

Insolvency Act 1986

NOTE:

These details will be the same as those shown at the top of your petition. Please complete this form in black ink.

In the

In Bankruptcy

No. _____ of 20 _____

Re _____

The 'Guidance Notes' Booklet tells you how to complete this form easily and correctly

Show your current financial position and supply the required information by completing all the pages of this form, which will then be your Statement of Affairs

AFFIDAVIT

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

- (a) Insert full name
(b) Insert occupation
(c) Insert full address

I (a) _____

(b) _____

of (c) _____

Make oath and say that the several pages marked

and contained in the exhibit marked "Z"

are to the best of my knowledge and belief a full, true and complete statement of my affairs at today's date.

Sworn at

Dated this ___ day of _____ 20___ Signature(s) _____

Before me _____

A Solicitor or Commissioner for Oaths or 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 crossing out or other alterations in the printed form. A deficiency in the affidavit in any of the above respects will mean it will be refused by the court, and will need to be re-sworn.

Section 1 :	Personal Details
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1.1 Surname

Forename(s)

Title (Mr, Mrs, Ms etc)

1.2 Any other names by which you have been known (such as maiden name, alias or nickname).

1.3 Date of birth

1.4 Place of birth

1.5 National insurance number

1.6 Home address

1.7 Home telephone number

1.8 Mobile telephone number

1.9 On which telephone number can you be contacted during the day?

1.10 E-mail address

1.11 Are you (tick all that apply):

Single

Co-habiting

Married

Separated

Divorced

Widowed

1.12 Are you, or in the last 5 years have you been, involved in proceedings for divorce or separation?

Yes

No

If 'No', please go to question 1.14

Section 1 cont:

Personal Details

If **Yes**, please give details including any agreed settlement whether formal or informal, and any gifts or transfers of property that occurred in those proceedings.

1.13 Name, address and reference of your solicitor in the proceedings

1.14 Have you been bankrupt before?

Yes

No

If **Yes**, when?

Which court and which Official Receiver's office dealt with the proceedings?

1.15 Have you previously entered, or have you tried to enter, into an Individual Voluntary Arrangement (a formal arrangement with your creditors, ratified by the Court, to pay them in full or part over time)?

Yes

No

If **Yes**, give the name and address of the insolvency practitioner involved and the date of the arrangement.

Section 1 cont:**Personal Details**

1.16 Are you involved in any legal proceedings?

Yes**No**

If **Yes**, please give brief details of the nature of the proceedings, the name and address of any solicitor acting for you, the name of the relevant court and any case or reference number.

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1.17 Are you, or in the last five years, have you been a director or involved in the management of a company?

Yes**No**

If '**Yes**', please give details of all the companies in question:

Name of company	If the company is subject to liquidation administration, administrative receivership or other insolvency proceedings, give details of the Official Receiver's office or insolvency practitioner dealing with the company.

Section 2 :	Business Details
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Please complete this section if you are or have been self-employed (including a partner in a partnership) at any time in the last two years. If not, go to Section 3.

2.1	What was the name of your business?		
2.2	State the type of business, trade or profession		
2.3	What was the trading address? (this should also be listed in Section 8)		
2.4	Was the business registered for VAT?	Yes	No
	If Yes , give the VAT number.		
2.5	If the business was a partnership give the name(s) and address(es) of the partner(s)		
2.6	When did the business start trading?		
2.7	If it has stopped trading, when did it do so?		
2.8	At what address are your books of account and other accounting records kept?		
2.9	If you hold records on a computer, provide details of which records are held, what software is used (including any passwords) and state where the computer is.		
2.10	What is the name and address of your accountant?		
2.11	What is the name and address of your solicitor?		

2.12 Have you employed anybody during the last two years?

Yes

No

If **Yes**, do you owe them any money or may any former employee claim that you owe them any money, e.g. for wages, holiday pay or redundancy pay?

Yes

No



Details of employees to whom money is or may be owing should be included in your list of creditors in Section 4.

Section 3:**Assets**

3.1	Details (if none owned write "NONE")	Approximate value £
1. Cash in hand		
2. Cash in bank, building society or similar account		
3. Cash held by anyone for you		
4. Money owed to you		
5. Tools of your trade		
6. Stock in trade		
7. Machinery, plant and equipment		
8. Fixtures and fittings		
9. Freehold land and property		
10. Leasehold land and property		

Section 3 cont:**Assets**

	Details	Approximate value £
11. Stocks, shares and investments		
12. Pension policies and other pension entitlements		
13. Endowment and other life policies		
14. Motor vehicles		
15. Farming stock and crops		
16. National Savings and Premium Bonds		
17. Any property or possessions abroad in which you have an interest, including timeshares		
18. Any property or sums due to you under a will or trust		
19. Any other property of any value e.g. paintings, furniture or jewellery		

Section 3 cont:	Assets
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3.2 Do you have or have you had any endowment or other life policies? **Yes** **No**

3.3 If **Yes**, give details, including details of lapsed policies.

Name and address (including postcode) of life assurance company or broker	Policy number	When was it taken out, roughly?	Type of policy	Estimated value of policy £	Name and address (including postcode) of any concern holding security over the policy
TOTAL				£	

3.4 Apart from state benefits, do you have or have you had any personal pension arrangements? **Yes** **No**

If **Yes**, give details.

Name and address of the pension company	Policy number	Roughly when did you take out the policy? How much have you paid in total?	When are the payments to you due to start?	Amount (if any) being received now, and how often/period £	Value of pension £

Section 3 cont:	Assets
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3.5 Have you in the last five years given away, transferred or sold for less than its true value any property or possessions you owned? This includes the surrender of life, endowment and pension policies. **Yes** **No**

If **Yes**, please provide the following details.

Description of the asset	When did you give away, transfer or sell the asset?	Name and address of recipient	Estimated market value or true value of the asset	Value at which the asset was given away, transferred or sold

3.6 In the last 2 years have you made any payment to a creditor, other than in the ordinary course of business, with a view to improving the position of that creditor in case you became subject to insolvency/bankruptcy proceedings? **Yes** **No**

If **Yes**, give details.

3.7 Do you own a motor vehicle or have you disposed of any vehicle in the last 12 months? (if you own a motor vehicle, this should also be listed in Q3.1) **Yes** **No**

Section 3 cont:**Assets**

If **Yes**, please provide the following details:

Make/Model	
Registration number	
Estimated value £	
Finance outstanding £	
Name of finance company	
Reference number of agreement	
Does the vehicle have a valid MOT? If yes, provide expiry date of MOT	
Insurance / Expiry date	
Give your general view on the condition of the vehicle	
Location of vehicle	
Name of any joint owner	

3.8 If you have disposed of any vehicle in the last 12 months, please specify where the vehicle is now.

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Section 3 cont:**Assets**

3.9 Do you have the use of a motor vehicle that you do not own?

Yes

No

If **Yes**, please provide the following details:

Registration number	
Owner	
Estimated value £	

3.10 Has an enforcement officer (previously known as sheriff's officer) / bailiff visited you in the last 6 months?

Yes

No

(An enforcement officer / bailiff is an officer of the court who may attend to remove assets for sale, if, for example, a judgment debt has not been paid)

If **Yes**, please provide the following details:

Name of creditor	Amount of claim £	Date distress levied	Description and estimated value of property seized

Section 5 : Bank Accounts and Credit Cards

Note: Include any current liability also shown in Section 4.

5.1 Do you have any cheque cards, cash dispenser cards, credit or charge cards, debit cards, etc?

Yes

No

5.2 If **Yes**, provide details.

Type of card	Card number	Name and address of bank or supplier	Date obtained

Yes

No

5.3 Are any of the above accounts or cards held jointly with anyone else?

If **Yes**, provide details

WARNING:

If you become bankrupt it may be possible for the Official Receiver to ask your bank or building society to release some or all of a credit balance to you if it is required for your domestic living expenses. However you should not access any account without first contacting the Official Receiver. If you become bankrupt, you must not use any credit cards or charge cards and should cut them in half and send them to the Official Receiver.

Section 5 cont: Bank Accounts and Credit Cards

Note: Include details of accounts with a debit (overdrawn) balance also shown in Section 4.

5.4 Please list any bank, building society or National Savings accounts you hold, or have held in the last two years, including any joint, business or dormant accounts.

Name and address (including postcodes) of banks etc	Account number	Tick if your regular income is paid into this account	Name of joint account-holder (if applicable)	Balance of account £

Section 6 : Employment and Present Income

The court can order that you pay part of your earnings or other income to your trustee if your income is more than you need to live on. The order is known as an Income Payments Order and is made under section 310 of the Insolvency Act 1986. Alternatively you can enter into a voluntary arrangement with the Official Receiver or trustee called an Income Payments Agreement under section 310A of the Insolvency Act 1986.

You must answer the following questions about your income and outgoings and you may be asked to provide your wage slips or salary statements and bills such as gas or electricity to support your answers. This will enable a decision to be made as to whether an Income Payments Order or an Income Payments Agreement is appropriate.

The court will not make an Income Payments Order, neither would an Income Payments Agreement be agreed, that would leave you too little income to meet the reasonable domestic needs of you and your family.

If an Income Payments Order or an Income Payments Agreement is made against you, the payments will usually stop after 3 years.

