

NOTES FOR THE COMPLETION OF CLAIM FORMS

1. AFFIDAVIT

- 1.1 The Commissioner of Oaths must print his full names and business address below his signature and state his designation and the area for which he holds his appointment or the office held by him, if he holds his appointment ex officio.
- 1.2 Alterations must be initialled by the Deponent and the Commissioner of Oaths.
- 1.3 If security is claimed, then the amount at which the Creditor values such security must be inserted, i.e. Mortgage Bond, Cession, lien, hypothec, etc.
- 1.4 A secured creditor who relies upon his security should state that fact on the Affidavit above the signature of the Deponent and the insertion should be initialled.

2. BANK ACCOUNT DETAILS

The creditor's bank account details to be inserted where indicated on the Affidavit. This information is requested to facilitate the payment of dividends. Should the bank account details change, the onus is on the creditor to advise the Liquidator/Trustee of such amendment.

3. SUPPORTING DOCUMENTATION

- 3.1 Goods supplied on open account: Complete the statement annexed to the Affidavit in respect of the twelve months up to date of the provisional order. A brief description of the goods should be given and copies of invoices annexed. See also 3.4 below.
- 3.2 Services rendered: Complete the statement annexed to the Affidavit in respect of the twelve months up to the date of the provisional order. A brief description of the type of service rendered should be given and copies of invoices annexed. See also 3.4 below.
- 3.3 Monies lent: Annex a detailed statement of account and copies of an Acknowledgement of Debt or receipts or paid cheques.
- 3.4 Interest: Can only be claimed if a written agreement thereto by the debtor is annexed. It must be calculated to the date of the provisional order and rates must be shown.
- 3.5 Legal charges: Annex the attorney's taxed bill of costs, which must reflect dates for the items listed therein.
- 3.6 Mortgage bonds, instalment sale agreements and cessions: Annex the original documents and detailed statements. See also 1.3 and 1.4 above.
- 3.7 Rental: Annex the original lease agreement or certified copy and an itemised statement up to the date of the provisional order.
- 3.8 Suretyships: Annex original documents or certified copies and a detailed statement of the claim against the principal debtor.

4. POWER OF ATTORNEY

- 4.1 If the creditor or authorised representative of the creditor is unable to attend the meeting please leave name of appointee blank #
- 4.2 A Manager, Secretary or Employee may only sign if his/her authority has been registered with the Master of the High Court or if a certified copy of a resolution of the Board of Directors of the Company authorising such Manager, Secretary or Employee to sign is lodged with the claim.
- 4.3 A private individual requires no authority to sign the Power of Attorney.

IN THE MATTER OF: IN DIE SAAK VAN:		
NAME IN FULL OF CREDITOR: VOLLEDIGE NAAM VAN SKULDEISER:		
ADDRESS IN FULL: VOLLEDIGE ADRES:		
P O BOX: POSBUS:	CODE: KODE:	TOTAL AMOUNT OF CLAIM: R TOTALE BEDRAG VAN EIS:

I, _____ do hereby make oath and say:
Ek, _____ verklaar hiermee onder eed en sê:

(1) That I am _____ of _____
Dat ek die _____ is van _____
(capacity / kapasiteit) (hereinafter referred to as the said Creditor)
(hierin voortaan na verwys as genoemde Skuldeiser)

Bank Account Details / Bank Besonderhede:

Name of Account Holder Naam van Rekeninghouer	Name of Bank Naam van Bank	Account Number Rekeningnommer	Branch Code Takkode

(2) That I have personal knowledge of the facts hereinafter stated / Dat ek persoonlik kennis dra van die feite hierin uiteengesit

(3) That _____
Dat _____
(hereinafter referred to as the said Estate) / (hierin voortaan na verwys as genoemde Boedel)

which estate has been sequestrated / liquidated, was at the date of sequestration / liquidation and still is indebted to
welke boedel in sekwestrasie / likwidasie geplaas is, op die dag van sekwestrasie/likwidasie en nou nog verskuldig is aan

the said Creditor in the sum of (words)
die genoemde skuldeiser in die som van (woorde) _____

for _____
vir _____

(4) That the said debt arose in the manner and at the time set forth in the account hereunto annexed.
Dat genoemde skuld ontstaan het op die wyse en op die datum soos op hierby aangehegte rekening uiteengesit.

