

FORMS UNDER *THE  
BANKRUPTCY AND  
INSOLVENCY ACT*

April 2006

FORM 1

General Title for Proceedings  
(Rule 9)

District of  
Division No.  
Court No.  
Estate No.

In the matter of the bankruptcy (*or of the proposal, or the receivership or the insolvency or the consumer proposal, as the case may be*) of \_\_\_\_\_

*(If applicable for summary administration, add:)*

SUMMARY ADMINISTRATION

FORM 1.1

General Sender Identification for: Copies of all Prescribed Forms  
Sent to Creditor(s) Electronically

Dated at \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_.

Responsible Individual (Sender):  
(Trustee/Administrator/Interim Receiver/Receiver: *indicate which*)

\_\_\_\_\_

Corporate Name (*if applicable*):

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone:

\_\_\_\_\_

Fax:

\_\_\_\_\_

E-mail:

\_\_\_\_\_

NOTICE

Please be advised that the above-noted individual is required to retain the signed original  
of this document as part of the official records of this proceeding.

FORM 2

Application for Trustee Licence (Individual)  
(Subsection 13(1) of the Act)

**GENERAL INFORMATION**

Family Name \_\_\_\_\_ Given Name(s) \_\_\_\_\_ Date of Birth  
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
year month day

Other Previous Legal Names or Aliases  
\_\_\_\_\_

Business Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Home Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No. \_\_\_\_\_  
Fax No. \_\_\_\_\_  
E-mail address: \_\_\_\_\_

Telephone No. \_\_\_\_\_  
Fax No. \_\_\_\_\_

Current Employer  
\_\_\_\_\_

Employment Began  
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
year month day

Professional organization(s) of which I am currently a member (if any)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bankruptcy District(s) for which Licence is requested \_\_\_\_\_

**PREREQUISITE QUALIFICATIONS**

Formal education (degrees, professional designations, year of conferment, post-secondary institutions) and relevant work experience. Please provide a curriculum vitae.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DECLARATION REGARDING PREREQUISITE QUALIFICATIONS**

I hereby declare that:

- (a) I have not, at any time within the 5 years preceding the date of this application, personally been in a *state of insolvency*<sup>1</sup>;
- (b) I have successfully completed the BIA Insolvency Counsellor's Qualification Course;
- (c) I have successfully completed the National Insolvency Qualification Program;
- (d) As a member or former member of a professional organization, I am in good standing with, and am not subject to any current disciplinary action by that organization.

**SPECIFIC QUALIFICATIONS**

If you are a member of a professional organization, do you intend to retain your membership in that organization when you begin to practice as a trustee?

Yes       No

*(If yes, and if such membership entitles you to practice a profession that is an incompatible occupation<sup>2</sup>, you are required to satisfy the Superintendent that you will be a non-practising member of the organization. Please refer to sections 36 to 39 of the Directive.)*

**DECLARATION RELATING TO THE APPLICANT'S REPUTATION**

I hereby declare that:

- (a) I have no criminal record;
- (b) I have never been a bankrupt;
- (c) I have never been a principal shareholder, a director or an officer of a bankrupt corporation;
- (d) As a member or former member of a professional organization, I have not previously been found guilty of professional misconduct of an ethical, commercial or economic nature;

except as indicated hereafter (please provide documentation): \_\_\_\_\_

\_\_\_\_\_

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1      “State of insolvency” means being bankrupt, having filed a notice of intention or a proposal under the BIA, or being subject to any similar proceedings under federal, provincial or foreign legislation.

2      “Incompatible occupation” includes, notably, a collection agent, a bailiff, a trade association representative, an employee of the Office of the Superintendent of Bankruptcy (“OSB”), a lawyer and a notary in the province of Québec, as well as any other occupation, business or profession which may be in conflict with the duties and responsibilities of a trustee.

**UNDERTAKING OF APPLICANT REGARDING CONDITIONS  
IMPOSED ON NEW LICENCES**

If a trustee licence is granted by the Superintendent of Bankruptcy, I accept that it be subject to the following conditions:

- (a) that I will, for a period of twenty-four (24) months, practice with, and in the same physical location as, an active established trustee who is acceptable to the Superintendent.
- (b) that if, at any time during those twenty-four (24) months, I do not meet the requirement set forth in paragraph (a), I will be authorized to act only in the following cases:
  - (i) consumer proposals;
  - (ii) estates under the summary administration provisions of the Act;
  - (iii) estates, known as ordinary administration estates, for which the unsecured liabilities, as per the Statement of Affairs, do not exceed \$500,000 and for which the realizable assets as per the Statement of Affairs, after deducting the value of all security interests, do not exceed \$15,000; and
  - (iv) all other cases (notice of intention, Division I proposal, Interim Receiver, estates not covered by case (iii) above, etc.) , subject to the approval of the Division Assistant Superintendent (DAS) and on any terms that the DAS shall determine, considering my performance.

These conditions will not necessarily restrict me to any specific employer and any transfer or change of employment assuring similar or better circumstances would be acceptable. I will inform you in advance of any such change.

I also accept that these conditions may, upon written request, be reviewed after the period of twenty-four (24) months. They will thus either be removed, modified or maintained.

If other conditions are to apply, I will be so notified by the Superintendent, prior to the granting of the licence, for my approval.

**AUTHORIZATION**

I understand that my application for a trustee licence is subject to an investigation, and that a verification by the Royal Canadian Mounted Police (RCMP) will be conducted with regard to criminal records, ongoing or completed investigations and arrest warrants, as well as with regard to my background. I hereby authorize and give consent to the RCMP or other police forces to release personal information and make full disclosure to the Office of the Superintendent of Bankruptcy, as provided by the Privacy Act.

**DECLARATION AND SIGNATURE**

I, the undersigned, do solemnly declare that I am the applicant named in this application and that the information set out in this application and in the attached documents is, to the best of my knowledge and belief, true, correct and complete in all respects, and that I agree to respect the conditions contained in this form, if the Superintendent issues me a licence.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Applicant's name in block letters

\_\_\_\_\_  
Signature of applicant

FORM 2 -- *Continued*

**APPLICATION FOR A TRUSTEE LICENCE  
BREAKDOWN OF AREA OF EXPERIENCE IN INSOLVENCY MATTERS**

Name of Applicant: \_\_\_\_\_

Firm: \_\_\_\_\_

The applicant for a trustee licence hereunder indicates an estimate of the amount of time worked during the periods indicated, in the various fields indicated. The breakdown is to be shown as a **percentage (%) of the overall time** during the year.

	Consumer Bankruptcies	Consumer Proposals	Commercial Bankruptcies	Commercial Proposals	Interim Receiverships	Receiverships, Agency, Look-see, Secured Creditors, CCAA	Other work not directly related to insolvency work (audit, tax, accounting, forensic)
Previous Year							
During _____ (year)							
During _____ (year)							
During _____ (year)							

I, the undersigned applicant for a trustee licence, hereby attest that the above information faithfully reflects my experience in insolvency and other fields during the periods shown above.

\_\_\_\_\_  
Signature of Applicant

Date: \_\_\_\_\_

I, the undersigned, a trustee of the firm where the above applicant trustee is presently employed or associated, hereby attest that the information provided by the applicant trustee, for the period of time with this firm, faithfully reflects the extent of his/her experience in the insolvency and other fields.

\_\_\_\_\_  
Signature of Trustee

\_\_\_\_\_  
Trustee's name in block letters

Date: \_\_\_\_\_

FORM 2 -- *Concluded*

**THE FOLLOWING MUST ALSO BE PROVIDED WITH THIS APPLICATION**

*Please fill out this page and return with your application. If any items are not checked off, please indicate the reason for this information being excluded and the date at which it will be provided.*

- 1 A copy of the applicant's certificate of completion of the Insolvency Counsellor's Qualification Course.
- 2 A curriculum vitae containing the applicant's academic background and a list of employment positions held during the last ten (10) years with a brief description of duties.
- 3 A detailed description of experience in bankruptcy administration (see attached table).
- 4 A recent photograph of the applicant (approx. 5 cm X 3.5 cm).
- 5 A cheque for \$300 payable to the Receiver General of Canada.

*If the applicant intends to practice either with a trustee firm (i.e. partnership or corporate licence), or as an employee of another trustee:*

- 6 A supporting letter in which the employer or a partner undertakes to provide the necessary resources (work facilities, equipment and personnel) that will be required by the applicant for the execution of his/her duties as a trustee, as well as insurance coverage (professional liability insurance and employee dishonesty (fidelity) insurance).

*In all other cases (in order to obtain authorization to begin accepting professional engagements):*

- 7 A personal balance sheet.
- 8 Details of necessary resources (work facilities, equipment and personnel) that will be at the applicant's disposal in the execution of his/her duties as a trustee, and of banking arrangements.
- 9 Evidence of insurance coverage for the applicant (professional liability insurance and employee dishonesty (fidelity) insurance).



FORM 3

Application for Trustee Licence (Corporation)  
(Subsection 13(1) of the Act)

**GENERAL INFORMATION**

Name of Corporation (pre-approved by the Superintendent)

\_\_\_\_\_

Address of Head Office

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel. No. \_\_\_\_\_

Fax No. \_\_\_\_\_

E-mail address: \_\_\_\_\_

Incorporated:

under federal law

under provincial law (*Which province(s)?* \_\_\_\_\_)

Other province(s) in which the corporation is registered: \_\_\_\_\_

Date of Incorporation \_\_\_\_/\_\_\_\_/\_\_\_\_  
                                  year   month   day

Bankruptcy District(s) for which Licence is requested: \_\_\_\_\_

**DECLARATION**

I, the undersigned, do solemnly declare that I am authorized to submit the present application on behalf of the corporation named herein and that the information set out in this application and in the attached documents is, to the best of my knowledge and belief, true, correct and complete in all respects.

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Applicant, on behalf of the Corporation

FORM 3 -- *Concluded*

**THE FOLLOWING MUST ALSO BE PROVIDED WITH THIS APPLICATION**

*Please fill out this page and return with your application. If any items are not checked off, please indicate the reason for this information being excluded and the date at which it will be provided.*

- 1 The original or a certified true copy of the constituting documents (letters patent, certificate of incorporation, memorandum or articles of association and other pertinent documentation).
- 2 The address of the head office and of every other office or place of business from which the corporate trustee intends to provide bankruptcy services.
- 3 The personal balance sheet of the firm's managing trustee (as of the date of the application).
- 4 The name, residential address and occupation of each shareholder and each person having a direct or indirect proprietary interest in the corporation (including beneficial owner, if applicable).
- 5 The number of shares (*or* proportion of total shares) and the classes of shares held by each shareholder in the corporation.
- 6 A list indicating every trustee who is simultaneously a shareholder (or financial backer) of this corporation and of any other corporate trustee<sup>1</sup> and all relevant details (i.e. names of those corporate trustees, and the district(s) in which they operate).
- 7 The name, residential address and occupation of each director and of each officer of the corporation.
- 8 The name and business address of every licensed trustee who will practice in an office or place of business of the corporate trustee.
- 9 Evidence of insurance coverage (professional liability insurance and employee dishonesty (fidelity) insurance).
- 10 A cheque for \$300 made out to the order of the Receiver General of Canada.

*A copy of the following information must also be sent to your local Division Assistant Superintendent (DAS):*

- 11 Details of necessary resources (work facilities, equipment and personnel) available for each office at which the corporate trustee intends to provide bankruptcy services, as well as details of banking arrangements.
- 12 If the trustee responsible for the administration of estates is being replaced, a letter indicating which trustee is assuming responsibility for these estates, and the signature of that trustee confirming his/her acceptance of the transfer.

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1 Section 27 of the Directive reads as follows: "A trustee may, with the pre-approval of the Superintendent, be a shareholder or a financial backer of more than one corporate trustee provided that:

- (a) the corporate trustees do not operate in the same district;
- (b) the trustee satisfies the Superintendent that there is no conflict of interest; and
- (c) the trustee respects any other conditions and limitations that the Superintendent considers appropriate."

Section 28 of the Directive reads as follows: "Despite section 27, a trustee may, with the pre-approval of the Superintendent, be a shareholder or a financial backer of more than one corporate trustee in the same district, for a limited period of time, in order to retire from practice as a trustee

FORM 4

Trustee Licence  
(Section 13.1 of the Act)

This is to certify that

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is licensed to act as a trustee in the Bankruptcy District(s) of

---

---

Superintendent of Bankruptcy

---

Date

FORM 5

Trustee Licence  
(Section 13.1 of the Act)

This is to certify that

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is licensed to act as a trustee in the Bankruptcy District(s) of

---

subject to the following condition(s):

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Superintendent of Bankruptcy

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Date

FORM 6

Notice to Canada Post Corporation Requesting  
Redirection of Mail Addressed to Bankrupt  
(Subsection 35(1) of the Act)

Take notice that I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, as stated in the attached certificate of appointment, hereby request that any mail addressed to the bankrupt at the following address(es):

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be redirected to the trustee (*or* \_\_\_\_\_), at the following address:

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for the period beginning on \_\_\_\_\_ and ending on \_\_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTES: This notice may refer to the bankrupt's residence only if the trustee has, on application, obtained permission to do so from the court.

If the bankrupt is an individual, this notice is operative only during the 3-month period immediately following the date of bankruptcy, unless the court, on application, extends that period, on any terms that the court considers appropriate.

If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 7

Application of Former Trustee to Pass Accounts  
(Subsection 36(1) of the Act; Rule 56)

*(Title Form 1)*

I, the undersigned, hereby apply to the court pursuant to subsection 36(1) of the Act to pass my accounts.

Attached and marked as Exhibit A is a statement of receipts and disbursements.

I have sold or realized all the property of the bankrupt, with the exception of the following:

*(Give the description and value of all property not sold or realized and the reasons why these items were not sold or realized.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

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Former Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 8

Affidavit Verifying Application to Pass Accounts  
(Rule 56)

I, \_\_\_\_\_, the person named in the attached application, do swear  
(*or* solemnly declare):

That the statements in this application are to my knowledge, true;

That the statement of receipts and disbursements attached to the application and marked as Exhibit A is an accurate and correct statement of my administration of the estate;

That all the property of the bankrupt that came into my hands has been realized or disposed of in a proper manner;

That all claims filed were properly examined and that, to my knowledge, the attached dividend sheet marked as Exhibit B contains a true and correct list of the claims of creditors and that all payments shown on the dividend sheet have been duly made;

That every disbursement included in the statement of receipts and disbursements is accurate and correct;

That I have not received, nor do I expect to receive, nor have I been promised, any remuneration or consideration other than as shown in the statement;

That I have not been a party to, nor have I knowledge of, any undisclosed arrangement with the bankrupt or with any other person as a result of which a creditor received or will receive a consideration or payment in excess of that to which the creditor was properly entitled;

That notice of the application in the attached form marked as Exhibit C was, on the \_\_\_\_\_ day of \_\_\_\_\_, sent to every creditor whose claim had been proved, to the registrar, to the bankrupt, to the substituted trustee and to the division office.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)

in the Province of \_\_\_\_\_,

on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths  
for the Province of \_\_\_\_\_.

\_\_\_\_\_  
Former Trustee

FORM 9

Notice of Former Trustee's Application to Pass Accounts  
(Rule 56)

*(Title Form 1)*

Take notice that:

1. A substitute trustee of the estate of \_\_\_\_\_, a bankrupt, having been appointed on the \_\_\_\_\_ day of \_\_\_\_\_, I, the undersigned, will, on the \_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock, apply to the registrar in bankruptcy at \_\_\_\_\_ to pass my accounts.

2. Enclosed is my statement of receipts and disbursements.

3. I have sold or realized all the property of the bankrupt, with the exception of the following:

*(Give the description and value of all property not sold or realized and the reasons why these items were not sold or realized.)*

4. You are at liberty to attend in person or by legal counsel at the passing of the said accounts and to be heard in respect of the same.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Former Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document



FORM 10

Application of Trustee for Discharge  
(Rule 61)

*(Title Form 1)*

I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, hereby apply to the court for an order of discharge with respect to the above-mentioned estate and, consequently, for a release of the security that I have provided pursuant to subsection 16(1) of the Act.

I certify that I have observed the applicable terms set out in the General Rules.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 11

Notice of Final Dividend and Application for Discharge of Trustee  
(Paragraph 152(5)(c), Rule 61)

*(Title Form 1)*

Take notice that:

1. A final dividend sheet has been prepared. There is enclosed with this form a copy of the dividend sheet and a copy of my final statement of receipts and disbursements as taxed.

2. The final dividend will be paid after the expiration of 15 days following the date of the mailing of this notice.

3. Notice of objection of the final statement and dividend sheet must be filed with the registrar, at \_\_\_\_\_, before the \_\_\_\_\_ day of \_\_\_\_\_, and a copy of the notice served on the undersigned. The notice must state the reasons for the objection.

4. I will apply to the court on the \_\_\_\_\_ day of \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock, or so soon thereafter as the motion can be heard, for an order of discharge with respect to the above-mentioned estate and for a release of the security provided by me pursuant to subsection 16(1) of the Act.

5. Notice of objection to my discharge, setting out the reasons for opposition, must be filed with the registrar, at \_\_\_\_\_, at least five days before the date of the hearing, and a copy of the notice must be served on me within those five days.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 12

Final Statement of Receipts and Disbursements  
(Other than Summary Administration and Consumer Proposals)  
(Section 152 of the Act)

*(Title Form 1)*

TRUSTEE'S STATEMENT OF RECEIPTS AND DISBURSEMENTS

RECEIPTS:

- 1. Cash in hand and in bank ..... \$ \_\_\_\_\_
- 2. Realization of assets: Book debts and bills of exchange ..... \_\_\_\_\_
- 3. Realization of assets: Stock, fixtures, machinery and furniture ..... \_\_\_\_\_
- 4. Realization of assets: Real property or immovable ..... \_\_\_\_\_
- 5. Received from
  - a) Interim receiver as taxed ..... \$ \_\_\_\_\_
  - b) Former trustee as taxed ..... \_\_\_\_\_ \$ \_\_\_\_\_
- 6. Operating receipts: ..... \_\_\_\_\_
  - less: (a) purchases ..... \_\_\_\_\_
  - (b) operating expenses ..... \_\_\_\_\_
  - (Attach statement detailing purchases and expenses)*
  - Net profit *(Net loss to be shown in miscellaneous disbursements, 19(a))* ... \_\_\_\_\_
- 7. Miscellaneous:
  - (a) Bank interest, etc. *(Specify)* ..... \_\_\_\_\_
  - (b) Funds received from guarantor *(if applicable)* ..... \_\_\_\_\_
- TOTAL RECEIPTS ..... \$

FORM 12 -- *Continued*

DISBURSEMENTS:

8. Fees paid:  
    (a) To official receiver ..... \$ \_\_\_\_\_  
    (b) To court ..... \_\_\_\_\_ ..... \$ \_\_\_\_\_
9. Notice of first meeting:  
    Local Paper ..... \_\_\_\_\_  
    To (*Number*) \_\_\_\_\_ creditors ..... \_\_\_\_\_  
    Postage ..... \_\_\_\_\_ ..... \_\_\_\_\_
10. Other advertising ..... \_\_\_\_\_
11. Stocktaking and possession (*Actual expenses only*) ..... \_\_\_\_\_
12. Premiums:  
    (a) Bond or Suretyship Premium ..... \_\_\_\_\_  
    (b) Insurance ..... \_\_\_\_\_ ..... \_\_\_\_\_
13. Notice of bankrupt's application for discharge:  
    To (*Number*) \_\_\_\_\_ creditors ..... \_\_\_\_\_  
    Postage ..... \_\_\_\_\_ ..... \_\_\_\_\_
14. Auctioneer:  
    Commission ..... \_\_\_\_\_  
    Expenses ..... \_\_\_\_\_ ..... \_\_\_\_\_
15. Notice of final dividend and trustee's application for discharge:  
    To (*Number*) \_\_\_\_\_ creditors ..... \_\_\_\_\_  
    Postage ..... \_\_\_\_\_ ..... \_\_\_\_\_
16. Other notices and reports:  
    To (*Number*) \_\_\_\_\_ creditors ..... \_\_\_\_\_  
    Postage ..... \_\_\_\_\_ ..... \_\_\_\_\_
17. Postage on general correspondence ..... \_\_\_\_\_
18. Inspector:  
    (a) Fees (*Give details*) ..... \_\_\_\_\_  
    (b) Expenses ..... \_\_\_\_\_ ..... \_\_\_\_\_

FORM 12 -- *Continued*

19. Miscellaneous:

(a) Loss on operations	.....	\$	_____	
(b) Cost of former trustee as taxed	.....		_____	
(c) <i>(Itemize)</i>	.....		_____	..... \$ _____

20. Trustee's remuneration ..... \_\_\_\_\_

21. Legal fees and legal services costs (taxed):

(a) Legal Counsel on application or assignment:	.....		_____	
(b) Legal Counsel to estate	.....		_____	
(c) Court fees awarded against trustee:	.....		_____	
(d) Costs awarded to opposing creditor (pursuant to subsection 197(6.1))	.....		_____	..... _____

22. Taxes (Federal and Provincial) ..... \_\_\_\_\_

23. Counselling fees ..... \_\_\_\_\_

24. Trust claim (Crown) ..... \_\_\_\_\_

TOTAL DISBURSEMENTS: ..... \$ \_\_\_\_\_

25. Amount available for distribution ..... \_\_\_\_\_

26. Levy payable under section 147 of the Act ..... \$ \_\_\_\_\_

27. Secured creditors:

Dividend	\$ _____	less levy	.....	_____	_____
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28. Preferred creditors:

Dividend	_____	less levy	.....	_____	_____
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29. Unsecured creditors:

Proved claims of \$ \_\_\_\_\_

Interim dividend	___% \$ _____	less levy	.....	_____	_____
Final dividend	___% \$ _____	less levy	.....	_____	_____

FORM 12 -- *Concluded*

30. Status of Bankrupt's Discharge (if an individual)

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*(Give the description and value of all property of the bankrupt (whether or not secured) as shown in the statement of affairs or otherwise known and not accounted for in the receipts, stating why the property has not been sold or realized and stating the disposition made)*

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Date

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Trustee

Approved by the following inspectors:

---

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Taxed at the sum of \$\_\_\_\_\_, this\_\_\_\_\_ day of\_\_\_\_\_ .

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Registrar

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 13

Trustee's Final Statement of Receipts and Disbursements  
(Summary Administration)  
(Sections 152, 155 of the Act; Rule 62)

(Title Form 1)

RECEIPTS:

(Itemize the receipts)

Total Receipts: ..... \$ \_\_\_\_\_  
Less payments made to secured creditors \$ \_\_\_\_\_  
Less necessary disbursements relating directly to realization  
(Identify separately the costs pertaining to all assets) \_\_\_\_\_ .....

NET RECEIPTS AVAILABLE TO THE ESTATE: ..... \$ \_\_\_\_\_

DISBURSEMENTS:

1. Counselling fees: ..... \$ \_\_\_\_\_

2. Fees paid:

(a) To official receiver ..... \_\_\_\_\_  
(b) To the court (where applicable) ... \_\_\_\_\_ .....

3. Administrative Disbursement: ..... \_\_\_\_\_

4. Trustee's Fees:

100% of \$ \_\_\_\_\_ ..... \_\_\_\_\_  
35% of \_\_\_\_\_ ..... \_\_\_\_\_  
50% of \_\_\_\_\_ ..... \_\_\_\_\_

Total Fees ..... \_\_\_\_\_ .....

