoing account with the vouchers, and that to the best of our knowledge and belief the said account contains a full, true and complete account of the trustee's receipts and payments on account of the estate.

Dated this _____ day of _____.

A.B. }
C.D. } Creditors' Committee
E.F. }

(L.N. 81 of 1998)

Form 146

[s. 93 & rule 191(3)]

AFFIDAVIT VERIFYING TRUSTEE'S ACCOUNT

(Title)

I, G.H., of _____, the trustee of the property of the above-named bankrupt, make oath and say—

* If no receipts or
payments, strike out the

That **the account hereunto annexed marked B contains a full and true account of my receipts and payments on account of the bankrupt's estate* from

the day of to the day of inclusive, **and that* I have not, nor has any other person by my order or for my use during such period, received or paid any moneys on account of the said estate **other than and except the items mentioned and specified in the said account.*

G.H., Trustee

[rule 168]

(*Title*)

RECEIPTS				PAYMENTS			
Date		\$	<i>¢</i>	Date		\$	<i>¢</i>

(Date)

Dated this day of .

[or *Member of the Creditors' Committee*]

(L.N. 81 of 1998)

Form 148

[rule 168]

PROFIT AND LOSS ACCOUNT (TRADING ACCOUNT)

(Title)

PROFIT AND LOSS ACCOUNT

Dr.				Cr.			
Stock on hand on day of				Sales			
Purchases				Other receipts, if any			
Trade expenses, viz-							
	\$	¢		Stock on hand on day of			
Rent and taxes							
Wages							
Miscellaneous							
Balance being profit							

[s. 88 & rule 176]

(*Title*)

[illegible]

(Signature)

Dated this day of .

[rule 182]

(Title)

I, _____ of _____, make oath and say as follows—

1. The account hereunto annexed marked with the letter “A”, produced and shown to me at the time of swearing this my affidavit, and purporting to be my account as special manager of the estate or business of the above-named debtor [bankrupt], contains a true account of all and every sums and sum of money received by me or by any other person or persons by my order or to my knowledge or belief for my use on account or in respect of the said estate or business.

2. The several sums of money mentioned in the said account hereby verified to have been paid or allowed have been actually and truly so paid and allowed for the several purposes in the said account mentioned.

3. The said account is just and true in all and every the items and particulars therein contained according to the best of my knowledge and belief.

Sworn, etc.

(Signature)

(L.N. 81 of 1998)

NOTICE TO CREDITORS OF INTENTION TO APPLY FOR RELEASE

(Title)

Take notice that I, the undersigned trustee [*or* late trustee] of the property of the bankrupt, intend to apply to the court for my release, and further take notice that any objection you may have to the granting of my release must be notified to the court within 21 days of the date hereof.

A summary of my receipts and payments as trustee is here annexed.

Dated this day of .

Trustee

To

K.L.,
Creditor

NOTE—Section 94(3) of the Bankruptcy Ordinance (Chapter 6) enacts that “An order of the court releasing the trustee shall discharge him from all liability in respect of any act done or default made by him in the administration of the affairs of the bankrupt, or otherwise in relation to his conduct as trustee, but any such order may be revoked on proof that it was obtained by fraud or by suppression or concealment of any material fact.”

APPLICATION BY TRUSTEE TO COURT FOR RELEASE

(Title)

I, *G.H.*, the trustee of the property of the bankrupt, do hereby report to the court as follows—

1. That the whole of the property of the bankrupt has been realized for the benefit of his creditors [and a dividend to the amount of *per cent* has been paid as shown by the statement hereunto annexed];

[*or* That so much of the property of the bankrupt as can, according to the joint opinion of myself and the Creditors' committee, hereunto annexed in writing under our hands, be realized without needlessly protracting the bankruptcy, has been

realized as shown by the statement hereunto annexed, and a dividend to the amount of
per cent has been paid];

[*or* That a voluntary arrangement has been approved by a meeting of creditors summoned under section 20E of the Bankruptcy Ordinance.]

2. I therefore hereby apply to the court for my release.

Dated this day of .