If your income increases while you are bankrupt, you must inform your trustee of the increase within 21 days.

6.1 Are you: employed self-employed unemployed

If you are unemployed, when did you last work, what was your last job and who was your last employer?

6.2 If employed, what is your job and who is your employer? What is the address of the personnel department and your pay reference number?
When did you start this job?

If self-employed, give the name and address of the business.

6.3 What is your average monthly take-home pay (include, for example, overtime, commission and bonuses).

£

Section 6 cont:**Employment and Present Income**

6.4 How much tax do you usually pay each month?

£

6.5 How much do you pay in National Insurance each month?

£

6.6 Do you receive any other income, including state benefits or tax credits?

Yes**No**

If **Yes**, state from what source (for example pension, state benefits, part-time earnings) and how much you receive each month?

£

6.7 How much do other members of your household contribute each month to the household expenses?

£

6.8 Total household income (Q6.3 + 6.6 + 6.7)

£

6.9 Give your current (or last) Income Tax reference number.

Address of tax office (including postcode)

Section 7 :**Outgoings**

The information in this section may be used to work out how much, if anything, you can afford to pay your creditors each month. It is important that it is accurate and that you include all necessary expenditure.

7.1 How much do you spend each month on the following:-

Mortgage payments or rent on your home

£

Housekeeping (including food and cleaning)

£

Gas, electricity, other heating

£

Water

£

Telephone charges

£

Travelling to and from work and other essential journeys

£

Clothing

£

Maintenance payments and fines

£

Council tax

£

Other essential payments (e.g. life/household insurance, car tax & repairs)

£

→ Provide details of these payments

Total

£



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Section 8 :**Current Property**

(including properties used for residential and business purposes)

8.1 Give details of any properties you own. (these should also be listed in Q3.1)	Address, type of property (e.g. flat, semi-detached house), number of bedrooms and whether freehold or leasehold	Approximate value of property (A) £	Name and address(es) of any joint owner(s)	Name and address of anyone who holds a charge or mortgage over your property.	Amount owing to each secured creditor (B) £	Net value of the property (A)-(B) £	What insurance is currently in force and what is its expiry date

8.2 Give details of any properties you rent or lease, either alone or jointly.	Address of property	Monthly rent £	Name and address(es) of any joint tenant(s)	Name and address of landlord

**You must take or send to the Official Receiver a copy of your lease or rent agreement.
A rent demand or rent book will help if you do not have a copy agreement.**

Section 8 cont:**Current Property**

8.3 Apart from properties that you own, rent or lease, are there any other properties in which you may otherwise have an interest?

Yes**No**

If **Yes**, give details

Address of property, type of property (e.g. flat, semi-terraced) and number of bedrooms	Who lets you use it?	How much do you pay?	Is there a written agreement?

8.4 Does anyone else have an interest in any of the properties that you own, rent or lease? This interest may be as a sub-tenant, a guarantor of the mortgage, a partner, a joint tenant, joint lessee or otherwise.

Yes**No**

If **Yes**, give details

Address of property (including postcode)	Name of person with an interest	Their address, if different from the property (including postcode) and reference	Nature of interest

Section 9 :**Property Disposed of in the last Five Years**

9.1 Give details of any properties, owned alone or jointly, that you have sold, given away or transferred in the five years before the presenting of your bankruptcy petition.

Address of property	Value of property £	When did you sell, transfer or give away the property?	To whom did you sell, transfer or give away the property?	Net sale proceeds (less any charges and legal fees) £	Details of solicitor (name and address) who acted on your behalf in the transaction

Section 10 : Members of your Household and Dependents

10.1 Give the names and ages of all occupants of your household and state which, if any, are dependent on you.

10.2 Apart from members of your household, is any other person dependent upon you?

Yes

No

If **Yes**, provide details including their name, address and reason for dependency

Section 11 :

Causes of Bankruptcy

11.1 When did you first have difficulty paying your debts?

11.2 What do you think are the reasons for you not having enough money to pay your debts? You should provide reasons to support your answer. For example, it would not be enough to state “the recession” without explaining its effect on your affairs.

11.3 Have you lost any money through betting or gambling during the last two years? **Yes**

No

If **Yes**, how much have you lost?

Section 12 :

Declaration

I hereby confirm that my answers to all the above questions (including any extra information on pages following this declaration) are to the best of my knowledge and belief a true and accurate statement of my affairs as at today's date. I understand that I may be committing a criminal offence if I deliberately give false information in relation to my bankruptcy.

Your signature

**Name in
BLOCK CAPITALS**

Date

Section 13 :**Extra Information**

Question No.

If there is insufficient space on any page, you should continue your answer to the question on this page. The question number should be given in the left-hand column.

Section 13 cont:

Extra Information

Question
No:

