*Form No. 11 R. 18 (2) (b) and 22 (1)*

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**THE INSOLVENCY ACT**

**STATEMENT OF AFFAIRS (INDIVIDUAL PERSON)**

1. **ASSETS**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **TYPE OF ASSETS** | | **DESCRIPTION (PROVIDE DETAILS)** | **ESTIMATED VALUE IN KSHS.** | **EXEMPT PROPERTY** | | **SECURED AMOUNT / LIENS** | **ESTIMATED NET REALISABLE VALUE IN KSHS. \*** |
|  |  |
| **1. Cash on hand** | |  |  |  |  |  |  |
| **2. Furniture** | |  |  |  |  |  |  |
| **3. Personal effects** | |  |  |  |  |  |  |
| **4.Cash-surrender value of life  insurance policies, RRSPs, etc.** | |  |  |  |  |  |  |
| **5. Securities** | |  |  |  |  |  |  |
| **6.Real property or immovables** | **House** |  |  |  |  |  |  |
| **Land** |
| **Building** |
| **7.Motor vehicle** | **Motor vehicle** |  |  |  |  |  |  |
| **Motor cycle** |
| **Bicycle** |
| **Other** |
| **8.Recreational equipment** | |  |  |  |  |  |  |
| **9. Estimated tax refund** | |  |  |  |  |  |  |
| **10. Other assets** | |  |  |  |  |  |  |
| **Total** | |  |  |  |  |  |  |

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Date Bankrupt/Debtor

1. **LIABILITIES**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **NO.** | **CREDITOR** | **ADDRESS (INCLUDING POSTAL CODE)** | **ACCOUNT NO.** | **AMOUNT OF DEBT IN KSHS.** | | | **ENTER TL\*** |
| **UNSECURED** | **SECURED** | **PREFERRED** |
| 1. |  |  |  |  |  |  |  |
| 2. |  |  |  |  |  |  |  |
| 3. |  |  |  |  |  |  |  |
| 4. |  |  |  |  |  |  |  |
| 5. |  |  |  |  |  |  |  |
| 6. |  |  |  |  |  |  |  |
| 7. |  |  |  |  |  |  |  |
| 8. |  |  |  |  |  |  |  |
| 9. |  |  |  |  |  |  |  |
| 10. |  |  |  |  |  |  |  |
| 11. |  |  |  |  |  |  |  |
| 12. |  |  |  |  |  |  |  |
| 13. |  |  |  |  |  |  |  |
| 14. |  |  |  |  |  |  |  |
| 15. |  |  |  |  |  |  |  |
| 16. |  |  |  |  |  |  |  |
| 17. |  |  |  |  |  |  |  |
| 18. |  |  |  |  |  |  |  |
| 19. |  |  |  |  |  |  |  |
| 20. |  |  |  |  |  |  |  |
|  | *Pledged Assets: (provide details)* | Total | Unsecured |  |  |  |  |
| Total | Secured |  |  |  |
| Total | Preferred |  |  |  |
| **TOTAL** | | | | | |  |

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Date Bankrupt/Debtor

**\*Type of Liabilities code (TL)**

1. Real property or immovable mortgage

2. Bank loans (except real property mortgage)

3. Finance company loans

4. Credit cards - bank/trust company issuers

5. Credit cards - other issuers

6. Taxes – national/county

7. Student loans

8. Loans from individuals

9. Other

1. **INFORMATION RELATING TO THE AFFAIRS OF THE BANKRUPT/DEBTOR**
2. Full Names (as they appear on your National ID):
3. Other names/Alias: Gender:
4. ID Number: Passport Number:
5. Date of Birth: KRA PIN Number:
6. Address: Postcode:

County: Country:

Email: Tel:

1. Marital status(single, married, separated, divorced, common law partner;

specify month and year of event if it occurred in the last five years):

1. Full name of spouse or common-law partner:
2. (i) Number of dependents in household family unit, including bankrupt/debtor:

(ii) Number of dependents 18 years or younger:

1. (i) Occupation (bankrupt/debtor):

(ii) If employed, Name and address of present employer:

Address: Postcode:

County: Country:

Email: Tel:

1. Statement of Partner/Spouse Income *(provide details of business or employment, salary or profits earned monthly)*:
2. Have you operated a business within the last five years? (I yes name, type and period of operation ):

Address: Postcode:

County: Country:

Email: Tel:

1. Within the 12 months prior to the date of the initial bankruptcy event, have you, either in Kenya or elsewhere**:**
2. Sold or disposed of any of your property (if yes, please give details)?
3. Made payments in excess of the regular payments to creditors (if yes, please give details)?
4. Had any property seized by a creditor (if yes, please give details)?
5. Within the five years prior to the date of the initial bankruptcy event, have you, either in Kenya or elsewhere:
6. Sold or disposed of any property (if yes, please give details)?
7. Made any gifts to relatives or others in excess of Kshs. 50,000/= (if yes, please give details)?

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Date Bankrupt/Debtor

1. **BUDGET INFORMATION**
2. Have you ever made a proposal under the *Insolvency Act*?
3. Have you been bankrupt before in Kenya?
4. If you answered *yes*, provide the following details for all insolvency proceedings:
5. filing date and location of the proceedings:

1. name of trustee or administrator:
2. if applicable, whether the proposal was successful:

1. date on which Discharge was obtained (dd/mm/yy):
2. Do you expect to receive any sums of money that are not related to your normal income, or any other property within the next 12 months?
3. Give reasons for your financial difficulties:
4. **REASONS FOR INSOLVENCY**
5. What do you believe is the MAIN cause of your insolvency (tick where appropriate)?

* Unemployment or loss of income
* Adverse legal action
* Gambling, speculation and extravagance in living
* Domestic discord or relationship breakdowns
* Excessive interest payments
* Lack of sufficient working capital
* Excessive drawings
* Inability to collect debts due to disputes, faulty work, bad debts
* Economic conditions including external influences, competition and increases in costs
* Lack of business ability including under-quoting or failure to assess potential of business
* Liabilities due to guarantees
* Ill health or absence of health insurance
* Excessive use of credit facilities
* Seasonal conditions including floods and drought
* Failure to provide for taxation
* Failure to keep proper books of account and costing records

1. What do you believe are the CONTRIBUTING causes of your insolvency (tick where appropriate)?

* Unemployment or loss of income
* Adverse legal action
* Gambling, speculation and extravagance in living
* Domestic discord or relationship breakdowns
* Excessive interest payments
* Lack of sufficient working capital
* Excessive drawings
* Inability to collect debts due to disputes, faulty work, bad debts
* Economic conditions including external influences, competition and increases in costs
* Lack of business ability including under-quoting or failure to assess potential of business
* Liabilities due to guarantees
* Ill health or absence of health insurance
* Excessive use of credit facilities
* Seasonal conditions including floods and drought
* Failure to provide for taxation
* Failure to keep proper books of account and costing records

1. Do you have any further comments on the cause(s) of your insolvency? If, yes, please give details.

I, ………………………………. *[insert name]* of ………………………. *[insert address]* in the Republic of Kenya , do swear (*or* solemnly declare) that this statement is, to the best of my knowledge, a full, true and complete statement of my affairs on …………………………………………….. and fully discloses all property and transactions of every description that is or was in my possession or that may devolve on me in accordance with the *Insolvency Act* and *Regulations*.

**SWORN** by the said ***A. B.*** *[insert name of debtor/bankrupt]*)

at this day of 20 ) …………………………………………………

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**BEFORE ME** )Debtor/Bankrupt

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**COMMISSIONER FOR OATHS** )