*Form No. 32 R. 77 (1)*

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA**

**THE INSOLVENCY ACT**

**STATEMENT OF THE COMPANY’S FINANCIAL POSITION**

Statement as to the affairs of …………………………… (Name and address of the registered office of the company) on the.…………… day of…………………….20………… , (the date that the company entered administration).

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| 1. **COMPANY DETAILS**

**Name of Company:****Physical Address;****Telephone number:****Email Address:****Company Number:****KRA PIN Number:****Date of Administration/Liquidation Order:**1. **ASSETS SUBJECT TO FIXED CHARGE**

|  |  |  |
| --- | --- | --- |
| **Assets**  | **Book value**  | **Estimated Realisable Value** |
| **1.** |  |  |
| **2.** |  |  |
| **3.** |  |  |
| **4.** |  |  |
| **5.** |  |  |
| **6.** |  |  |
| **7.** |  |  |
| **8.** |  |  |
| **9.** |  |  |
| **10.** |  |  |
| **11.** |  |  |
| **12.** |  |  |
| **13.** |  |  |
| **14.** |  |  |

**Signature…………………………………………….. Date………………………………………….**1. **ASSETS SUBJECT TO FLOATING CHARGE:**

|  |  |  |
| --- | --- | --- |
| **Assets** | **Book value** | **Estimated Realisable Value** |
| **1.** |  |  |
| **2.** |  |  |
| **3.** |  |  |
| **4.** |  |  |
| **5.** |  |  |
| **6.** |  |  |
| **7.** |  |  |
| **8.** |  |  |
| **9.** |  |  |
| **10.** |  |  |
| **11.** |  |  |
| **12.** |  |  |
| **13.** |  |  |
| **14.** |  |  |
| **15.** |  |  |
| **16.** |  |  |

**Signature……………………………………… Date……………………………………..**1. **UNCHARGED ASSETS:**

|  |  |  |
| --- | --- | --- |
| **1.** |  |  |
| **2.** |  |  |
| **3.** |  |  |
| **4.** |  |  |
| **5.** |  |  |
| **6.** |  |  |
| **7.** |  |  |
| **8.** |  |  |
| **9.** |  |  |
| **10.** |  |  |
| **11.** |  |  |
| **12.** |  |  |
| **13.** |  |  |
| **14.** |  |  |
| **15.** |  |  |
| **16.** |  |  |
| **17.** |  |  |
| **17.** |  |  |
| **19.** |  |  |
| **20.** |  |  |
| **21.** |  |  |
| **22.** |  |  |
| **23.** |  |  |
| **24.** |  |  |

**Signature…………………………………………… Date………………………………………**1. **ESTIMATED TOTAL ASSETS AVAILABLE FOR PREFERENTIAL CREDITORS**

|  |  |
| --- | --- |
|  |  |
|  |  |

**Signature……………………… Date…………………………** |

**A1l – Summary of Liabilities**

 Estimated to realise

 Ksh.

**Estimated total assets available for preferential creditors (carried from page A)** Ksh.

Ksh.

**Liabilities**

 Preferential creditors:-

**Estimated deficiency/surplus as regards preferential creditors** Ksh.

 Ksh.

Estimated prescribed part of net property where applicable (to carry forward)

**Estimated total assets available for floating charge holders** Ksh.

 Ksh.

Debts secured by floating charges

**Estimated deficiency/surplus of assets after floating charges** Ksh.

 Ksh.

Estimated prescribed part of net property where applicable (brought down)

**Total assets available to unsecured creditors** Ksh.

 Ksh.

Unsecured non-preferential claims (excluding any shortfall to floating charge

holders)

**Estimated deficiency/surplus as regards non-preferential creditors**

**(excluding any shortfall to floating charge holders)**

 Ksh.

Shortfall to floating charge holders (brought down)

**Estimated deficiency/surplus as regards creditors**

Issued and called up capital Ksh.

**Estimated total deficiency/surplus as regards members** Ksh.

Signature ……………………………………. Date …………………………………….

COMPANY CREDITORS

**Note:** You must include all creditors and identify all creditors under hire-purchase, chattel leasing or conditional sale agreements *and* customers claiming amounts paid in advance of the supply of goods or services *and* creditors claiming retention of title over property in the company’s possession.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name of creditoror Claimant | Address(with postcode) | Amount of debtKsh. | Details of any security held by creditor | Date security given | Value of security Ksh. |
| 1. |  |  |  |  |  |
| 2. |  |  |  |  |  |
| 3. |  |  |  |  |  |
| 4. |  |  |  |  |  |
| 5. |  |  |  |  |  |
| 6. |  |  |  |  |  |
| 7. |  |  |  |  |  |
| 8. |  |  |  |  |  |
| 9. |  |  |  |  |  |
| 10. |  |  |  |  |  |
| 11. |  |  |  |  |  |
| 12. |  |  |  |  |  |

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 Signature……………………………………………….. Date…………………………………………………………COMPANY SHAREHOLDERS

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Shareholder | Address (with postcode) | No. of shares held | Nominal Value | Details of Shares held |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
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|  |  |  |  |  |
|  |  |  |  |  |
|  |  TOTALS |  |  |  |

**Statement of Truth**

I believe that the facts stated in this statement of affairs are a full, true and complete statement of the affairs of the above named company as at …………………(the date that the company entered administration).

Full name ……………………………………………

Signed ……………………………………………….

Dated ………………………………………………

Signature……………………………………………………….Date …………………….…………………………..