

Statement of Claim and Proxy

Bankruptcy Act 1996 Section 64D, 64E, 64ZC



Australian Government

Insolvency and Trustee Service Australia

Completing a Statement of Claim and Proxy

Assignment of debt

If the debt has been assigned to you (eg you purchased the debt), you need to disclose the amount you paid for this assignment. The amount you paid for the assignment determines the value of your vote. If you do not disclose the amount you paid for the assignment, you are not entitled to vote. Should a dividend be paid the full value of the debt that was assigned to you will be used to calculate the dividend.

Who can you appoint as a proxy?

You cannot appoint the debtor as your proxy. You can appoint the chairperson, president, or trustee to be your proxy without having to name that person.

If you are appointing any other person, the name of that person needs to be specified on the form. It is insufficient to state that the proxy is an officer to be nominated by any particular individual or organisation.

It is possible to nominate more than one person to be your proxy (eg if you are unsure whether a particular person will be available to attend the meeting). If the first named person on the proxy form attends the meeting only that person can vote. Any other person that you may have nominated cannot vote at the meeting.

Inspection of proxies

Every person attending the meeting can inspect this form.

Adjourned meetings

Unless the proxy is revoked by you it will be valid for any adjourned meetings and the proxy can vote in the manner directed in this form at the adjourned meetings. It will **not** be valid for a separate meeting unless indicated in the question "Is this proxy entitled to vote at all meetings in this administration?"

Receipt of financial incentives

You are required to disclose any financial incentive you may have received (whether already paid or payable in the future) from any person or entity for appointing this proxy. A financial incentive is a payment made to you directly or indirectly and includes any agreement for forgoing a debt or part of a debt that you owe to another person.

Note 2: You do not have to answer "Details of any financial incentive received" if the meeting is in relation to:

1. the administration of a deceased estate under Part XI; or
2. bankruptcy matters unless the meeting is called to consider a bankrupt's proposal of a composition under section 73.

Instructions / Administration

Voting personally

To enable the trustee to make an assessment of your ability to vote and the value of your vote you need to complete the statement below. The trustee may require evidence to substantiate your claim before allowing you to vote. The statement needs to be given to the trustee **before the meeting**.

Appointing a Proxy

If you wish to appoint a proxy to vote at the meeting, you must also complete the proxy details overleaf. This document must be given to the trustee **at or before the meeting**.

Administration Details

Administration Number

Date of Meeting of Creditors (DD/MM/YYYY)

Title

Given Name/s

Surname

Statement of Claim and Proxy Form continued over page...

Proxy Details (to be left blank if you are personally attending the meeting)

Name and address of person appointed as your proxy

Title	Given Name/s	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>

Address

Address (line 2)	Postcode
<input type="text"/>	<input type="text"/>

Is this proxy entitled to vote at all meetings in this administration? No Yes

Voting directions

Voting on all matters No Yes

If no, then the proxy can vote on the following matters (Insert item numbers):
AND

You may also direct the Proxy to vote as shown on the following matters	For	Against	Abstain
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Details of any financial incentive received (refer to **Note 2** on Completing a Statement of Claim and Proxy)

Did you receive or will you receive any financial incentive:

a. in return for the appointment of this proxy? No Yes

b. to direct the proxy to vote in a particular manner? No Yes

What consideration did you receive?
\$

Who paid this consideration?

Title	Given Name/s	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>

Creditor/authorised officer of creditor

Name	Signature	Date (DD/MM/YYYY)
<input type="text"/>	<input type="text"/>	<input type="text"/>
		Contact Number
		<input type="text"/>

Note: A creditor must not give a voting document to the controlling trustee or trustee knowing or reckless that the voting document is false or misleading in a material particular.
Penalty: imprisonment for 6 months: s263C