

THE COMPANIES ACT, 1973

Annexure CM100

Master's Reference No. _____

STATEMENT OF AFFAIRS

(Section *three hundred and sixty three* of the Act.)

Name of company _____

Date of winding-up order _____

Name and address of liquidator _____

Statement of affairs on the _____ day of _____ 20 _____ the date of the winding-up order

STATEMENT OF AFFAIRS

(Section three hundred and sixty three of the Act.)

		<i>I. – As regards</i>	
LIABILITIES		R	c
Debts and liabilities			
(I) Unsecured creditors and claimants as per List “A”			
(II) Secured and preferent creditors as per List “B”			
Estimated surplus (if any) after meeting liabilities of company, subject to costs of liquidation			
	R		

The nominal amount of unpaid capital liable to be called up is R _____

		<i>II. – As regards</i>	
		R	c
Capital issued and allotted:-			
Founders shares of R _____ per share			
Ordinary shares of R _____ per share			
Preference shares of R _____ per share			
Particulars of any other capital			
Less unpaid calls estimated to be irrecoverable	R		
Add deficiency to meet liabilities as above _____			
		R	

I, _____ of _____
 being a director, and I, _____ of _____
 being the secretary of the abovenamed company make oath/truly affirm and say that the above statement and several lists hereunto annexed, marked _____, are to the best of our knowledge and belief a complete and true statement of the affairs of the said company on the _____ day of _____ 20 _____ the date of the winding up order.

Director

Secretary

STATEMENT OF AFFAIRS

(Section three hundred and sixty three of the Act.)

Creditors.

ASSETS	R	c
(a) Property as per List "C" _____		
(b) Book debts as per List "D":-		
Recoverable _____ R _____		
Doubtful _____ R _____		
Irrecoverable _____ R _____		
Estimated to realise _____		
(c) Bills of exchange or other similar securities as per List "E":-		
Estimated to realise _____		
(d) Unpaid share capital as per List "F":-		
Estimated to realise _____		
Estimated deficiency of assets to meet liabilities and costs of liquidation _____		

Contributories.

	R	c
Estimated surplus as above (if any), subject to costs of liquidation		
TOTAL DEFICIENCY*		
R		

The deponents have acknowledged that they know and understand the contents of this affidavit/declaration

Signed and sworn to/declared before me at _____ this _____ day
of _____ 20 _____

Signature

Exempt from Stamp Duty

*If the Master so directs, this deficiency is to be explained by Statement "G" or in such a manner as the Master may require.

LIST "A"

UNSECURED CREDITORS

The names must be numbered consecutively, creditors for R20 and upwards being placed first.

NOTES

1. If any creditor of the company is also a debtor thereof, but for an amount less than the amount of his claim against the company, the gross amount due to the creditor and the amount of his counter-claim must be shown in the third column, and the balance only be inserted under the heading "Amount of Debt", as follows:-

R c

Gross amount due to creditor _____

Less counter-claim _____

Such set-off must not be included in list "D"

2. Particulars of any bills of exchange and promissory notes in possession of a creditor must be inserted under the heading "Remarks".
3. The names of any creditors who are also contributories or alleged contributories of the company, *must be shown separately and described as such at the end of the list.*

No.	Name	Address and Occupation	Amount of Debt		Remarks
			R	c	

LIST "C"

PROPERTY

Full particulars of every description of property not included in any other list are to be set forth herein.

Full Statement and Nature of Property	Estimated to Realise	
	R	c
(a) Cash at bank (as per bank certificate attached)		
(b) Cash in hand		
(c) Stock-in-trade at (as per valuation attached*)		
(d) Machinery at (as per valuation attached*)		
(e) Trade fixtures, fittings, office furniture, utensils, etc.		
† (f) Investments in stocks or shares		
† (g) Loans for which mortgage or other security held		
† (h) Other property (excluding book debts, bills of exchange or unpaid calls)		

*The valuation must be made by a person approved by the Master

†State particulars

Statement "G"

DEFICIENCY ACCOUNT

(N.B. This account is prepared only at the request of the Master.)

(1) Deficiency Account where the winding-up order has been made within three years of formation of the company.

	R	c
I. Gross profit (if any) arising from carrying on a business from date of formation of company to date of winding up order (as per trading account annexed)		
II. Receipts (if any) during the said period from undermentioned sources :-		
Interest on loans _____		
Interest on deposits _____		
Transfer fees _____		
Amount paid on shares issued and subsequently forfeited (as per list annexed)		
III. Other receipts (if any) during the said period not included under any of the above headings:-		
IV. Deficiency as per statement of affairs (Part II) _____		
Total amount to be accounted for	†R	

Statement "G" (cont.)

DEFICIENCY ACCOUNT

	R	c																																																						
<p>I. Expenditure in carrying on the business from date of formation of the company to date of winding-up order:-</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 45%;">GENERAL EXPENDITURE</th> <th colspan="2" style="text-align: center;">Amount Discharged</th> <th colspan="2" style="text-align: center;">Amount due at Date of winding-up order</th> </tr> <tr> <th style="text-align: center;">R</th> <th style="text-align: center;">c</th> <th style="text-align: center;">R</th> <th style="text-align: center;">c</th> </tr> </thead> <tbody> <tr> <td>Salaries</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Wages not charged in trading account _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Rent</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Rates and taxes _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Legal expenses _____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Commission</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Interest on loans</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Interest on debentures</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Miscellaneous expenditure (as per list annexed) _____</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	GENERAL EXPENDITURE	Amount Discharged		Amount due at Date of winding-up order		R	c	R	c	Salaries					Wages not charged in trading account _____					Rent					Rates and taxes _____					Legal expenses _____					Commission					Interest on loans					Interest on debentures					Miscellaneous expenditure (as per list annexed) _____						
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* Lengthy particulars must be entered into a separate schedule.

† These figures must agree

Statement "G" (cont.)

DEFICIENCY ACCOUNT

	R	c
I. Excess (if any) of assets over capital and liabilities over assets on the * day of _____, 20 _____ as per the company's balance sheet (this and any previous balance sheets to be annexed)		
II. Expenses of carrying on the business from the* day of _____, 20 _____ to date of winding-up order:-		
GENERAL EXPENDITURE		
	Amount Discharged	Amount due at Date of winding-up order
	R c	R c
Salaries _____		
Wages not charged in trading account _____		
Rent _____		
Rates and taxes _____		
Legal expenses _____		
Commission _____		
Interest on loans _____		
Interest on debentures _____		
Miscellaneous expenditure (as per list annexed) _____		
III. Director's fees from the* day of _____, 20 _____ to date of the winding-up order		
IV. Dividends declared during the said period		
V. Losses and depreciation from the* day of _____, 20 _____ to date of the winding-up order written off in the company's books:-†		
Irrecoverable debts _____		
Losses on investments _____		
Depreciation of property _____		
Preliminary expenses _____		
VI. Losses and depreciation not written off in the company's books, now written off by directors :-†		
Irrecoverable debts _____		
Losses on investments _____		
Depreciation of property _____		
Preliminary expenses† _____		
VII. Other losses and expenses:-		
Total amount to be accounted for	‡R	

* Three days before date of winding-up order.

† Lengthy particulars must be entered into a separate schedule.

‡ These figures must agree