

# Companies Office Investment Promotion Authority

## Form 44 | Valuation and claim by secured creditor

Section 353(4), Companies Act 1997

### Note

This form is to be submitted to the liquidator, not to the registrar for companies.

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

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.

### 1. Company name (in liquidation)

### Registration 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;
- b) Details of the document(s) that evidence or substantiate the claim;
- c) Less retention of title for goods supplied by creditor to the company (describe good) or "nil" if not applicable, expressed in kina;
- 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 353(11) of the *Companies Act 1997* to make a claim which is false or misleading.

### Valuation of Security

**4. Registration number of charge under *Companies Act 1997* or filing number of notice under *Personal Properties Securities Act 2012* (if applicable):**

### 5. Description of charge

**6. Date of creation of charge**

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**7. Description and location of property charged**

**8. Valuation of security (in kina)**

**9. Details of valuation (substantiation of valuation)**

**10. Provide details of any documents that substantiate the claim and the charge (if not already supplied above)**

*Note: the liquidator may require the production of documents that evidence substantiate the claim*

The creditor has valued the property subject to the charge and claim in the liquidation as an unsecured creditor for the balance due, if any.

**11. Declaration and signature of creditor**

*Note: this form must be signed by the creditor or their authorised agent.*

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

Name of creditor:

Signature of creditor: .....

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

Date:

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**FOR USE BY LIQUIDATOR ONLY**

**Date Received**

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

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**Claim for payment**

<b>Claim description</b>	<b>Amount (in kina)</b>
Preferential claim admitted	
Ordinary claim admitted	
Deferred claim admitted	
Claim rejected	

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**Note:** where a valuation and claim is rejected in whole or in part, the creditor may make a revised valuation and claim within one month of receiving notice of the rejection. Where the liquidator rejects a valuation in whole or in part, the liquidator may, if he/she subsequently considers that a valuation and claim was wrongfully rejected in whole or in part, revoke or amend that decision.

Signature of liquidator: \_\_\_\_\_

Date: