

Companies Office Investment Promotion Authority

Form 43 | Form of claim by unsecured creditor

Section 352(1), Companies Act 1997

Note

This form is to be submitted to the liquidator. It is not to be submitted to the Registrar. Where a secured creditor values a security and claims as an unsecured creditor for the balance, if any, a Form 44 must be used.

If there is insufficient space on the form to supply the information required, attach a separate sheet containing the information set out in the prescribed format.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

1. Name of debtor company (in liquidation)

Company number

2. Name of creditor

Provide the full name of the creditor. If the creditor is a registered entity also provide the registration number.

Provide the residential address if the creditor is a natural person or the office address if the creditor is a registered entity.

Full legal name: Residential/Office address:

3. Full Particulars of claim

The company named in Item 1 (the "company") owes the person named in Item 2 (the "creditor") the amount described in this Item 3.

Attach a separate sheet to this form which indicates the status of the claim as at the commencement of liquidation and includes the following information:

- (a) Details of the claim expressed in kina; and
- (b) Details of the document(s) that evidence or substantiate the claim; and
- (c) Less retention of title for goods supplied by creditor to the company (describe good) or "nil" if not applicable, expressed in kina; and
- (d) Less debts owed by creditor to the company (describe debts) or "nil" if not applicable, expressed in kina; and
- (e) Total amount of the debt expressed in kina.

Note: the liquidator may require the production of documents that evidence or substantiate a claim. It is an offence under Section 352(6) of the Companies Act 1997 to make a claim which is false or misleading.

4. Declaration and signature of creditor

Note: this demand must be signed by the creditor. Where the creditor is a company it must be signed by a director. Where the creditor is another registered entity it must be signed by an appropriate authorized person.

I certify that the information in this form is true and does not omit any material particulars.

Name of creditor:

Signature of creditor:

Date:

(Please give first name(s) followed by surname in BLOCK letters)

FOR USE BY LIQUIDATOR ONLY

Date Received

	YES	NO
Claim admitted for voting purposes?		
Claim rejected for voting purposes?		

Claim for payment

Claim description	Amount (in kina)
Preferential claim admitted	
Ordinary claim admitted	
Deferred claim admitted	
Claim rejected	

Note: the liquidator must forthwith give notice to a creditor when a claim is rejected, in whole or in part.

Signature of liquidator: _____

Date:

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