G.H.,
Trustee
(*G.N.A. 124 of 1955; L.N. 81 of 1998*)

Form 154

[rule 195]

NOTICE OF TRANSFER OF SEPARATE ESTATE TO JOINT ESTATE FOR GAZETTE

(*Title*)

Notice is hereby given that there being in the hands of the trustee in the above bankruptcy a surplus estimated at \$ arising from the separate estate of [*name of separate partner*] one of the bankrupts, and there being no separate creditors of such bankrupt, it is the intention of such trustee, at the expiration of days from the appearance of this notice in the *Gazette*, to transfer such surplus to the credit of the joint estate in the said bankruptcy.

Dated this day of .

Trustee

Form 155

[rule 47]

APPLICATION TO SET ASIDE A STATUTORY DEMAND

(*Title*)

(a) Insert name and
address of person to attend
hearing.

Let (a)

attend before as follows—

Date _____
Time _____ hours
Place _____

(b) Insert name of debtor. on the hearing of an application by (b)
the applicant for an order that the statutory demand dated
be set aside.

(c) Insert date. The grounds on which the applicant claims to be entitled to the order are set
out in the affidavit of the applicant sworn on (c)
a copy of which affidavit accompanies this application.

(d) State the names and addresses of the persons to be served. The names and addresses of the persons upon whom this application should
be served are—(d)

(e) State the applicant's address for service. The bankrupt's address for service is—(e)

Dated this day of .

Signed _____

(Solicitor for the) Applicant

If you do not attend, the court may make such order as it thinks fit.

(L.N. 81 of 1998)

Form 156

[rule 48]

ORDER SETTING ASIDE STATUTORY DEMAND

(Title)

(a) Insert name and address of applicant. Upon the application of (a) _____

and upon hearing _____
and upon reading the evidence.

It is ordered that the statutory demand dated _____
be set aside.

(b) Insert details of any further order in the matter. And it is ordered that (b) _____

Dated this day of .

Registrar

Form 157

[s. 30D(1)]

ORDER UNDER SECTION 30D(1) OF THE BANKRUPTCY
ORDINANCE (CHAPTER 6)

(Title)

in chambers

(a) Insert name, address
and description of
applicant.

Upon the application of (a)

And upon hearing

And upon reading the evidence filed

It is ordered that—

(b) Insert name and
address of Inland Revenue
Official who is to produce
the documents.

(b)

(c) Delete as applicable.

do produce to the court (c) [the following documents (d)—] [the documents set out in
the schedule to this order]

(d) Insert description of
documents to be produced.

(c) [by (e)]

(e) Insert any
requirements as to the
manner in which the
documents are to be
produced.

within (f)

(f) Insert time within
which production required
(not less than 21 days after
the date of the order).

Dated this day of .

Registrar
(L.N. 81 of 1998)

Form 158

[s. 30D(3)]

section 30D(1) of the Bankruptcy Ordinance (Chapter 6) be disclosed to—(d)

And for an order that the above-named be at liberty to inspect and peruse the documents so produced and to make notes of the contents thereof and to be entitled to be supplied with copies thereof on payment of the proper charges.

(e)

Dated this day of .

[Official Receiver and] (a) *Trustee*
(L.N. 81 of 1998; 23 of 2004 s. 56)

Form 160

[s. 30D(1)]

APPLICATION FOR ORDER UNDER SECTION 30D(1) OF
THE BANKRUPTCY ORDINANCE (CHAPTER 6)

(Title)

I, _____, the [Official Receiver and] (a) trustee of the property of _____ hereby apply for an order that the Commissioner of Inland Revenue shall produce to the Court (a) [the following documents] (b) [the documents set out in the schedule to this order]

Revenue shall produce to the Court (a) [the following documents] (b) [the documents set out in the schedule to this order]

(b) [by (c)]

within (d)

Dated this day of .

[Official Receiver and] (a) *Trustee*
(L.N. 81 of 1998)

AFFIDAVIT IN SUPPORT OF APPLICATION TO SET ASIDE
STATUTORY DEMAND

(Title)

(a) Insert name, address and description of person making the oath.

I, (a) _____

make oath and say as follows—

(b) Insert date.

1. That on (b) _____ the statutory demand exhibited hereto and marked “A” came into my hands.

(c) Insert one of the 8 following possibilities or if none of them is applicable state grounds on which you consider the statutory demand should be set aside.

