

Address: Level 31, 60 Margaret Street, Sydney NSW 2000  
Contact Name: Johnathon Tawil  
Contact Number: +61 2 9338 2607

**Proofs of Debt**  
**Notes for your guidance**  
(Please read carefully before filling in Form 535 or Form 536)

It is a creditor’s responsibility to prove their claim to our satisfaction.

When lodging claims, creditors must ensure that:

- (a) the proof of debt form is properly completed in every particular; and
- (b) documentary evidence, such as that detailed below, is attached to the Form 535 or Form 536.

**Directions for completion of a Proof of Debt**

- 1 Insert the full name and address of the creditor.
- 2 Under “Consideration” state how the debt arose, for example “goods sold to the company on .....
- 3 Under “Remarks” include details of any documents that substantiate the debt (refer to the section titled “Information to support your claim” below for further information).
- 4 Where the space provided for a particular purpose is insufficient to contain all the required information in relation to a particular item, that information should be set out in an annexure.
- 5 An annexure to the form must have an identifying mark and be endorsed with the words:  
“This is the annexure of ..... pages marked ..... referred to in the Form 535/536 signed by me and dated .....  
.....  
Signature(s) Name of Signatory IN BLOCK LETTERS”  
and signed by each person signing the form to which the document is annexed.
- 6 The pages in the annexure must be numbered consecutively.
- 7 Where a document, copy of a document or other matter is annexed to a form, reference made in the form to the annexure shall be by its identifying mark, the number of pages in it, and a brief description of the nature of the document and its contents.
- 8 A reference to an annexure includes a document, copy of a document or any other matter accompanying, attaching to or annexed to a form.

**Information to support your claim**

Please note that your debt is not likely to be accepted unless evidence to support its existence is provided. Detailed below are some examples of the type of debt creditors may be claiming and a suggested list of documents, copies of which should accompany a proof of debt for that class of creditor.

**Trade Creditors**

- Statements and supporting invoices(s) showing the amount of the debt; and
- Advice(s) to pay outstanding invoice(s) (optional).

**Guarantees/Indemnities**

- Executed guarantee/indemnity;
- Notice of Demand served on the guarantor; and
- Calculation of the amount outstanding under the guarantee.

**Judgment Debt**

- Copy of the judgment; and
- Documents/details to support the underlying debt as per other categories.

**Deficiencies on Secured Debt**

- Security Documents (eg. mortgage);
- Independent valuation of the secured portion of the debt (if not yet realised) or the basis of the creditor's estimated value of the security;
- Calculation of the deficiency on the security; and
- Details of income earned and expenses incurred by the secured creditor in respect of the secured asset since the date of appointment.

**Loans (Bank and Personal)**

- Executed loan agreement; and
- Loan statements showing payments made, interest accruing and the amount outstanding as at the date of appointment.

**Tax Debts**

- Documentation that shows the assessment of debts, whether it is an actual debt or an estimate, and separate amounts for the primary debt and any penalties.

**Employee Debts**

- Basis of calculation of the debt;
- Type of Claim (eg. wages, holiday pay, etc);
- Correspondence relating to the debt being claimed; and
- Contract of Employment (if any).

**Leases**

- Copy of the lease; and
- Statement showing amounts outstanding under the lease, differentiating between amounts outstanding at the date of the appointment and any future monies.