

VIC xx/ xx /x
Please quote in all correspondence

January 17, 2018

xxxxx
16 Bag Road
Glen Waverly 3150
Victoria

Dear Mr xxx

**RE: OFFICIAL RECEIVER NOTICE PURSUANT TO SECTION 77CA OF THE
*BANKRUPTCY ACT 1966***

Please find attached a notice issued pursuant to Section 77CA of the *Bankruptcy Act 1966* requiring you to complete and submit the attached Statement of Affairs.

Non-compliance with the attached statutory notice is a criminal offence and, if prosecuted, may result in a term of imprisonment.

Please attend to actioning this matter on receipt of the notice.

Should you have any queries please contact the writer below.

Yours sincerely

xxxxx
For the Official Receiver
Phone 1300 364 785
Fax 08 8112 4303
Email email@afsa.gov.au

NOTICE PURSUANT TO SECTION 77CA OF THE *BANKRUPTCY ACT 1966*

BANKRUPTCY NUMBER:

NAME OF BANKRUPT:

Dear

You were made bankrupt by order of the Court on <date in 1 June 2016 format> on the petition of the <Petitioning Creditor>. <Appointed Trustee(s)> <is the trustee / are the trustees> of your bankrupt estate, and <is/are> responsible for administering your bankruptcy.

Pursuant to section 77CA of the *Bankruptcy Act 1966*, you are required to give a statement of your affairs, in the approved form, to the Official Receiver within 14 days after receiving this notice.

Pursuant to section 77CA of the *Bankruptcy Act 1966*, you are required to give a statement of your affairs, in the approved form, to the Official Receiver within 14 days after receiving this notice.

An approved Statement of Affairs form is enclosed with this notice. You may also download the form from the website of the Australian Financial Security Authority (AFSA) at www.afsa.gov.au. It is important that you complete all the questions on the form. The completed form should contain details of your affairs as at the date of your bankruptcy.

The completed form may be given to the Official Receiver:

- By emailing a scanned image to registry@afsa.gov.au.
- By post to GPO Box 1550, Adelaide SA 5001

The Official Receiver will provide a copy of your Statement of Affairs to your trustee. You should note that any other information you provide to the Official Receiver in relation to this notice may be provided to your trustees.

You will not be discharged from your bankruptcy until three years from the date on which you lodge your Statement of Affairs form with the Official Receiver, and the Official Receiver accepts it. If you fail to file a statement of affairs, you will remain bankrupt indefinitely.

Failure by you, without reasonable excuse, to comply with this notice may, upon conviction, render you liable to imprisonment for 12 months.

Dated this <date> day of <Month> <year>

<delegated officer>

DELEGATE OF THE OFFICIAL RECEIVER

NOTES: EXTRACT FROM THE *BANKRUPTCY ACT 1966*

BANKRUPTCY ACT 1966 SECTION 77CA

Power of Official Receiver to obtain statement of affairs

The Official Receiver may, by written notice given to a bankrupt, require the bankrupt to give the Official Receiver a statement of the bankrupt's affairs within 14 days after receiving the notice

Note 1: Section 6A sets out requirements for statements of affairs

Note 2: A failure to comply with the notice is an offence: see section 267B

BANKRUPTCY ACT 1966 SUBSECTION 6A(2)

Statement of affairs for purposes other than Part XI

A reference in a provision of this Act referred to in subsection (1) to a statement of affairs is a reference to a statement that:

(a) is in an approved form; and

(b) includes a statement identifying any creditor who is a related entity of the debtor or bankrupt; and

(c) contains a declaration that, so far as the debtor or bankrupt is aware, the particulars set out in the statement are correct.

BANKRUPTCY ACT 1966 SECTION 267B

Failure of person to provide information

(1) A person must not refuse or fail to comply with a notice given to the person under subsection 6A(3), subsection 77C(1) or section 77CA or 139V.

Penalty: Imprisonment for 12 months.

(2) Subsection (1) does not apply if the person has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2) (see subsection 13.3(3) of the Criminal Code).