

# **THE HIGH COURT BANKRUPTCY**

## **OFFICIAL ASSIGNEE’S OFFICE**

### **GUIDANCE NOTES FOR COMPLETING THE STATEMENT OF AFFAIRS**

How to fill in the Statement of Affairs - General Points	2
PART 1 - LIST OF ASSETS	3
PART 2 - LIST OF LIABILITIES	4
PART 3 - GENERAL	5
PART 4 - DECLARATION	6

## **THE STATEMENT OF AFFAIRS**

If one or more of your creditors has taken you to court and you have been adjudicated a Bankrupt, you **must** fill in a Statement of Affairs. This guide is intended to help you to fill in the form properly.

### **GENERAL POINTS**

- 1      You must fill in the form in CAPITAL LETTERS.
- 2      You must fill in all pages of the form. If any parts of the form do not apply to you, write 'not applicable' or 'N/A' in the space.
- 3      Give all amounts to the nearest €. You do not need to show cent.
- 4      If there is not enough space in any part of the form, simply put the extra information on a sheet of paper and attach it to the form. Make sure you put the name of the question you are answering on any extra sheets, for example, 'Unsecured debts'.

### **Note:**

All details should be entered to the best of your knowledge. You can be charged with an offence if you deliberately omit important details or give false information.

## **PART 1 - LIST OF ASSETS**

In part 1 you should list all your assets.

### **Part 1A – moveable property (all assets other than land or buildings)**

#### **i) Cash**

Write in the total amount of money in cash you have. Do not show the money you have in Bank or Building Society accounts here.

#### **ii) Bank and building society accounts**

Give details of all the money you have in banks and building societies. If any of the accounts are in joint names the full amount should be entered, but put a letter [J] in brackets at the end of the account number to show that it is a joint account. Details of overdrawn accounts should be entered in Part 2 of this form.

#### **iii) Investments and savings (other than bank accounts)**

You must give details of investments, savings certificates, savings bonds, premium bonds, etc. in the column headed 'type of investment'. You should also show the name of the firm the investment is with and any reference number in the correct columns. If you have an endowment policy, enter the details here.

#### **iv) Debts due to you**

If anyone owes you money, write about it here. Give details of all the money owing to you. It must include money loaned to other people or trade debts if you were in business. The name and address of the person or company who owes you the money must be written in the first column. The amount of the debt and the date it was or is due to be repaid should be entered in the correct columns.

#### **v) Other assets**

Write the details of all goods and valuables which you own here. You must include goods you are still paying for on hire purchase or credit terms. Details of any motor vehicle owned by you should include the model and registration number.

### **Part 1B – immoveable property (land, houses, and buildings)**

Give details of all properties which you own, part own, or have other financial interest in here. If you own a lease on a property, write down how long the lease is for. In 'type of property', show whether the property is a flat, semi-detached house, office unit, or whatever. In 'nature of interest' say what your interest is in the property, for example, whether you own it by yourself or jointly with someone else.

## **PART 2 - LIST OF LIABILITIES**

### **Part 2A – unsecured debts**

List all your debts including any money you owe on hire purchase or credit agreements (but exclude your mortgage or other secured debt). Put down the name and address of each creditor and a description of the debt (that is, whether it is a loan, guarantee hire purchase agreement, domestic bill, etc.). Details of overdrawn bank accounts should be entered here. Enter the amount you owe to each creditor. Once you have filled in the list of all your unsecured debts, add them up and enter the total in the space provided beneath the table marked 'total amount of unsecured debts'.

### **Part 2B – secured debts (mortgages or other loans secured)**

Give the name of any building society, bank or financial institution who you have a mortgage or other secured loan with. If there is more than one, list all lenders. Under 'amount due', enter the current outstanding balance on the loan. Once you have filled in the table, add up all of what you owe and write the total in the space below the table marked 'total amount of secured debts'.

### **PART 3 - GENERAL**

**i) Income**

Give details of what you earn on average each month after tax.

**ii) Property in Expectancy**

Give details of property which may come into your ownership in the future e.g. if you anticipate receiving an inheritance.

**iii) Books, Papers, Deeds, Writings and other documents relating to Estate. Give details about books, papers and other documents which relate to your estate. Provide information about the location of these documents and who has them.**

#### **PART 4 - DECLARATION**

The declaration must be sworn by you before a Commissioner for Oaths.

It is advisable to submit the Statement of Affairs to this office for approval before having it sworn, because the document cannot be filed unless the Official Assignee is satisfied with it.

If you have any queries in this regard you should contact this office:

Official Assignee in Bankruptcy  
2<sup>nd</sup> Floor  
15-24 Phoenix Street North  
Smithfield  
Dublin 7

01 888 6166