5. Applicable Taxes ..... \_\_\_\_\_

TOTAL DISBURSEMENTS: ..... \$ \_\_\_\_\_

Amount available for distribution ..... \_\_\_\_\_

FORM 13 -- *Concluded*

Proved Claims ..... \$ \_\_\_\_\_

Dividend ..... \$ \_\_\_\_\_

Superintendent's Levy ..... \_\_\_\_\_

Total Dividend and Levy ..... \_\_\_\_\_ ..... \$           

Status of Bankrupt's Discharge:

---

*(Give the description and value of all property of the bankrupt (whether or not secured) as shown in the statement of affairs or otherwise known and not accounted for in the receipts, stating why the property has not been sold or realized and stating the disposition made)*

\_\_\_\_\_   
Date

\_\_\_\_\_   
Trustee

Approved by the following inspectors:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document



FORM 14

Administrator's Final Statement of Receipts and Disbursements  
(Consumer Proposal)  
(Rule 98)

(Title Form 1)

RECEIPTS:

(Itemize the receipts)

Total Receipts ..... \$ \_\_\_\_\_

Less trust claims ..... \_\_\_\_\_

RECEIPTS AVAILABLE TO PROPOSAL: ..... \$           

DISBURSEMENTS:

1. Counselling fees ..... \$ \_\_\_\_\_

2. Fees paid:

(a) To official receiver ..... \$ \_\_\_\_\_

(b) To the court (*where applicable*) ..... \_\_\_\_\_

3. Administrator's Fees:

(a) On filing of proposal with official receiver . \_\_\_\_\_

(b) On approval or deemed  
approval by the court ..... \_\_\_\_\_

(c) 20% of moneys distributed ..... \_\_\_\_\_

Total Fees ..... \_\_\_\_\_

4. Applicable Taxes ..... \_\_\_\_\_

TOTAL DISBURSEMENTS: ..... \$           

Amount available for distribution ..... \_\_\_\_\_

Proved Claims \$ \_\_\_\_\_

Dividend ..... \$ \_\_\_\_\_

Superintendent's Levy ..... \_\_\_\_\_

Total Dividend and Levy ..... \$

FORM 14 -- *Concluded*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator of  
Consumer Proposal

Approved by the following inspectors:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 15

Notice of Deemed Taxation of Trustee's Accounts and Deemed Discharge of Trustee  
(Rules 64 and 65)

*(Title Form 1)*

Summary Administration

Take notice that:

1. I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, under summary administration, have applied for the taxation of my accounts and for my discharge.

2. The Superintendent of Bankruptcy has issued a letter of comment to me that does not request that my accounts be taxed by the registrar.

3. Attached to this notice are the following:

- (a) a copy of my final statement of receipts and disbursements;
- (b) a copy of the dividend sheet, showing the dividends paid or to be paid to the creditors of the bankrupt; and
- (c) the final dividend that is owed to you, if applicable.

4. Any creditor may object to the taxation of my accounts and to my discharge by doing the following within the 30 days after the day on which this notice is sent:

- (a) serving a notice of objection on me or sending me a notice of objection by registered mail or by courier;
- (b) filing a copy of the notice of objection with the registrar, along with any applicable fee of as provided by the tariff, and;
- (c) sending a copy of the notice of objection to the division office.

Where a creditor objects to the taxation of my accounts, I will apply to the registrar for a date for the hearing of the objection and will send to any creditor who has objected a notice of the hearing.

FORM 15 -- *Concluded*

5. If I do not receive notice of objection to the taxation of my accounts and to my discharge within the 30 days after the day on which this notice is sent, I will:

- (a) at the expiration of that time limit, take my fee;
- (b) at the expiration of that time limit, if I have not already done so, send to each creditor his or her final dividend; and
- (c) within the three months after the day on which this notice is sent,
  - (i) close the bank account used in administering the estate of the bankrupt, if that account is not a consolidated account, or, where the account is a consolidated account, ensure that all estate funds have been withdrawn from it,
  - (ii) remit any unclaimed dividends and undistributed funds to the Superintendent of Bankruptcy, and
  - (iii) send a certificate of compliance and deemed discharge to the division office.

6. After doing the things referred to in item 5, I will be deemed to be discharged.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 16

Certificate of Compliance and Deemed Discharge of Trustee (*or* Administrator)  
(Rules 65(1)(c)(iii) and 101(1)(d) )

(*Title Form 1*)

I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, under summary administration (*or* the administrator of the consumer proposal made by \_\_\_\_\_, a consumer debtor), hereby certify that:

1. The statements made in connection with my application for discharge are true.
2. The final statement of receipts and disbursements in the estate is an accurate and correct statement of the administration of the estate.
3. Every disbursement included in the statement of receipts and disbursements is accurate and correct.
4. I have disposed of, in a proper manner, all of the property of the bankrupt (*or* the consumer debtor) that came into my hands.
5. All claims of creditors being paid a dividend were properly examined and, to the best of my knowledge, the dividend sheet contains a true and correct list of the claims of creditors, all payments shown on the dividend sheet have been duly made and all unclaimed dividends and undistributed funds have been remitted to the Superintendent of Bankruptcy.
6. I have not received, nor do I expect to receive, nor have I been promised, any remuneration or consideration other than as shown in the statement.
7. I have not been a party to, nor have I knowledge of, any undisclosed arrangement with the bankrupt (*or* the consumer debtor) or with any other person as a result of which a creditor received or will receive a consideration or payment in excess of that to which the creditor was properly entitled.
8. In accordance with subsection 29(2) of the Act, a copy of the report referred to in section 170 of the Act (*where applicable*) was forwarded to the Superintendent of Bankruptcy.
9. A copy of the final statement of receipts and disbursements, a dividend sheet and of a notice of taxation (*or* a Notice of hearing for taxation) have been sent to the bankrupt (*or* the consumer debtor) and to every creditor who has proved a claim.

FORM 16 -- *Concluded*

10. I have complied with the requirements of the General Rules.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Trustee (*or* Administrator  
of consumer proposal)

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 17

Notice of Hearing for Taxation of Trustee's Accounts and Discharge of Trustee  
(Rule 66)

*(Title Form 1)*

Summary Administration

Take notice that the trustee's accounts will be taxed and the trustee's discharge heard at a hearing to be held before the registrar of the \_\_\_\_\_ Court of \_\_\_\_\_ (*province*) in Bankruptcy, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock.

Attached to this notice are a copy of:

- (a) my final statement of receipts and disbursements; and
- (b) the dividend sheet, showing the dividends paid or to be paid to the creditors of the bankrupt.

Any creditor may object to the taxation of my accounts and to my discharge by doing the following:

- (a) serving a notice of objection on me or sending me a notice of objection by registered mail or by courier, which notice of objection must be received by me before the start of the hearing;
- (b) filing a copy of the notice of objection with the registrar, along with any applicable fee of as provided by the tariff; and,
- (c) sending a copy of the notice of objection to the division office.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document

FORM 18

Notice of Application for Taxation of Accounts and Discharge of Interim Receiver  
(Rule 79)

*(Title Form 1)*

Take notice that:

1. Attached to this notice is a copy of the final statement of receipts and disbursements of \_\_\_\_\_, the interim receiver of the property of \_\_\_\_\_, the debtor.
2. Also attached is a statement of account prepared by the interim receiver and other information concerning the fees and expenses.
3. Objection to the statement of receipts and disbursements and to the discharge of the interim receiver must be filed with the court and the undersigned within the 30 days after the day on which this notice is sent. The notice of objection must state the reasons for the objection.
4. The debtor or, in the case of a bankruptcy, the trustee or any creditor may file a notice of objection.
5. Where no objection is filed within 30 days after the sending of this notice, the interim receiver's accounts are deemed to have been taxed and the interim receiver is deemed to be discharged, unless the court requires that the accounts be taxed on their own merit.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Interim Receiver

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 19

Certificate of Appointment of Trustee  
(Rule 85)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Administration

Date of Initial Bankruptcy Event:  
Date and Time of Bankruptcy:  
Date of Trustee Appointment:  
Meeting of Creditors:  
Chairman:

Security:

CERTIFICATE OF APPOINTMENT - Section 49: Rule 85

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor filed an assignment under section 49 of the *Bankruptcy and Insolvency Act*;
- the aforementioned trustee was duly appointed Trustee of the Estate of the Debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy;  
and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Official Receiver

FORM 20

Certificate of Appointment of Trustee  
(Rule 85)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_ Administration

Date of Initial Bankruptcy Event:  
Date and Time of Bankruptcy:  
Date of Trustee Appointment:  
Meeting of Creditors:  
Chairman:

Security:

CERTIFICATE OF APPOINTMENT - Sections 49, Rule 85

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor in respect of whom a notice of intention was filed under section 50.4 or a proposal filed under section 62, subsequently filed prior to court approval, an assignment under section 49 of the *Bankruptcy and Insolvency Act*,
- the aforementioned trustee was duly appointed Trustee of the Estate of the Debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Official Receiver

FORM 20.1

Certificate of Appointment of Trustee  
(Rule 85)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Administration

Deemed Date of Assignment as per Section 66.33:

Security:

Date and Time of Bankruptcy:

Date of Trustee Appointment:

Meeting of Creditors:

Chairman:

CERTIFICATE OF APPOINTMENT - Sections 49, 66.33; Rule 85

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor filed a consumer proposal under section 66.13 and, subsequently filed prior to court approval or deemed court approval, an assignment under section 49 of the *Bankruptcy and Insolvency Act*;
- the aforementioned trustee was duly appointed Trustee of the Estate of the Debtor.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Official Receiver

FORM 21

Assignment for the General Benefit of Creditors  
(Corporation or other Legal Entity)  
(Section 49 of the Act)

*(Title Form 1)*

This indenture made this \_\_\_\_\_ day of \_\_\_\_\_

Between

\_\_\_\_\_  
*(Insert the name of the debtor)*

hereinafter called "the debtor"

and

\_\_\_\_\_  
*(Trustee)*  
hereinafter called "the trustee."

Whereas the debtor is insolvent and desires to assign and to abandon all his or her property for distribution among his or her creditors, in pursuance of the Act,

This indenture witnesses that the debtor does hereby assign to the trustee, all the debtor's property for the uses, intents and purposes provided by the Act.

Signed at the \_\_\_\_\_ of \_\_\_\_\_, in the Province of \_\_\_\_\_,  
in the presence of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debtor  
(or Legal Representative  
of the Debtor)

Notes: If the debtor is a corporation, a certified copy of the resolution of the board of directors shall be attached to this document.  
If the debtor is deceased, attach a copy of the court order.

If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 23

Preliminary Statement of Affairs  
(Subsection 49(2) of the Act)

*(Title Form 1)*

To the Debtor:

You are required to complete this form carefully and accurately, answering the questions to the best of your knowledge.

1. Give the names, addresses and amounts of the claims of all your creditors and all your assets of every description and state whether such claims are secured, preferred or unsecured.

Property Claims

Name	Address	Amount of Claim \$	Nature of Claim
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Trust Claims

Name	Address	Amount of Claim \$	Nature of Claim
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Secured Creditors

Name	Address	Amount of Claim \$	Particulars of Security held
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

FORM 23 -- *Continued*

Preferred Creditors

Name	Address	Amount of Claim \$	Nature of claim
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Unsecured Creditors

Name	Address	Amount of Claim \$
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. What is the estimated value of your property?

- a) Stock-in-trade ..... \$ \_\_\_\_\_
- b) Trade fixtures ..... \_\_\_\_\_
- c) Book debts, bills of exchange, promissory notes, etc. .... \_\_\_\_\_
- d) Cash in Bank of ..... \_\_\_\_\_
- e) Cash on hand ..... \_\_\_\_\_
- f) Livestock ..... \_\_\_\_\_
- g) Machinery and equipment ..... \_\_\_\_\_
- h) Real property or immovable ..... \_\_\_\_\_
- i) Financial Instruments (includes RRSPs, securities, life insurance policies, etc.) ..... \_\_\_\_\_
- j) Other property (vehicles, jewellery, etc.) ..... \_\_\_\_\_

FORM 23 -- *Concluded*

3. Have you an interest or a right in any other property?

- a) Jointly or in common with any person or persons?
- b) Under any will?
- c) Under any marriage contract or settlement?
- d) In any other way?

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of \_\_\_\_\_, do swear (*or* solemnly declare) that the above statement is to my knowledge a full, true and complete statement of my affairs on this \_\_\_\_\_ day of \_\_\_\_\_, and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with section 67 of the Act.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)  
in the Province of \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths  
for the Province of \_\_\_\_\_.

\_\_\_\_\_  
Debtor



FORM 24

Notice of Examination Before The Official Receiver  
(Corporation)  
(Rule 117)

Date:

To: \_\_\_\_\_

In the Matter of the Bankruptcy of:

\_\_\_\_\_

Estate No. \_\_\_\_\_

Place of Examination:

\_\_\_\_\_

NOTICE OF EXAMINATION BEFORE THE OFFICIAL RECEIVER

Take notice that you, as an Officer of the bankrupt corporation named herein, are required pursuant to section 159 of the *Bankruptcy and Insolvency Act*, to perform all duties imposed upon a bankrupt by section 158 of the said Act.

You are hereby required, pursuant to section 158, to attend at the office of the official receiver, on the day and at the time and place aforementioned, there to answer to any questions that may be put to you by the official receiver with respect to the conduct of the said bankrupt corporation, the causes of its bankruptcy and the disposition of its property.

Further take notice, that if you fail to present yourself for examination, the court may by warrant, cause you to be apprehended and brought up for examination. You may be liable on conviction under indictment to imprisonment for a term not exceeding 3 years.

\_\_\_\_\_  
Official Receiver

Address of the division office of the official receiver

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORM 25

Notice of Examination Before The Official Receiver  
(Individual Bankrupt)  
(Rule 117)

Date:

To: \_\_\_\_\_

In the Matter of the Bankruptcy of:

\_\_\_\_\_

Estate No. \_\_\_\_\_

---

Place of Examination:

---

NOTICE OF EXAMINATION BEFORE THE OFFICIAL RECEIVER

Take notice that you, the bankrupt named herein are required to perform all duties imposed on a bankrupt by section 158 of the *Bankruptcy and Insolvency Act*.

You are hereby required, pursuant to section 158, to attend at the office of the official receiver, on the day and at the time and place aforementioned, there to answer to any questions that may be put to you by the official receiver with respect to your conduct, the causes of your bankruptcy and the disposition of your property.

Failure to appear for your examination is an offence under the *Bankruptcy and Insolvency Act*, which may have serious consequences on your application for discharge from bankruptcy.

This notice is not to be confused with the notice to attend the first meeting of creditors you may have received from the trustee.

\_\_\_\_\_  
Official Receiver

Address of the division office of the official receiver

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## FORM 26

### Questions to be put to the Bankrupt by the Official Receiver (Individual in Business) (Section 161 of the Act)

#### Instructions to Official Receiver:

The following questions, or questions to a like effect, are to be put to the bankrupt personally by the official receiver. The questions should be expanded or supplemented by the official receiver in an endeavour to extract from the examination the maximum of essential information and to determine as nearly as possible the true cause of bankruptcy, the disposition of the property and the conduct of the bankrupt. The bankrupt's books, statements, etc., should be available to the official receiver for reference or for the purpose of a more detailed examination of any phase of the bankrupt's business or conduct which the official receiver may deem warranted.

1. Are you the bankrupt referred to in these proceedings?
2. Have you been made aware of the duties imposed on you pursuant to section 158 of the Act?
3. What is your full legal name, by what other names are you known, and what is your date of birth?
4. Where do you reside? Do you rent or own the property, or does a family member own the property? Give full details.
5. Have you any dependants? If so, give particulars and their ages.
6. Where and under what name did you carry on business?
7. What is the nature of your business?
8. When did you begin the business?
9. What capital did you invest in it, what did the capital consist of, and how much of it was in cash?
10. Was any of the cash borrowed capital and, if so, from whom?
11. Have you any partners in the business or have you had any partners during the past five years? If so, give particulars.
12. What previous experience have you had in conducting a business of this nature?
13. Have you ever been bankrupt before or made a proposal or an arrangement with your creditors, whether personally or as a partner or as an officer of a corporation?

FORM 26 -- *Continued*

14. Did you personally supervise your business?
15. Did you keep a proper set of books? Did you examine your financial position and take stock at regular intervals?
16. (1) Did you keep the following books:
  - (a) Cash book (receipts and disbursements)?
  - (b) Sales book, showing sales on credit?
  - (c) Ledger of accounts receivable?
  - (d) Purchase book, showing purchases on credit?
  - (e) Ledger of accounts payable?
  - (f) General ledger or controlling accounts?
- (2) If so, what periods do these books cover?
- (3) Were the entries in these books made by you? If not, give the names of the persons by whom they were made.
- (4) Were these books audited by a qualified accountant? If so, when and by whom?
- (5) Where are these books now?
- (6) Where are the supporting vouchers (receipts, paid invoices, cancelled cheques or other documents)?
17. When did you first become aware of your insolvency?
18. Did you continue to carry on business or contract liabilities after you knew yourself to be insolvent?
19. Have you made any payments, returned any goods, delivered any property or given any security to any of your creditors during the three months before the date of the initial bankruptcy event or since you became aware of your insolvency, except in the ordinary course of business? If so, give particulars.
20. Did you, within the 12 months before the date of the initial bankruptcy event,
  - (a) execute any bill of sale or mortgage or hypothecate any of your property, or pledge any of your property? If so, give particulars.

FORM 26 -- *Continued*

(b) sell, dispose of, give away or remove any of your property, except in the ordinary course of business?

(c) have you sold, disposed of or given away any assets that were purchased on credit before they were fully paid for?

21. Within the 5 years before the date of the initial bankruptcy event

(a) were you a party to any marriage settlement, post-nuptial settlement or other settlement of property?

(b) have you sold any real estate property or any immovable within the last 5 years?

If so, give particulars.

22. Did your business ever show a profit? If so, when did it last do so and what was the cost value of your stock in trade at that time?

23. Since the above date, what have your sales, purchases and operating expenses been and what is the value (cost price) of your stock in trade at present? Enter answers below:

Sales ..... \$ \_\_\_\_\_

Stock on hand per answer to question 23 ..... \_\_\_\_\_

Add subsequent purchases ..... \_\_\_\_\_

Deduct stock on hand at present ..... \_\_\_\_\_

Add operating costs ..... \_\_\_\_\_

Cost of sales ..... \_\_\_\_\_

Profit or loss ..... \_\_\_\_\_

24. What percentage or mark up did you add to your cost price or prime cost to arrive at your selling price?

25. Have you ever sold any goods at cost price or below cost price and, if so, to whom?

26. How do you account for the loss shown in your answer to question 23?

FORM 26 -- *Continued*

27. How much did you draw from your business for household or personal expenses each year, in the past three years?
28. Does your cash book show all those drawings?
29. Who have you seen for advice with your financial problems?
30. Have you made any recent application for credit?
31. Have you made any major purchases in the past 12 months?
32. When were your credit cards last used?
33. When did you get your credit cards?
34. Have you used your credit card for cash advances, purchases or trips in the last 12 months? If so, give particulars.
35. What is going to happen with your secured liabilities, and on which items are you continuing to make payments?
36. Give the reason for the following debts and when they were incurred or last renewed.
37. Are any of your creditors or customers of your business related to you or your family?
38. Are you involved in a managerial capacity or are you an officer or director in any other business or corporation? If so, give details.
39. What bank account have you maintained in the last two years?
40. Do you own or lease a vehicle?
41. Have you any other assets of any kind not already shown on your statement of affairs? (Either personal or business related.)
42. Have you any other debts or are you co-signed on any debts of any kind not already shown on your statement of affairs?
43. Are you presently employed, if so where and what is your income?
44. Have you any other source of income?
45. What do you believe are the causes of your bankruptcy?

FORM 26 -- *Concluded*

NOTE TO OFFICIAL RECEIVER

Any additional questions put by the official receiver and the answers to them should be entered in the space provided below or on a sheet to be attached to this form.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_, do swear (*or* solemnly declare) that to the best of my knowledge the above answers are true in every respect. I understand this examination is being adjourned *sine die* and may be continued at a later date if necessary.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)

in the Province of \_\_\_\_\_,

on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Official Receiver for Bankruptcy  
Division No \_\_\_\_\_ of the  
Bankruptcy District of \_\_\_\_\_

\_\_\_\_\_  
Bankrupt

FORM 27

Examination of Bankrupt by Official Receiver  
(Non-Business)  
(Section 161 of the Act)

Instructions to Official Receiver

The following questions, or questions to a like effect, are to be put to the person examined under section 161 by the official receiver. The questions should be expanded or supplemented by the official receiver in an endeavour to extract from the examination the maximum of essential information and to determine as nearly as possible the true cause of the bankruptcy, the disposition of the property and the conduct of the bankrupt.

OFFICIAL RECEIVER'S NOTES (To be completed by Official Receiver)

---

Previous Bankruptcy(ies):

Reviewable Transactions:

Undisclosed Assets:

Undisclosed Debts:

Preferential Payments:

Excessive Credit Use:

Settlements:

Other Matters or Concerns:

---

Official Receiver



FORM 27 -- *Continued*

1. Give your full legal name (and aliases) and your birthday.
2. What is your current address and telephone number?
3. Have you ever been the owner, or are the current owner of the residence that you live in, or does a family member own it?
4. How much is your rent, or your mortgage or hypothec payments?
5. Have you been informed of your duties, according to the *Bankruptcy & Insolvency Act*?
6. Approximately on what date did you become aware that you were unable to meet your debts as they became due and what made you aware of this fact?
7. Did you use or obtain credit after this date? If yes, from whom did you obtain credit?
8. Have you ever been bankrupt before, or made a proposal to your creditors? If yes, when?
9. Do you have any credit cards in your possession at this time?
10. Who is your present employer, and how much is your monthly "Take Home" pay?
11. Do you have any other source of income, other than your job? If yes, what is the source and amount of the income?
12. What bank or banks do you have accounts at, and what is your present balance?
13. Do you have any other debts that you have not disclosed on your Statement of Affairs? If yes, give details.
14. Do you have any other assets that you have not disclosed on your Statement of Affairs? If yes, give details.
15. Explain the following debts, giving the date they were started, and the reason or cause of the debt.
16. Have you sold, given away or disposed of any assets in the 12 months prior to the date of the initial bankruptcy event? If so, give details.
17. From the sale of the above assets, how much money did you receive, and what did you do with the money?
18. Did you sell or give away anything that you bought on credit before it was fully paid for? If so, give details.