2. That I (c)

(1) “Do not admit the debt because ...” [here state grounds]; or

(2) “Admit the debt but not that it is payable immediately” [state reason]; or

(3) “Admit the debt as to \$ _____, and that this is payable but that the remainder is not immediately payable. I am prepared to pay the amount of \$ _____, immediately” [state reason]; or

(4) “Admit the debt and am prepared to secure or compound for it to the creditor’s satisfaction by ...” [state nature of satisfaction]; or

(5) “Say that the debt is a secured debt” [give full details of security and its value]; or

(6) “Have a counterclaim (or set-off or cross demand) for \$ _____ being a sum equal to (or exceeding) the claim in respect of” [here state grounds of counterclaim etc.]; or

(7) “Say that execution on the Judgment of the Court has been stayed” [give details]; or

(8) “Say that the demand does not comply with the Bankruptcy Rules (Cap. 6 sub. leg. A) in that ...” [state reason].

Sworn at _____

Date _____

Before me _____

Signature _____

(L.N. 81 of 1998)

STATUTORY DEMAND UNDER SECTION 6A(1)(a) OF THE BANKRUPTCY ORDINANCE (CHAPTER 6) DEBT
FOR LIQUIDATED SUM PAYABLE IMMEDIATELY FOLLOWING A JUDGMENT OR ORDER OF THE COURT

(Title)

Warning

- This is an important document. You **must** deal with this demand within 21 days of its service upon you or you could be made bankrupt and your property and goods taken away from you. Please read this demand and notes carefully.
- If you are in any doubt about your position, you should seek advice **immediately** from a solicitor.
- There are additional notes overleaf.

Demand

To _____
Address _____

This demand is served on you by the creditor—

Name _____
Address _____

The creditor claims that you owe the following debt and that it is payable immediately and, to the extent of the sum demanded, is unsecured—

When incurred	Description of debt	Amount due as at the date of this demand
(1)	(2)	(3)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Amount of Debt \$

By a Judgment/order of the _____ court in proceedings entitled Number _____ between Plaintiff and _____ Defendant it was adjudged/ordered that you pay to the Plaintiff creditor the sum of \$ _____ and \$ _____ for costs.

Notes for Creditor

- If the creditor is entitled to the debt by way of assignment, details of the original creditor and any intermediary assignees should be given in Part C on page 2.
- If the amount of debt includes interest, details should be given in column (2), including the grounds upon which interest is charged. The amount of interest must be shown separately in column (3).
- Any other charge accruing due from time to time may be claimed. The amount or rate of the charge must be identified and the grounds on which it is claimed must be stated.
- In either case the amount claimed must be limited to that which has accrued due at the date of the demand.

The creditor demands that you pay the above debt or compound for it to the creditor's satisfaction.

Signature _____

Name

(BLOCK LETTERS) _____

Date _____

Position with or relationship to creditor _____

Address _____

Tel. No. _____

Ref. No. _____

NB The person making the demand must complete the whole of this page and Parts A, B and C on page 2.

- If the creditor holds any security the amount of debt should be the sum the creditor is prepared to regard as unsecured for the purposes of this demand. Brief details of the total debt should be included in column (2), and the nature of the security and the value put upon it by the creditor, as at the date of the demand, must be specified.
- If signatory is a solicitor or other agent of the creditor the name of his/her firm should be given.

Part A

Appropriate court for setting aside demand

Any application by you to set aside this demand should be made to the Court of First Instance.

Part B

The person or persons to whom any communication regarding the demand may be addressed is/are—

Name and

Address

Tel. No.

Part C

For completion if the creditor is entitled to the debt by way of assignment.

	Name	Date(s) of Assignment
Original creditor		
Assignees		

How to comply with a statutory demand or have it set aside

If you wish to avoid a bankruptcy petition being presented against you, you must pay the debt set out on page 1 of this notice within the period of 21 days of service upon you. Alternatively, you can attempt to come to a settlement with the creditor. To do this you should—

- inform the person or persons (or one of the persons) named in Part B above immediately that you are willing and able to offer security for the debt to the creditor's satisfaction; or
- inform the person or persons (or one of the persons) named in Part B immediately that you are willing and able to compound for the debt to the creditor's satisfaction.

If you dispute the demand in whole or in part you should—

- contact the person or persons (or one of the persons) named in Part B immediately.

