

# 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)

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**FOR USE BY LIQUIDATOR ONLY**

**Date Received**

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

**Claim for payment**

<b>Claim description</b>	<b>Amount (in kina)</b>
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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