

Form 7 Affidavit accompanying statutory demand

Court Procedures Rules 2006

(see sch 6 r 5.2 (Affidavit accompanying statutory demand (Corporations Act, s 459E (3))))

(name(s))
Creditor(s)

(name(s))
Debtor company

I, *(name)*, of *(address and occupation)*, *[say on oath/solemnly affirm]:

- 1 I am *(state deponent's relationship to the creditor(s), eg, 'the creditor', '(name), one of the creditors', 'a director of the creditor', 'a director of (name), one of the creditors')* in relation to *[a debt of $\$(amount)$ /debts totalling $\$(amount)$] owed by *(name of debtor company)* to *[it/them] relating to *(state nature of debt, or debts, ensuring that what is stated corresponds with the description of the debt, or debts, to be given in the proposed statutory demand, with which this affidavit is to be served on the debtor company)*.
- *2 *(If the deponent is not the creditor, state the facts entitling the deponent to make the affidavit, eg 'I am authorised by the creditor(s) to make this affidavit on its/their behalf)*.
- 3 *(State the source of the deponent's knowledge of the matters stated in the affidavit in relation to the debt or each of the debts, eg 'I am the person who, on behalf of the creditor(s), had the dealings with the debtor company that gave rise to the debt', 'I have inspected the business records of the creditor in relation to the debtor company's account with the creditor')*.

4 *[The debt/The total of the amounts of the debts], mentioned in paragraph 1 of this affidavit, is due and payable by the debtor company.

5 I believe that there is no genuine dispute about the existence or amount of the *[debt/any of the debts].

*[Sworn/affirmed] at: *(place of swearing or affirmation)* on *(date)*

OR

*[Sworn/affirmed] by the deponent at: *(place of swearing or affirmation)* this *(day)* day of *(month)* *(year)*

Signature of deponent

Before me:

Signature and designation of
person before whom deponent
swears or affirms affidavit

**omit if, or whichever is, inapplicable*

<i>Note</i>	The form of this affidavit may be changed to comply with the form of affidavit used in a particular State or Territory—see sch 6 r 2.6.
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