(5) That no other person besides the said estate is liable (otherwise than as surety) for the said debt or any part thereof.
Dat geen ander persoon buiten die genoemde boedel vir die genoemde skuld of enige deel daarvan aanspreeklik is nie (behalwe as borg).

(6) That the said Creditor has not, nor has any other person, in my knowledge on the said Creditor's behalf received any
Dat nog die genoemde Skuldeiser, nog volgens my wete, enige ander persoon namens die genoemde Skuldeiser enige

security for the said debt or any part thereof save and except,
sekuriteite vir die genoemde skuld of enige deel daarvan ontvang het nie, buiten en behalwe,

which security I value at _____
welke sekuriteit ek waardeer teen _____

(7) That this claim was not acquired by cession after the institution of the proceedings by which the estate was sequestrated / liquidated.
Dat die vordering nie verkry is deur sessie na die instelling van die proses van die sekwestrasie/likwidasie van die boedel nie.

Signature of Deponent / Handtekening van Deponent _____

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at _____ on the _____ day of _____ 20_____, the regulations contained in the Government Notice No. R1258 of 21 July 1972, as amended and Government Notice No. R1648 of 19 August 1977, as amended, having been compiled with.

Commissioner of Oaths / Kommissaris van Ede: _____

FULL NAME: _____

DESIGNATION / OFFICE: _____

POWER OF ATTORNEY

**TO PROVE CLAIMS AND VOTE FOR LIQUIDATOR/TRUSTEE
AND GENERALLY TO ACT IN THE MATTER OF**

NAME OF ESTATE

I/We, the undersigned _____
(REPRESENTATIVE OF CREDITOR)

in my/our capacity as * _____ of ** _____

do hereby nominate, constitute and appoint # _____

INITIAL HERE →

Jointly and severally, with Power of Substitution to be my/our lawful Attorney/s and Agent/s, in my/our name, place and stead, to appear before the Master of the High Court, or before any Magistrate, or before any Presiding Officer, at his or their office, likewise before any Commissioner, and to appear at all Meetings of Creditors to be held in the above matter and then and there as my/our agent in act and deed to prove and file my/our claim or claims against the Estate or the Company in liquidation, as the case may be; to vote for the election of a Trustee or to vote for the election of a Liquidator, as the case may be, to administer the Estate or the Company in Liquidation, as the case may be; to give the Trustee/s or the Liquidator/s directions as to the management thereof; on my/our behalf to examine any person or persons, and further to represent me/us in all matters or things relating to the Estate or Company in Liquidation or Company, as the case may be, including the right to vote on an Offer of Compromise, Scheme of Arrangement or Composition, and generally for effecting the purposes aforesaid to do or cause to be done whatsoever shall be requisite, as fully and effectually to all intents and purposes as I/we might or could do if personally present and acting herein, hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Attorney/s and Agent/s shall lawfully do or cause to be done in the premises by virtue of these presents.

GIVEN under my/our hand at _____ this _____ day of _____ 20____ in the presence of the undersigned witnesses.

AS WITNESSES:

1. _____

SIGNATURE

2. _____

SIGNATURE

* Here insert whether Director, Owner or Partner

** Name of Firm or Company

See Note 4.1

NB – A Manager, Secretary or Employee may only sign if his authority has been registered with the Master of the High Court, or if a certified copy of a resolution of the Board of Directors of the Company authorizing such Manager, Secretary or Employee to sign, is lodged with the claim.