If you consider that you have grounds to have this notice set aside or if you do not receive a satisfactory written reply from the person or persons (or one of the persons) named in Part B before the expiration of 18 days after the service you should—

- apply without delay to the Court of First Instance to have the notice set aside.

Remember: **You have only 21 days from the date of service on you of this document before the creditor may present a bankruptcy petition.**

(L.N. 81 of 1998)

STATUTORY DEMAND UNDER SECTION 6A(1)(a) OF THE BANKRUPTCY ORDINANCE (CHAPTER 6) DEBT
FOR LIQUIDATED SUM PAYABLE IMMEDIATELY

(Title)

Warning

- This is an important document. You **must** deal with this demand within 21 days of its service upon you or you could be made bankrupt and your property and goods taken away from you. Please read this demand and notes carefully.
- If you are in any doubt about your position, you should seek advice **immediately** from a solicitor.
- There are additional notes overleaf.

Demand

To _____
Address _____

This demand is served on you by the creditor—

Name _____
Address _____

The creditor claims that you owe the following debt and that it is payable immediately and, to the extent of the sum demanded, is unsecured—

When incurred	Description of debt	Amount due as at the date of this demand
(1)	(2)	(3)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Amount of Debt \$

The creditor demands that you pay the above debt or compound for it to the creditor's satisfaction.

Signature _____

Notes for Creditor

- If the creditor is entitled to the debt by way of assignment, details of the original creditor and any intermediary assignees should be given in Part C on page 2.
- If the amount of debt includes interest, details should be given in column (2), including the grounds upon which interest is charged. The amount of interest must be shown separately in column (3).
- Any other charge accruing due from time to time may be claimed. The amount or rate of the charge must be identified and the grounds on which it is claimed must be stated.
- In either case the amount claimed must be limited to that which has accrued due at the date of the demand.
- If the creditor holds any security the amount of debt should be the sum the creditor is prepared to regard as unsecured for the purposes of this

Name
(BLOCK LETTERS) _____

Date _____

Position with or relationship to creditor _____
_____ (duly authorized)

Address _____

Tel. No. _____

Ref. No. _____

NB The person making the demand must complete the whole of this page and Parts A, B and C on page 2.

demand. Brief details of the total debt should be included in column (2), and the nature of the security and the value put upon it by the creditor, as at the date of the demand, must be specified.

- If signatory is a solicitor or other agent of the creditor the name of his/her firm should be given.

Part A

Appropriate court for setting aside demand

Any application by you to set aside this demand should be made to the Court of First Instance.

Part B

The person or persons to whom any communication regarding the demand may be addressed is/are—

Name and
Address _____

Tel. No. _____

Part C

For completion if the creditor is entitled to the debt by way of assignment.

	Name	Date(s) of Assignment
Original creditor		
Assignees		

How to comply with a statutory demand or have it set aside

If you wish to avoid a bankruptcy petition being presented against you, you must pay the debt set out on page 1 of this notice within the period of 21 days of service upon you. Alternatively, you can attempt to

come to a settlement with the creditor. To do this you should—

- inform the person or persons (or one of the persons) named in Part B above immediately that you are willing and able to offer security for the debt to the creditor's satisfaction; or
- inform the person or persons (or one of the persons) named in Part B immediately that you are willing and able to compound for the debt to the creditor's satisfaction.

If you dispute the demand in whole or in part you should—

- contact the person or persons (or one of the persons) named in Part B immediately.

If you consider that you have grounds to have this notice set aside or if you do not receive a satisfactory written reply from the person or persons (or one of the persons) named in Part B before the expiration of 18 days after the service you should—

• apply without delay to the Court of First Instance to have the notice set aside.

Remember: **You have only 21 days from the date of service on you of this document before the creditor may present a bankruptcy petition.**

(L.N. 81 of 1998)

STATUTORY DEMAND UNDER SECTION 6A(2) OF THE BANKRUPTCY ORDINANCE (CHAPTER 6) DEBT
PAYABLE AT FUTURE DATE

(Title)

Warning

- This is an important document. You **must** deal with this demand within 21 days of its service upon you or you could be made bankrupt and your property and goods taken away from you. Please read this demand and notes carefully.
- If you are in any doubt about your position, you should seek advice **immediately** from a solicitor.
- There are additional notes overleaf.