FORM 27 -- *Continued*

19. Have you paid back any debts to family members in the 12 months prior to the date of the initial bankruptcy event? If so, give details.
20. Did you pay your trustee at the time of signing your papers? If so, how much?
21. Are you presently making payments to your trustee? If so, how much?
22. Did you consider any other formal insolvency options before you filed your bankruptcy?
23. What creditors did you make payments to in the 3 months prior to filing bankruptcy? Did you pay any of these creditors in full, or give them larger than normal payments?
24. Are you aware of anyone holding any assets in trust? If so, give details.
25. Are you preparing monthly income and expense statements for your trustee?
26. List all monthly income, including that of your spouse (including common-law), and the source of the income.
27. List all monthly expenses, with the dollar amounts beside them.
28. If your expenses are more than your income, please explain what expenses you are not paying, and what you are doing to correct this problem.
29. Who advised you in regard to your financial problems?
30. Do you own or lease a motor vehicle? If yes, give details (are you paying the trustee to keep the vehicle, or who are paying to keep it, and what amount is being paid).
31. Are you presently borrowing a motor vehicle? If yes, give details.
32. Did you obtain any cash advances on any credit cards in the 12 months prior to the date of the initial bankruptcy event? If so, list them giving cash amounts and the last date an advance was taken.
33. Did you pay for any trips with your credit cards in the 12 months prior to the date of the initial bankruptcy event? If yes, what trips did you take, and how much money was charged on the cards?
34. Please explain why and how you ran up a total credit card debt of over \$x.xx on your credit cards. I.e., what type of purchases were made and over what period of time?
35. What do you believe are the causes of your bankruptcy? Please give a brief explanation.

FORM 27 -- *Concluded*

36. Do you feel you are directly or partially responsible for your bankruptcy? Please explain your answer.

NOTE TO OFFICIAL RECEIVER

Any additional questions put by the official receiver and the answers to them should be entered in the space provided below or on a sheet to be attached to this form.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of \_\_\_\_\_, do swear (*or* solemnly declare) that to the best of my knowledge the above answers are true in every respect. I understand that this examination is being adjourned *sine die* and may be continued at a later date if necessary.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)  
in the Province of \_\_\_\_\_,  
on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Official Receiver for Bankruptcy  
Division No. \_\_\_\_\_ of the  
Bankruptcy District of \_\_\_\_\_

\_\_\_\_\_  
Bankrupt

## FORM 28

### Questions To Be Put to an Officer of the Bankrupt Corporation, or a designated person, by the Official Receiver (Sections 159 and 161 of the Act)

#### Instructions to Official Receiver

The following questions, or questions to a like effect, are to be put to the person examined under section 159 by the official receiver. The questions should be expanded or supplemented by the official receiver in an endeavour to extract from the examination the maximum of essential information and to determine as nearly as possible the true cause of the bankruptcy, the disposition of the property and the conduct of the bankrupt corporation. The books, statements, etc., of the bankrupt corporation should be available to the official receiver for reference or for the purpose of a more detailed examination of any phase of the corporation's business or conduct which the official receiver may deem warranted.

1. Are you an officer of the corporation referred to in these proceedings?
2. Have you been made aware of your duties pursuant to sections 158 and 159 of the Act?
3. What is your full name and what position do you hold in the corporation?
4. What is the full name of the corporation and what is the address of its head office?
5. When and under what Act of Parliament or of a province was it incorporated?
6. What is the authorized capital of the corporation?
7. What amount of the capital has been subscribed and what amount of subscribed capital has been paid in full?
8. What amount of the capital was paid in cash and what was the consideration for any other issue of the share capital?
9. Did the corporation have a share register containing particulars of the allotment, issue and transfer of all shares?
10. Does it disclose the amount paid, whether by cash or otherwise, on each share of the corporation?
11. What is the total amount, if any, unpaid on the shares of the corporation and by whom is that amount owing?
12. What are the names of the principal shareholders?

FORM 28 -- *Continued*

13. What are the names of the directors and officers of the corporation?
14. Has the corporation any wholly-owned subsidiary corporations? If so, give particulars.
15. Has the bankrupt corporation or any of its subsidiaries ever been in bankruptcy before or made a proposal or arrangement with the creditors?
16. When did the corporation commence business?
17. What was the nature of its business?
18. Was a proper set of books kept, and are they up to date?
19. Were the books audited annually?
20. What is the name of the auditor and when was the last statement drawn up?
21. Have all proper returns been made to the various government departments requiring them?
22. When did the corporation first become aware of its insolvency?
23. Did the corporation continue to carry on business and contract liabilities after it became aware of its insolvency?
24. Did the corporation make any payments, return any goods, deliver any property or give security to any of its creditors during the 3 months before the date of the initial bankruptcy event or since it became aware of its insolvency, except in the ordinary course of business? If so, give particulars.
25. Did the corporation, within the 12 months before the date of the initial bankruptcy event,
  - (a) execute any bill of sale or chattel mortgage or pledge any of its property?
  - (b) sell, dispose of or remove any of its property, except in the ordinary course of trade? If so, give particulars.
26. Did the corporation make or was it a party to any settlement of property within the 5 years before the date of the initial bankruptcy event? If so, give particulars.
27. What are the causes of the bankruptcy of the corporation?
28. What were the sales for the past 3 years and what percentage of the sales represented the profit or mark-up?

FORM 28 -- *Continued*

29. When did the corporation last show a profit?
30. Did the corporation, within the last twelve months pay a cash dividend or redeem any of its shares, notes, debentures, or any other long-term liabilities? If so, when and for what amounts?
31. What was the total amount of salary and expenses for the officers and directors of the corporation during the twelve months prior to the initial bankruptcy event?
32. Did you personally keep track of the corporation's financial position?
33. Are you involved as director, officer or manager in any other business or corporation? If yes, give details.
34. In the last- 12 months prior to the date of the initial bankruptcy event, has the corporation entered into any transactions with the following persons:
  - (1) Employees, officers or directors
  - (2) An individual related to any employee, officer or director of the corporation
  - (3) Another corporation, in which you or any of the persons mentioned in (1) or (2) above, or any individual related to them, had a financial interest?
35. Did the corporation have any creditors or customers who fall within questions number 34(1), (2) or (3) above? If yes, give details.
36. Were all sales made just prior to bankruptcy recorded?
37. Was the corporation selling at a normal markup just prior to bankruptcy? If not, give details.
38. Have you ever been involved as an officer in a corporation which has previously gone bankrupt? If so, give details.
39. At the date of bankruptcy, were there any orders previously accepted but unfilled? If so, what has been the disposition of these orders?
40. Does the Corporation have any other assets other than those shown on the Statement of Affairs, or are any assets held in trust by anyone for the Corporation?
41. What Banks or other Financial Institutions did the Corporation use for banking purposes?
42. Were all business receipts deposited in these bank accounts?
43. Were all goods and services provided by the creditors solely for the corporate use and not for use by an officer, Director, or other person/business?

FORM 28 -- *Concluded*

- 44. Have any other assets been disposed of or seized in the year prior to the date of the initial bankruptcy event other than as already disclosed?
- 45. How do you account for the deficiency created by the business? Example: How or where were the major losses incurred?

NOTE TO OFFICIAL RECEIVER

Any additional questions put by the official receiver and the answers to them should be entered in the space provided below or on a sheet to be attached to this form.

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of \_\_\_\_\_, do swear (*or* solemnly declare) that to the best of my knowledge the above answers are true in every respect. I understand that this examination is being adjourned *sine die* and may be continued at a later date if necessary.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)  
in the Province of \_\_\_\_\_,  
on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Official Receiver for Bankruptcy  
Division No \_\_\_\_\_ of the  
Bankruptcy District of \_\_\_\_\_

\_\_\_\_\_  
Signature of Individual Examined

FORM 29

Trustee's Report on Cash-flow Statement  
(Paragraphs 50(6)(b) and 50.4(2)(b) of the Act)

The attached statement of projected cash-flow of \_\_\_\_\_ (*name of insolvent person*), as of the \_\_\_\_\_ day of \_\_\_\_\_, consisting of \_\_\_\_\_ (*describe, including relevant dates*), has been prepared by the management of the insolvent person for the purpose described in Note \_\_\_\_\_, using the probable and hypothetical assumptions set out in Notes \_\_\_\_\_.

Our review consisted of inquiries, analytical procedures and discussion related to information supplied to us by the management and employees of the insolvent person. Since hypothetical assumptions need not be supported, our procedures with respect to them were limited to evaluating whether they were consistent with the purpose of the projection. We have also reviewed the support provided by management for the probable assumptions and the preparation and presentation of the projection.

Based on our review, nothing has come to our attention that causes us to believe that, in all material respects,

(a) the hypothetical assumptions are not consistent with the purpose of the projection;

(b) as at the date of this report, the probable assumptions developed by management are not suitably supported and consistent with the plans of the insolvent person or do not provide a reasonable basis for the projection, given the hypothetical assumptions; or

(c) the projection does not reflect the probable and hypothetical assumptions.

Since the projection is based on assumptions regarding future events, actual results will vary from the information presented even if the hypothetical assumptions occur, and the variations may be material. Accordingly, we express no assurance as to whether the projection will be achieved.

The projection has been prepared solely for the purpose described in Note \_\_\_\_\_, and readers are cautioned that it may not be appropriate for other purposes.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 30

Report on Cash-flow Statement by the Person Making the Proposal  
(Paragraphs 50(6)(c) and 50.4(2)(c) of the Act)

*(Title Form 1)*

The \_\_\_\_\_ (*management, receiver, liquidator, etc.*) of \_\_\_\_\_ (*name of insolvent person*) has developed the assumptions and prepared the attached statement of projected cash-flow of the insolvent person, as of the \_\_\_\_\_ day of \_\_\_\_\_, consisting of \_\_\_\_\_  
(*Describe, including relevant dates*).

The hypothetical assumptions are reasonable and consistent with the purpose of the projection described in Note \_\_\_\_\_, and the probable assumptions are suitably supported and consistent with the plans of the insolvent person and provide a reasonable basis for the projection. All such assumptions are disclosed in Notes \_\_\_\_\_

Since the projection is based on assumptions regarding future events, actual results will vary from the information presented, and the variations may be material.

The projection has been prepared solely for the purpose described in Note \_\_\_\_\_, using a set of probable and hypothetical assumptions set out in Notes \_\_\_\_\_. Consequently, readers are cautioned that it may not be appropriate for other purposes.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Name of the Person  
Making the Proposal

\_\_\_\_\_  
Name and Title of Signing Officer

\_\_\_\_\_  
Name and Title of Signing Officer

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 31

Proof of Claim  
(Section 50.1, subsections 65.2(4), 81.2(1), 102(2), 124(2), 128(1),  
and paragraphs 51(1)(e) and 66.14(b) of the Act)

*All notices or correspondence regarding this claim must be forwarded to the following address:*

\_\_\_\_\_  
\_\_\_\_\_

In the matter of the bankruptcy (*or* the proposal, *or* the receivership) of \_\_\_\_\_ (*name of debtor*) of \_\_\_\_\_ (*city and province*) and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_ (*name of creditor or representative of the creditor*), of \_\_\_\_\_ (*city and province*), do hereby certify:

1. That I am a creditor of the above-named debtor (*or* that I am \_\_\_\_\_ (*state position or title*) of \_\_\_\_\_ (*name of creditor*)).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy (*or* the date of the receivership, *or in the case of a proposal*, the date of the notice of intention *or* of the proposal, *if no notice of intention was filed*), namely the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the statement of account (*or* affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (*The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.*)

4. (*Check and complete appropriate category.*)

A. UNSECURED CLAIM OF \$ \_\_\_\_\_

That in respect of this debt, I do not hold any assets of the debtor as security and

(*Check appropriate description.*)

Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.

Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.

(*Set out on an attached sheet details to support priority claim.*)

FORM 31 -- *Continued*

B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE \$\_\_\_\_\_

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

C. SECURED CLAIM OF \$\_\_\_\_\_

That in respect of this debt, I hold assets of the debtor valued at \$\_\_\_\_\_ as security, particulars of which are as follows:

*(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)*

D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF \$\_\_\_\_\_

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of \$\_\_\_\_\_

*(Attach a copy of sales agreement and delivery receipts.)*

E. CLAIM AGAINST DIRECTOR \$\_\_\_\_\_

*(To be completed when a proposal provides for the compromise of claims against directors.)*

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

5. That, to the best of my knowledge, I am (*or* the above-named creditor is) (*or* am not *or* is not) related to the debtor within the meaning of section 4 of the Act.

