



## STATEMENT OF CLAIM AND PROXY

*Bankruptcy Act 1966 Section 64D, 64E, 64ZA, 64ZC*

### Privacy

The information you are required to provide on this form is collected under, and for the purposes of, the *Bankruptcy Act 1966* or related legislation. The Australian Financial Security Authority has a privacy policy at [www.afsa.gov.au/privacy](http://www.afsa.gov.au/privacy) that provides information regarding the collection, storage, use and disclosure of personal information, including how you may: (i) access your personal information; (ii) seek to have that information corrected; and (iii) complain if you feel your privacy has been breached, along with information on how your complaint will be dealt with.

### Important Information

#### Assignment of debt

If the debt has been assigned to you (eg you purchased the debt), you need to disclose the amount you paid for this assignment. The amount you paid for the assignment determines the value of your vote. If you do not disclose the amount you paid for the assignment, you are not entitled to vote. Should a dividend be paid the full value of the debt that was assigned to you will be used to calculate the dividend. To participate in a dividend a proof of debt form must be lodged with the trustee.

#### Who can you appoint as a proxy?

You cannot appoint the debtor as your proxy. You can appoint the chairperson, president, or trustee to be your proxy without having to name that person.

If you are appointing any other person, the name of that person needs to be specified on the form. It is insufficient to state that the proxy is an officer to be nominated by any particular individual or organisation.

It is possible to nominate more than one person to be your proxy (eg if you are unsure whether a particular person will be available to attend the meeting). If the first named person on the proxy form attends the meeting only that person can vote. Any other person that you may have nominated cannot vote at the meeting.

#### Inspection of proxies

Every person attending the meeting can inspect this form.

#### Adjourned meetings

Unless the proxy is revoked by you it will be valid for any adjourned meetings and the proxy can vote in the manner directed in this form at the adjourned meetings. It will not be valid for a separate meeting unless indicated in the question "Is this proxy entitled to vote at all meetings in this administration?".

#### Receipt of financial incentives

If the meeting is to consider a proposal for a Composition/Scheme of Arrangement under section 73 or a proposal for a personal insolvency agreement under section 188, you are required to disclose any financial incentive you may have received or will receive to appoint the proxy or to direct the proxy. You are also required to name the person who paid or is to pay the financial incentive. A financial incentive is a payment made to you directly or indirectly and includes any agreement for forgoing a debt or part of a debt that you owe to another person.

### Instructions

#### Voting personally

To enable the trustee to make an assessment of your ability to vote and the value of your vote you need to complete the statement of claim on page 2. The trustee may require evidence to substantiate your claim before allowing you to vote. The statement needs to be given to the trustee at or preferably before the meeting to avoid delays.

#### Appointing a Proxy

If you wish to appoint a proxy to vote at the meeting, you must also complete the proxy details on page 3. This document must be given to the trustee at or preferably before the meeting to avoid delays.

### Administration Details

Administration number	Date of administration (DD/MM/YYYY)	Date of meeting of creditors (DD/MM/YYYY)
<input type="text"/>	<input type="text"/>	<input type="text"/>
Title	Given name/s	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
Title	Given name/s	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>

### Creditor and Claim Details

Name of creditor	ABN if applicable
<input type="text"/>	<input type="text"/>
Address	Postcode
<input type="text"/>	<input type="text"/>

Are you or your related entities related to the debtor?  No  Yes

If yes provide details of the relationship below

If you are unsure whether you or any of your entities are classed as related, general information on related entities is available on the AFSA website at [www.afsa.gov.au](http://www.afsa.gov.au)

Details of any security held

Do you hold security over any of the debtor's property?  No  Yes (please give details)

Description of secured property

Estimated value of property (\$)

### Amount Claimed

Provide brief particulars of transactions/ circumstances giving rise to your claim	Amount \$
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<b>Total amount claimed after deducting value of security (if any) \$</b>	<input type="text"/>

**Details of Assignment of Debt (refer to important information on Completing a Statement Claim and Proxy)**

Was this debt assigned to you?  No  Yes

If Yes, what consideration did you pay for the assignment? \$

Name of creditor/authorised officer of creditor

Contact number

Signature of authorised person

Date (DD/MM/YYYY)

**Warning:** A creditor must not knowingly or recklessly give a voting document to the trustee or controlling trustee that is false or misleading in a material particular. Penalty: imprisonment for six months: s263C

**Proxy Details (to be left blank if you are personally attending the meeting)**

Title  Given name/s  Surname

Address

Postcode

Is this proxy entitled to vote at all meetings in this administration?  No  Yes

Is this proxy entitled to vote on all matters?  No  Yes

If no, then the proxy can vote on the following matters (Insert items from Agenda):

AND

You may also direct the Proxy to vote as shown on the following matters	For	Against	Abstain
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

You may also direct the Proxy to vote as shown on the following matters	For	Against	Abstain
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Details of any Financial Incentive (refer to important information on Completing a Statement of Claim and Proxy)

Did you receive or will you receive any financial incentive:

- a. in return for the appointment of this proxy?  No  Yes
- b. to direct the proxy to vote in a particular manner?  No  Yes

Amount of financial incentive \$

Please give details

Who paid or is to pay this financial incentive?

Name the person or entity paying the incentive

ABN if applicable

### Creditor Details

Name of creditor/authorised officer of creditor

Contact number

Signature of authorised person

Date (DD/MM/YYYY)

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