Demand

To _____
Address _____

This demand is served on you by the creditor—

Name _____
Address _____

The creditor claims that you will owe the following when payment falls due on _____

When incurred	Description of debt	Amount of future debt
(1)	(2)	(3)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Amount of Debt \$

The creditor is of the opinion that you have no reasonable prospect of paying this debt when it falls due because*

Notes for Creditor

- If the creditor is entitled to the debt by way of assignment, details of the original creditor and any assignees should be given in Part C on page 2.
- If the amount of debt when due will include interest, details should be given in column (2), including the grounds upon which interest is charged.
- Any other charge accruing due from time to time may be claimed. The amount or rate of the charge must be identified and the grounds on which it is claimed must be stated.
- In either case the amount claimed must be limited to that which will have accrued due when payment falls due on the date specified.
- If the creditor holds any security the amount of debt should be the sum the creditor is prepared to regard as unsecured for the purposes of this

Signature _____

Name _____

Date _____

Position with or relationship to creditor _____

Address _____

Tel. No. _____

Ref. No. _____

NB The person making the demand must complete the whole of this page and Parts A, B and C on page 2.

demand. Brief details of the total debt should be included in column (2), and the nature of the security and the value put upon it by the creditor, as at the date of the demand, must be specified.

* Here set out the grounds for this opinion.

· If signatory is a solicitor or other agent of the creditor the name of his/her firm should be given.

Part A

Appropriate court for setting aside demand

Any application by you to set aside this demand should be made to the Court of First Instance.

Part B

The person or persons to whom any communication regarding the demand may be addressed is/are—

Name and

Address

Tel. No.

Part C

For completion if the creditor is entitled to the debt by way of assignment.

	Name	Date(s) of Assignment
Original creditor		
Assignees		

How to comply with a statutory demand or have it set aside

If you wish to avoid a bankruptcy petition being presented against you, you must within the period of 21 days of service upon you, satisfy the creditor that you are able to meet the debt demanded when it is due.

If you dispute that the debt will be due in whole or in part or if you dispute the allegation that you will be unable to pay the debt when it falls due or if you consider that you may be able to offer security for the debt or to compound for it you should—

- contact the person or persons (or one of the persons) named in Part B immediately.

If you consider that you have grounds to have this notice set aside or if you do not receive a satisfactory written reply from the person or persons (or one of the persons) in Part B before the expiration of 18 days after service you should—

• apply without delay to the Court of First Instance to have the notice set aside.

Remember: **You have only 21 days from the date of service on you of this document before the creditor may present a bankruptcy petition.**

(L.N. 81 of 1998)

Form 165

[rule 122E]

APPLICATION FOR INTERIM ORDER

(Title)

(a) Insert name and
address of person to attend
hearing.

Let (a)

attend before as follows—

Date _____

Time _____ hours

Place _____

(b) Insert name of debtor. on the hearing of an application by (b)

the applicant for an interim order pursuant to sections 20 and 20A of the Bankruptcy Ordinance (Chapter 6) on the grounds that he intends to make a proposal to his creditors for a voluntary arrangement within the meaning of section 2 of the Ordinance.

AND TAKE NOTICE that the applicant seeks an order pursuant to section 20 of the Ordinance that, whilst any interim order is pending, all actions, executions or other legal process against the property or person of the applicant be stayed.

AND FURTHER TAKE NOTICE that in support of this application there will be read the affidavit [affirmation] of the applicant sworn [affirmed] on

Signed _____

Solicitors for the applicant

(c) See rule 122E(4) of the Bankruptcy Rules (Cap. 6 sub. leg. A).

To the court and (c)

(L.N. 81 of 1998)

Form 166

[rule 122E]

AFFIDAVIT IN SUPPORT OF APPLICATION FOR INTERIM ORDER

(Title)

I, _____,

the above-named debtor MAKE OATH and say as follows—(a)

(a) For the requirements of the affidavit generally. See rule 122E of the Bankruptcy Rules (Cap. 6 sub. leg. A).

1. I make this affidavit in support of my application for an interim order under sections 20 and 20A of the Bankruptcy Ordinance (Chapter 6) and pursuant to rule 122E of the Bankruptcy Rules (Cap. 6 sub. leg. A).

2. There is exhibited hereto and marked "1" a copy of my proposal.

3. There is exhibited hereto and marked "2" a copy of the notice to my intended nominee under rule 122D of the Bankruptcy Rules (Cap. 6 sub. leg. A) endorsed to the effect that he agrees so to act.

4. The reasons for making the application are set out in my said proposal.

(b) If this process has been commenced, full particulars must be given.

5. No execution or other legal process has been commenced against me.

(b)

6. I am able to petition for my own bankruptcy.

7. No previous application for an interim order has been made by me or in respect of me in the period of 12 months ending with the date of this affidavit.

(c) Insert the name and address of the proposed nominee within the meaning of section 2 of the Bankruptcy Ordinance (Chapter 6).

8. (c) _____ of _____
is a person who is experienced in insolvency matters and is willing to act in
relation to the proposal.

Sworn at

this day of

Before me,

Form 167

[rule 122D]

NOTICE TO INTENDED NOMINEE (a)

(Title)

(a) See Rules 122D and 122E of the Bankruptcy Rules (Cap. 6 sub. leg. A).

To: _____ of _____

Pursuant to rule 122D of the Bankruptcy Rules (Cap. 6 sub. leg. A) I hereby give you notice of my proposal for a voluntary arrangement pursuant to sections 20 and 20A of the Bankruptcy Ordinance (Chapter 6).

There is delivered herewith a copy of the proposal.

Date: _____

(b) Debtor must sign in person.

Signed: (b) _____

I _____ of _____

do hereby confirm pursuant to rules 122D and 122E of the Bankruptcy Rules (Cap. 6 sub. leg. A) that—

(1) on _____ day of _____ I did receive a copy of the above notice; and

(2) I agree to act as a nominee.

Date: _____

Signed: _____

Intended Nominee

(L.N. 81 of 1998)

Form 168

[rule 122F]

INTERIM ORDER UNDER SECTION 20 OF THE BANKRUPTCY
ORDINANCE (CHAPTER 6)—ONE-STAGE PROCEDURE

(Title)

ORDER

(a) Insert full name and address of applicant.

Upon the application of (a)

And upon hearing of

And upon reading the evidence and the court having this day considered the report of the nominee submitted pursuant to section 20D of the Bankruptcy Ordinance (Chapter 6) and filed on

It is ordered that during the period of _____ days beginning with the day after the date of this order and during any extended period for which this interim order has effect—

(b) To be deleted in a Case 2 application.

(b)

- (i) no [further] bankruptcy petition relating to the above-named may be presented or proceeded with; and
- (ii) no other proceedings and no execution or other legal process may be commenced or continued against the applicant or his property except with the leave of the court.

AND IT IS FURTHER ORDERED that a meeting of the applicant's creditors be summoned to consider the applicant's proposals, such meeting as proposed by the nominee to be held on—

Date _____

Time _____ hours

Place _____

Dated this _____ day of _____ .

Registrar

(L.N. 81 of 1998)

Form 169

[ss. 20E & 20F &
rule 122N]

PROXY (INDIVIDUAL VOLUNTARY ARRANGEMENT)

† Delete title not applicable

† IN BANKRUPTCY

* Insert the name of the debtor.

or

† IN THE MATTER OF *

(A DEBTOR)

and

Notes to help completion of the form.

IN THE MATTER OF THE BANKRUPTCY ORDINANCE (CHAPTER 6)

Please give full name and address for communication.

Name of creditor _____
Address _____

Please insert name of person (who must be 18 or over) or the “chairman of the meeting”.

Name of proxy-holder _____

I appoint the above person to be my/the creditor’s proxy-holder at the meeting of creditors to be held on _____ or at any adjournment of that meeting. The proxy-holder is to propose or vote as instructed below [and in respect of any resolution for which no specific instruction is given, may vote or abstain at his/her discretion]

Voting instructions for resolutions

1. For the acceptance/rejection of the proposed voluntary arrangement [with the following modifications—]

Any other resolutions which the proxy-holder is to propose or vote in favour of or against should be set out in numbered paragraphs in the space provided below paragraph 1. If more room is requested please use the other side of this form.

This form must be signed.

Only to be completed if the creditor has not signed in person.

Signature _____ Date _____

Name in BLOCK LETTERS _____

Position with creditor or relationship with creditor or other authority for signature _____

Remember: There may be resolutions on the other side of this form.

(L.N. 81 of 1998)

(Schedule amended L.N. 125 of 2007)