6. That the following are the payments that I have received from, and the credits that I have allowed to, the debtor within the three months (*or, if the creditor and the debtor are related within the meaning of section 4 of the Act, within the 12 months*) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (*Provide details of payments and credits.*)

FORM 31 -- *Concluded*

*(Applicable only in the case of the bankruptcy of an individual.)*

- I request to be advised of any material change in the financial situation of the bankrupt, pursuant to subparagraph 102(3)(b)(i) of the Act.
- I request to be advised of any amendment made regarding the amount that the bankrupt is required to pay, pursuant to subsection 68(4) of the Act.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Creditor

Phone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 32

Proof of Claim for Securities Firm Bankruptcies  
(Subsections 102(2), 124(2) and 128(1) of the Act)

( All notices or correspondence regarding this claim must be forwarded to the following address:

\_\_\_\_\_ )

In the matter of the bankruptcy of (name of debtor) of \_\_\_\_\_ (city and province) and the claim of \_\_\_\_\_, creditor.

I, \_\_\_\_\_ (name of creditor or representative of *creditory creditor*), of \_\_\_\_\_ (city and province), do hereby certify:

1. That I am a creditor of the above-named debtor (or that I am \_\_\_\_\_ (state position or title) of \_\_\_\_\_ (name of creditor or of the representative of the creditor)).

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That the debtor was, at the date of bankruptcy, namely the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and still is, indebted to the creditor in the sum of \$ \_\_\_\_\_, as specified in the statement of account (or affidavit) attached and marked Schedule "A", after deducting any counterclaims to which the debtor is entitled. (The attached statement of account, or affidavit must specify the vouchers or other evidence in support of the claim.)

4. (Check and complete appropriate category.)

A. UNSECURED CLAIM OF \$ \_\_\_\_\_

(other than as a customer contemplated by Section 262 of the Act)

That in respect of this debt, I do not hold any assets of the debtor as security and

(Check appropriate description.)

Regarding the amount of \$ \_\_\_\_\_, I do not claim a right to a priority.

Regarding the amount of \$ \_\_\_\_\_, I claim a right to a priority under section 136 of the Act.

(Set out on an attached sheet details to support priority claim.)

FORM 32 -- *Continued*

B. SECURED CLAIM OF \$\_\_\_\_\_

That in respect of this debt, I hold assets of the debtor valued at \$\_\_\_\_\_ as security, particulars of which are as follows:

*(Give full particulars of the security, including the date on which the security was given and the value at which you assess the security, and attach a copy of the security documents.)*

C. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM \$\_\_\_\_\_

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows:

*(Give full particulars of the claim, including the calculations upon which the claim is based.)*

5. That, to the best of my knowledge, I am (*or* the above-named creditor is) (*or* am not *or* is not) related to the debtor within the meaning of section 4 of the Act.

6. That the following are the payments that I have received from, and the credits that I have allowed to, the debtor within the 3 months (*or, if the creditor and the debtor are related within the meaning of section 4 of the Act, within the 12 months*) immediately before the date of the initial bankruptcy event within the meaning of Section 2 of the Act: (*Provide details of payments and credits.*)

*(Applicable only if the securities firm is an individual.)*

- I request to be advised of any material change in the financial situation of the bankrupt, pursuant to subparagraph 102(3)(b)(i) of the Act.
- I request to be advised of any amendment made regarding the amount that the bankrupt is required to pay, pursuant to subsection 68(4) of the Act.
- I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to section 170 be sent to the above address.

FORM 32 -- *Concluded*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Creditor

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

NOTE: If an affidavit is attached, it must have been made before a person qualified to take affidavits.

WARNINGS: A trustee may, pursuant to subsection 128(3) of the Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed, in a proof of security, by the secured creditor.

Subsection 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account.

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 33

Notice of Intention To Make a Proposal  
(Subsection 50.4(1) of the Act)

*(Title Form 1)*

Take notice that:

1. I, \_\_\_\_\_, an insolvent person, state, pursuant to subsection 50.4(1) of the Act, that I intend to make a proposal to my creditors.

2. \_\_\_\_\_ (*name of trustee*), of \_\_\_\_\_ (*address of trustee*), a licensed trustee, has consented to act as trustee under the proposal. A copy of the consent is attached.

3. A list of the names of the known creditors with claims of \$250 or more and the amounts of their claims is also attached.

4. Pursuant to section 69 of the Act, all proceedings against me are stayed as of the date of filing of this notice with the official receiver in my locality.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Insolvent Person

To be completed by Official Receiver:

Filing Date \_\_\_\_\_

\_\_\_\_\_  
Official Receiver

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 34

Report of Trustee on Non-filing of Cash-flow Statement or Proposal  
(Paragraph 50.4(8)(b) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the trustee under a notice of intention to make a proposal filed by \_\_\_\_\_, an insolvent person, hereby report to the official receiver as follows:

1. That the insolvent person did, on the \_\_\_\_\_ day of \_\_\_\_\_, file with the official receiver a notice of intention to make a proposal.

2. That:

*(Check appropriate description.)*

- a projected cash-flow statement was not filed within the period of 10 days after the filing of the notice of intention.
- a proposal was not filed within the period of 30 days after the day on which the notice of intention was filed or within any extension of that period granted by the court under subsection 50.4(9) of the Act. *(If an extension of time has been granted by the court, attach a copy of the court order.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 35

Certificate of Assignment  
(Paragraph 50.4(8)(b) of the Act)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Administration

Date of Bankruptcy:

Security:

Date of Initial Bankruptcy Event:

Meeting of Creditors:

Chairman:

\_\_\_\_\_  
Designated Person:

CERTIFICATE OF ASSIGNMENT - Paragraph 50.4(8)(b)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- a notice of intention in respect of the aforementioned debtor was filed under section 50.4 of the *Bankruptcy and Insolvency Act*;
- the debtor has failed to file a cash flow statement or a proposal within the provided period following the filing of the notice of intention or within any court granted extension and is thereupon deemed to have made an assignment.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Official Receiver

FORM 36

Proxy  
(Subsection 102(2) and paragraphs 51(1)(e) and 66.15(3)(b) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_ (*name of creditor*), of \_\_\_\_\_ (*name of town or city*), a creditor in the above matter, hereby appoint \_\_\_\_\_, of \_\_\_\_\_, to be my proxyholder in the above matter, except as to the receipt of dividends, with (*or* without) power to appoint another proxyholder in his or her place.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Name of Corporate Creditor

\_\_\_\_\_  
Witness

Per \_\_\_\_\_  
Name and Title of Signing Officer

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 37

Voting Letter  
(Paragraphs 51(1)(f) and 66.15(3)(c) of the Act)

In the matter of the proposal (or consumer proposal) of \_\_\_\_\_

I, \_\_\_\_\_, creditor (or I, \_\_\_\_\_, representative of \_\_\_\_\_, creditor), of \_\_\_\_\_ (*name of town or city*), a creditor in the above matter for the sum of \$\_\_\_\_\_, hereby request the trustee acting with respect to the proposal of \_\_\_\_\_ (or the administrator of the consumer proposal of \_\_\_\_\_), to record my vote \_\_\_\_\_ (for or against) the acceptance of the proposal (or consumer proposal) as made on the \_\_\_\_\_ day of \_\_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Individual Creditor

\_\_\_\_\_  
Name of Corporate Creditor

\_\_\_\_\_  
Witness

Per \_\_\_\_\_  
Name and Title of Signing Officer

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 38

Report of Trustee on Refusal by Creditors to Approve Proposal  
(Paragraph 57(b) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the trustee acting in the proposal of \_\_\_\_\_, hereby report to the official receiver as follows:

1. That \_\_\_\_\_ did, on the \_\_\_\_\_ day of \_\_\_\_\_, file a proposal with me.

2. That at the meeting of creditors held on the \_\_\_\_\_ day of \_\_\_\_\_ and presided over by \_\_\_\_\_, the creditors refused the proposal.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 39

Certificate of Assignment  
(Paragraph 57(b) of the Act)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Administration

Date of Bankruptcy:

Security:

Date of Initial Bankruptcy Event:

Meeting of Creditors:

Chairman:

\_\_\_\_\_  
Designated Person:

CERTIFICATE OF ASSIGNMENT - Section 57

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- a proposal in respect of the aforementioned debtor was filed under section 62 of the *Bankruptcy and Insolvency Act*;
- the creditors, at a meeting held to consider the proposal, refused to accept the proposal and the debtor is thereupon deemed to have made an assignment.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held immediately following the meeting held to consider the proposal or at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Official Receiver

FORM 40

Report of Trustee on Proposal  
(Section 59(1) and paragraph 58(d) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the trustee acting in the proposal of \_\_\_\_\_, hereby report to the Court as follows:

*(Paragraph 1 is to be used only in the case of a proposal by a bankrupt. In all other cases, go directly to paragraph 2.)*

1. That on the \_\_\_\_\_ day of \_\_\_\_\_, the debtor did make an assignment (or a bankruptcy order was, on the \_\_\_\_\_ day of \_\_\_\_\_, made against the above-named debtor) and that I was appointed trustee of the estate of the debtor (or, if a substitute trustee has been appointed, I was substituted as trustee for \_\_\_\_\_ by the creditors) on the \_\_\_\_\_ day of \_\_\_\_\_.

2. That a proposal was filed with me on the \_\_\_\_\_ day of \_\_\_\_\_ a copy of which is attached and marked as Exhibit "A", and that I filed a copy of the proposal with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_.

3. That on the \_\_\_\_\_ day of \_\_\_\_\_ I gave notice to the debtor, to the division office and to every known creditor affected by the proposal, whose names and addresses are shown in Exhibit "B" to this report, of the calling of a meeting of creditors to be held on the \_\_\_\_\_ day of \_\_\_\_\_ to consider the proposal.

4. That with the notice was included a condensed statement of the assets and liabilities of the debtor, a list of the creditors affected by the proposal who have claims of \$250 or more and showing the amounts of their claims, a copy of the proposal, a form of proof of claim and proxy in blank and a voting letter. Copies of the notice, the condensed statement and the list of creditors are attached and marked as Exhibits "C1", "C2" and "C3", respectively.

5. That prior to the meeting of creditors I made a detailed and careful inquiry into the liabilities of the debtor, the debtor's assets and their value, the debtor's conduct and the causes of the debtor's insolvency.

6. That the meeting of creditors was held on the \_\_\_\_\_ day of \_\_\_\_\_, and was presided over by \_\_\_\_\_.

7. That the proposal was accepted by the required majority of creditors (or the proposal was amended by \_\_\_\_\_ at the meeting and as so amended was accepted by the required majority of creditors).

8. That a copy of the minutes of the meeting is attached and marked as Exhibit "D".

FORM 40 -- *Concluded*

9. That I am of the opinion that:

(a) the assets of the debtor and their fair realizable value are as follows:

*(Set out assets in detail, giving for each its value as carried on the books of the debtor and its realizable value as estimated by you.)*

(b) the liabilities of the debtor are as follows:

*Set out the liabilities, state whether secured, preferred or unsecured, and point out any discrepancies between the liabilities as declared by the debtor and as subsequently proved and admitted by you.)*

10. That I am also of the opinion that:

(a) the causes of the insolvency of the debtor are as follows:

*(Set out fully the causes of the insolvency of the debtor as you have, on careful inquiry, ascertained them to be.)*

(b) the conduct of the debtor is subject to censure in the following respects:

*(Set out the reasons for this opinion, considering the conduct of the debtor both before and after the filing of the proposal.)*

(c) the following facts, mentioned in section 173 of the Act, may be proved against the debtor:

*(Set out the relevant facts mentioned in section 173 of the Act.)*

11. That I am further of the opinion that the debtor's proposal is an advantageous one for the creditors (*or* is not an advantageous one for the creditors), for the following reasons:

*(Set out fully the reasons for your opinion.)*

12. That I forwarded a copy of this report to the official receiver on this day.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 40.1

Notice of Hearing of Application for Court Approval of Proposal  
(Paragraph 58(b) of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_ (province) in Bankruptcy

In the matter of the proposal of \_\_\_\_\_, a debtor

Take notice that an application will be made to the court, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock, to approve the proposal of \_\_\_\_\_, accepted by the creditors at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 41

Report of Trustee on Refusal by Court to Approve Proposal  
(Paragraph 61(2)(b) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the trustee acting in the proposal of \_\_\_\_\_, hereby report to the official receiver as follows:

1. That on the \_\_\_\_\_ day of \_\_\_\_\_, I applied to the \_\_\_\_\_ Court of \_\_\_\_\_ (*province*) in Bankruptcy for approval of the proposal of \_\_\_\_\_, a copy of which proposal was filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, in accordance with subsection 62(1) of the Act.

2. That the Court, by order dated the \_\_\_\_\_ day of \_\_\_\_\_, refused to approve the proposal.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 42

Certificate of Assignment  
(Paragraph 61(2)(b) of the Act)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_ Administration

Date of Bankruptcy:

Security:

Date of Initial Bankruptcy Event:

Meeting of Creditors:

Chairman:

Designated Person:

CERTIFICATE OF ASSIGNMENT - Subsection 61(2)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- a proposal in respect of the aforementioned debtor was filed under section 62 of the *Bankruptcy and Insolvency Act*;
- the court, by its order, has refused to approve the proposal and the debtor is thereupon deemed to have made an assignment.

The said trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Date:  
Official Receiver

FORM 43

Notice of Default in the Performance of a Proposal  
(Section 62.1 of the Act)

*(Title Form 1)*

Take notice that:

1. There has been default in the performance of a provision in the proposal of \_\_\_\_\_, a copy of which proposal was filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_.
2. The default was not waived by the inspectors (*or, if there are no inspectors, by the creditors*) and was not remedied by the insolvent person within 30 days after the day on which default occurred.
3. The undersigned trustee, acting with respect to the proposal, intends to apply for a discharge without annulling the proposal.
4. Creditors may take proceedings to annul the proposal and place \_\_\_\_\_ in bankruptcy at their own expense.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 43.1

Report of Trustee on Annulment of Proposal  
(Subsection 63(6) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the trustee acting in the proposal of \_\_\_\_\_, hereby report to the official receiver as follows:

1. That \_\_\_\_\_ did, on the \_\_\_\_\_ day of \_\_\_\_\_, file a proposal with me, and that the \_\_\_\_\_ Court of \_\_\_\_\_ (province) in Bankruptcy, by order dated the \_\_\_\_\_ day of \_\_\_\_\_, has annulled the proposal.

2. The proposal was annulled by the court on the application of \_\_\_\_\_, the trustee of the proposal (*or* a creditor of the debtor).

3. The proposal was annulled on the grounds that

*(Check appropriate grounds.)*

- the debtor has defaulted in the performance of a provision in the proposal.
- the proposal could not continue without injustice or undue delay.
- the approval of the court was obtained by fraud.
- the debtor was convicted of an offence under the Act. (*Specify:* \_\_\_\_\_)

4. As a consequence of the annulment of the proposal, the debtor is deemed on the annulment to have made an assignment pursuant to subsection 63(4) of the Act.

5. The court further ordered that the property be vested in \_\_\_\_\_, the trustee.

*(In the case of a proposal by a bankrupt, the previous paragraph is to be replaced by the following:)*

5. The court further ordered that the property vested in the bankrupt by the order approving the proposal, be revested in \_\_\_\_\_, the trustee.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 43.2

Order Annuling Proposal  
(Subsections 63(1) and 63(6) of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_ (province) in Bankruptcy

In the matter of the proposal of \_\_\_\_\_, a debtor

On the application of \_\_\_\_\_, the trustee acting in the proposal of (*or* \_\_\_\_\_, a creditor of) \_\_\_\_\_; on reading the application of that trustee (*or* creditor); on hearing \_\_\_\_\_; and as it appears that

*(Check appropriate description)*

- \_\_\_\_\_ has defaulted in the performance of a provision in the proposal.
- the proposal cannot continue without injustice or undue delay.
- the court's approval of the proposal was obtained by fraud.
- \_\_\_\_\_ has been convicted of the following offence under the Act, namely, \_\_\_\_\_.

It is ordered that the proposal approved by order made on the \_\_\_\_ day of \_\_\_\_\_, is hereby annulled.

It is further ordered that the insolvent person is deemed, pursuant to subsection 63(4) of the Act, to have hereupon made an assignment of their property and that the property is vested in \_\_\_\_\_, the trustee.

*(In the case of a proposal by a bankrupt, the previous paragraph is to be replaced by the following:)*

It is further ordered that the property vested in the bankrupt by the order approving the proposal is re-vested in \_\_\_\_\_, the trustee.

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Judge *or* Registrar

FORM 44

Certificate of Assignment  
(Subsection 63(6) of the Act)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_ Administration

Date of Bankruptcy:

Security:

Date of Initial Bankruptcy Event:

Meeting of Creditors:

Chairman:

Designated Person:

CERTIFICATE OF ASSIGNMENT - Section 63

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- a proposal in respect of the aforementioned debtor was filed under section 62 of the *Bankruptcy and Insolvency Act*;
- the said proposal, although accepted and approved, has been annulled by order of the court and the debtor is thereupon deemed to have made an assignment.

The aforementioned trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Date:  
Official Receiver

FORM 45

Notice to Lessor to Disclaim or Resiliate a Lease by Commercial Tenant  
(Rule 95)

To \_\_\_\_\_, Lessor

Take notice that:

1. A proposal (*or* a notice of intention to make a proposal) in respect of the undersigned commercial lessee was filed under subsection 62(1) (*or* 50.4(1)) of the Act on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

2. Pursuant to subsection 65.2(1) of the Act, the commercial lessee hereby gives you, the lessor, 30 days' notice of its disclaimer or resiliation of the lease that the lessee signed on the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, which lease granted possession of the property situated at  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

3. The disclaimer or resiliation of the lease will become effective on the \_\_\_\_\_ day of \_\_\_\_\_.

4. You may apply to the court, within 15 days after the day on which you are given this notice, for a declaration that subsection 65.2(1) of the Act does not apply in respect of the lease mentioned above.

5. If you make such an application, the court, on notice to such parties as it may direct, shall make such a declaration unless the commercial lessee satisfies the court that the lessee would not be able to make a viable proposal, without its disclaimer or resiliation of the lease and all other leases that the lessee has disclaimed or has resiliated under subsection 65.2(1) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commercial Tenant



FORM 46

Certificate of Full Performance of Proposal  
(Section 65.3 of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, the trustee acting in the proposal of \_\_\_\_\_, certifies that the proposal, as filed with the official receiver on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ (and as amended on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ ) has been fully performed as of the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 47

Consumer Proposal  
(Paragraph 66.13(2)(c) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, a consumer debtor, hereby make the following consumer proposal under the Act:

1. That payment of the claims of secured creditors be made in the following manner:

*(Set out the terms of the proposal in respect of secured claims.)*

2. That payment of all claims directed by the Act to be paid in priority to other claims in the distribution of my property be made in the following manner:

*(Set out the terms of the proposal in respect of preferred claims.)*

3. That payment of the fees and expenses of the administrator of the consumer proposal and payment of the fees and expenses of any person in respect of counselling given by this person pursuant to the Act be made in the following manner:

*(Set out the terms of the proposal in respect of these fees and expenses.)*

4. That the following payments be made to \_\_\_\_\_, the administrator of the consumer proposal, for the benefit of the unsecured creditors:

*(Set out the schedule of payments and the total amount to be paid in respect of unsecured claims.)*

5. That the administrator of the consumer proposal distribute the moneys received to the unsecured creditors in accordance with the following schedule:

*(Describe the manner for distributing dividends.)*

6. That the proposal may include the following additional terms:

*(Set out the additional terms as proposed.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Consumer Debtor

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 48

Report of Administrator on Consumer Proposal  
(Section 66.14 of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor, hereby report to the official receiver as follows:

1. That the consumer debtor made a consumer proposal on the \_\_\_\_\_ day of \_\_\_\_\_ and that I filed a copy of it with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_.

2. That I have investigated, or have had investigated, the consumer debtor's property and financial affairs so as to be able to assess with reasonable accuracy the consumer debtor's financial situation and the cause of the consumer debtor's insolvency.

3. That attached to this report is a condensed statement of the consumer debtor's assets, liabilities, income and expenses and a list of the creditors whose claims exceed \$250.

4. That I am of the opinion that the cause or causes of the consumer debtor's insolvency are as follows:

*(Set out fully the causes of the insolvency.)*

5. That I am also of the opinion, for the following reasons, that the consumer proposal is reasonable and fair to both the consumer debtor and the creditors, and that the consumer debtor will be able to perform it (*or, as the case may be, will not be able to perform it*):

*(Set out your reasons.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Administrator of  
Consumer Proposal

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 49

Notice to Creditors of Consumer Proposal  
(Paragraph 66.14(b) of the Act)

*(Title Form 1)*

Take notice that:

1. \_\_\_\_\_, a consumer debtor, made a consumer proposal under section 66.13 of the Act on the \_\_\_\_\_ day of \_\_\_\_\_ and a copy of it was filed with the official receiver by me, \_\_\_\_\_, the administrator of the consumer proposal, on the \_\_\_\_\_ day of \_\_\_\_\_.

2. Attached to this notice are the following documents:

(a) a copy of the consumer proposal;

(b) a copy of my report on the consumer proposal that was filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_; and

(c) a form of proof of claim.

3. As the administrator of the consumer proposal, I will be required to call a meeting of creditors only if, pursuant to section 66.15 of the Act:

(a) I am directed to do so by the official receiver within the 45-day period after the filing of the consumer proposal;  
or

(b) at the expiration of the 45-day period after the filing of the consumer proposal, creditors having in the aggregate at least 25 per cent in value of the proven claims have so requested.

4. A creditor who has proved a claim and who indicates dissent from the consumer proposal to me before the expiration of the 45-day period after the filing of the consumer proposal shall be deemed to have requested a meeting of creditors.

5. If, within that 45-day period, I am not required to call a meeting of creditors, the consumer proposal shall, by virtue of subsection 66.18(1) of the Act, be deemed to have been accepted by the creditors.

6. In the event that the consumer proposal has been accepted or is deemed to have been accepted by the creditors, I will apply to the court to review the consumer proposal only if pursuant to section 66.22 of the Act, I am requested to do so by the official receiver or any other interested party within 15 days after the day of acceptance or deemed acceptance of the consumer proposal.

FORM 49 -- *Concluded*

7. If within that 15 day period mentioned at paragraph 6 I am not requested to apply to the court to review the consumer proposal, the consumer proposal is deemed to be approved by the court.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 50

Notice of Meeting of Creditors to Consider Consumer Proposal  
(Subsection 66.15(3) of the Act)

*(Title Form 1)*

Take notice that:

1. A meeting of creditors has been called to consider the consumer proposal made by \_\_\_\_\_, a consumer debtor, a copy of which proposal was filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

2. The meeting of creditors will be held at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock.

3. The creditors may, by ordinary resolution, voting all as one class, accept or refuse the consumer proposal as filed or as altered at the meeting, subject to the rights of secured creditors.

4. Attached is a voting letter form and a proxy form.

5. In order to be entitled to vote at the meeting, a creditor must prove a claim before the time appointed for the meeting.

6. A creditor who has proved a claim may indicate assent to or dissent from the consumer proposal to me at or before the meeting of creditors, and any assent or dissent I receive at or before the meeting will have the same effect as if the creditor were present and had voted at the meeting.

7. If there is no quorum at the meeting of creditors, the consumer proposal shall be deemed to be accepted by the creditors.

8. If the consumer proposal is accepted or deemed to be accepted by the creditors and I am not requested by the official receiver or any other interested party, within the 15 days after the acceptance or deemed acceptance, to apply to the court to have the consumer proposal reviewed, the consumer proposal shall be deemed to have been approved by the court.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 51

Report of Administrator on Consumer Proposal and Conduct of Consumer Debtor  
(Paragraph 66.23(c) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, of \_\_\_\_\_, the administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor, hereby report to the court as follows:

1. That the consumer debtor made a consumer proposal on the \_\_\_\_\_ day of \_\_\_\_\_, a copy of which is attached to this report, and that I filed a copy of it with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_.

2. That I filed a report on the consumer proposal with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, a copy of which is attached to this report.

3. That I sent to every known creditor of the consumer debtor a copy of the consumer proposal, a copy of the report on the consumer proposal, a form of proof of claim, a list of the creditors of the consumer debtor whose claims exceed \$250 and the statement respecting a meeting of creditors referred to in subparagraph 66.14(b)(iv) of the Act.

4. That the consumer proposal is deemed to have been accepted by the creditors of the consumer debtor by virtue of section 66.18 of the Act (*or* the consumer proposal was accepted by the creditors of the consumer debtor at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, and a copy of the minutes of the meeting of creditors is attached to this report).

5. That the official receiver (*or* \_\_\_\_\_, an interested party) requested, within the 15 days after the day of deemed acceptance (*or* acceptance) of the consumer proposal by the creditors, that I apply to the court to have the consumer proposal reviewed, on the following grounds:

*(Set out the grounds given by the official receiver or other interested party for requesting the review.)*

6. That I have changed my opinions on the consumer proposal expressed in my report, in the following respects:

*(Set out the changes in your opinions and give the reasons for the changes.)*

FORM 51 -- *Concluded*

7. That I am of the opinion that the conduct of the consumer debtor is (*or is not*) subject to censure in the following respects:

*(Set out the reasons for this opinion, which should be based on the conduct of the consumer debtor both before and after the filing of the consumer proposal.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 51.1

Notice of Hearing of Application for Court Review of Consumer Proposal  
(Paragraph 66.23(a) of the Act)

*(Title Form 1)*

Take notice that an application will be made to the court at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, to review the consumer proposal of \_\_\_\_\_, a consumer debtor, which proposal was accepted by the consumer debtor's creditors at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (or that is deemed to have been accepted by the consumer debtor's creditors by virtue of section 66.18 of the Act).

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 52

Notice of Status of Consumer Proposal  
(Section 66.27 of the Act)

*(Title Form 1)*

Take notice that the consumer proposal of \_\_\_\_\_, a consumer debtor, made on the \_\_\_\_\_ day of \_\_\_\_\_, a copy of which was filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, has been:

*(Check appropriate description.)*

- refused by the creditors of the consumer debtor.
- refused by the \_\_\_\_\_ Court of \_\_\_\_\_ (*province*) in Bankruptcy.
- withdrawn by the consumer debtor.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 53

Notice to Creditors and Report to Official Receiver on Annulment of  
Consumer Proposal of a Consumer Debtor who was not a Bankrupt  
(Section 66.3(4) of the Act)

*(Title Form 1)*

Take notice that the \_\_\_\_\_ Court of \_\_\_\_\_ (*province*)  
in Bankruptcy, by order dated the \_\_\_\_\_ day of \_\_\_\_\_, has annulled the consumer proposal made  
by \_\_\_\_\_, consumer debtor, on the \_\_\_\_\_ day of \_\_\_\_\_.

The consumer proposal was annulled by the court on the application of \_\_\_\_\_, the  
administrator of the proposal (*or* a creditor of the consumer debtor).

The consumer proposal was annulled on the grounds that:

*(Check appropriate grounds.)*

- Default was made by the consumer debtor in the performance of a provision in the consumer proposal.
- The consumer debtor was not eligible to make a consumer proposal when the consumer proposal was filed.
- The consumer proposal could not continue without injustice or undue delay.
- The approval of the court was obtained by fraud.
- The consumer debtor was convicted of an offence under the Act after the consumer proposal was accepted or approved.

As a consequence of the annulment of the consumer proposal,

(a) the consumer debtor is not entitled to make another consumer proposal until all claims for which proofs of claim were filed and accepted are either paid in full or are extinguished by the operation of subsection 178(2) of the Act; and

(b) the rights of the creditors are revived for the amount of their claims less any dividends received.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 53.1

Order Annulling the Consumer Proposal of a Consumer Debtor who was not a Bankrupt  
(Subsection 66.3(1) of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_ (province) in Bankruptcy

In the matter of the consumer proposal of \_\_\_\_\_, a consumer debtor

On the application of \_\_\_\_\_, the administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor (*or* a creditor of \_\_\_\_\_, a consumer debtor); on reading the application of that administrator (*or* creditor); on hearing \_\_\_\_\_; and as it appears that the consumer debtor who was not a bankrupt:

*(Check appropriate description.)*

- has defaulted in the performance of a provision in the consumer proposal.
- was not eligible to make a consumer proposal when the consumer proposal was filed.
- was convicted of the following offence under the Act after the consumer proposal was accepted or approved:  
\_\_\_\_\_.
- cannot continue the consumer proposal without injustice or undue delay.
- obtained the approval of the court by fraud.

It is ordered that the consumer proposal dated the \_\_\_\_\_ day of \_\_\_\_\_ is hereby annulled.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Judge *or* Registrar

FORM 54

Report to Official Receiver on Annulment of the Consumer  
Proposal of a Consumer Debtor who was a Bankrupt  
(Paragraph 66.3(5)(c) of the Act)

*(Title Form 1)*

I, \_\_\_\_\_ of \_\_\_\_\_, the administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor, hereby report that the Court of \_\_\_\_\_ (*province*) in Bankruptcy, by order dated the \_\_\_\_\_ day of \_\_\_\_\_, has annulled the consumer proposal made by \_\_\_\_\_, consumer debtor who was a bankrupt, on the \_\_\_\_\_ day of \_\_\_\_\_.

1. The consumer proposal was annulled by the court on the application of \_\_\_\_\_, the administrator of the proposal (*or a creditor of the consumer debtor*).

2. The consumer proposal was annulled on the grounds that:

*(Check appropriate grounds.)*

- Default was made by the consumer debtor in the performance of a provision in the consumer proposal.
- The consumer debtor was not eligible to make a consumer proposal when the consumer proposal was filed.
- The consumer proposal could not continue without injustice or undue delay.
- The approval of the court was obtained by fraud.
- The consumer debtor was convicted of an offence under the Act after the consumer proposal was accepted or approved.

3. As a consequence of the annulment of the consumer proposal, the consumer debtor is deemed on the annulment to have made an assignment pursuant to paragraph 66.3(5)(a) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 54.1

Order Annuling the Consumer Proposal of a Consumer Debtor who was a Bankrupt  
(Subsection 66.3(5) of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_ (province) in Bankruptcy

In the matter of the consumer proposal of \_\_\_\_\_, a consumer debtor who was  
a bankrupt

On the application of \_\_\_\_\_, the administrator of the consumer proposal of  
\_\_\_\_\_, a consumer debtor (*or* a creditor of \_\_\_\_\_, a consumer debtor);  
on reading the application of that administrator (*or* creditor); on hearing \_\_\_\_\_; and as it appears  
that the consumer debtor who is a bankrupt:

*(Check appropriate description.)*

- has defaulted in the performance of a provision in the consumer proposal.
- was not eligible to make a consumer proposal when the consumer proposal was filed.
- was convicted of the following offence under the Act after the consumer proposal was accepted or approved:  
\_\_\_\_\_.
- cannot continue the consumer proposal without injustice or undue delay.
- obtained the approval of the court by fraud.

It is ordered that the consumer proposal dated the \_\_\_\_\_ day of \_\_\_\_\_ is hereby  
annulled, and the consumer debtor is deemed to have made an assignment on this date.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Judge *or* Registrar

FORM 55

Certificate of Assignment  
(Paragraph 66.3(5)(c) of the Act)

District of  
Division No.  
Court No.  
Estate No.

In the Matter of the Bankruptcy of:

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Administration

Date of Bankruptcy:  
Date of Initial Bankruptcy Event:  
Meeting of Creditors:  
Chairman:

Security:

CERTIFICATE OF ASSIGNMENT - Paragraph 66.3(5)(c)

I, the undersigned, Official Receiver in and for this bankruptcy district, do hereby certify that:

- the aforementioned debtor was declared bankrupt and subsequently filed a consumer proposal under section 66 of the *Bankruptcy and Insolvency Act*;
- the said consumer proposal, although accepted and approved or deemed accepted and deemed approved, has been annulled by order of the court and the debtor is thereupon deemed to have made an assignment.

The aforementioned trustee is required:

- to provide to me, without delay, security in the aforementioned amount;
- to send to all creditors, within five days after the date of the trustee's appointment, a notice of the bankruptcy; and
- when applicable to call in the prescribed manner, a first meeting of creditors, to be held at the aforementioned time and place or at any other time and place that may be later requested by the Official Receiver.

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Official Receiver

FORM 56

Notice to Creditors and Report to Official Receiver  
on Deemed Annulment of Consumer Proposal  
(Subsection 66.31(1) of the Act)

*(Title Form 1)*

Take notice that:

1. \_\_\_\_\_, the consumer debtor, of the consumer proposal dated the \_\_\_\_\_ day of \_\_\_\_\_, is in default to the extent of at least three months of the following payments:

*(Give details of default on payments.)*

2. The \_\_\_\_\_ Court of \_\_\_\_\_ (*province*) in Bankruptcy having made no order to the contrary and no amendment to the consumer proposal having previously been filed, the consumer proposal is deemed to have been annulled, by virtue of subsection 66.31(1) of the Act, on the \_\_\_\_\_ day of \_\_\_\_\_.

3. As a consequence of the deemed annulment of the consumer proposal:

(a) the consumer debtor is not entitled to make another consumer proposal until all claims for which proofs of claim were filed are either paid in full or are extinguished by the operation of subsection 178(2) of the Act; and

(b) the rights of the creditors of the consumer debtor are revived for the amount of their claims less any dividends received.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 57

Certificate of Full Performance of Consumer Proposal  
(Section 66.38 of the Act)

*(Title Form 1)*

I, \_\_\_\_\_, the administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor, hereby certify that the consumer debtor has, as of the \_\_\_\_\_ day of \_\_\_\_\_, fully performed the provisions of the consumer debtor's proposal, as filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_ (and if applicable, and as amended on the \_\_\_\_\_ day of \_\_\_\_\_).

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

FORM 58

Notice of Taxation of Administrator's Accounts and Discharge of Administrator  
(Rule 100)

*(Title Form 1)*

Take notice that:

1. I, \_\_\_\_\_, the administrator of the consumer proposal made by \_\_\_\_\_, a consumer debtor, and filed with the official receiver on the \_\_\_\_\_ day of \_\_\_\_\_, have applied for the taxation of my accounts and for my discharge.

2. The Superintendent of Bankruptcy has issued a letter of comment to me that does not request that my accounts be taxed by the registrar.

3. Attached to this notice are the following:

(a) a copy of my final statement of receipts and disbursements;

(b) a copy of the dividend sheet, showing the dividends paid or to be paid to the creditors under the consumer proposal; and

(c) the final dividend that is owed to you, or confirmation of electronic payment of dividend that is owed to you, if applicable.

4. Any creditor may object to the taxation of my accounts and to my discharge by doing the following within the 30 days after the day on which this notice is sent:

(a) serving a notice of objection on me or sending me a notice of objection by registered mail or courier;

(b) filing a copy of the notice of objection with the registrar, along with any applicable fee of as provided by the tariff, and;

(c) sending a copy of the notice of objection to the division office.

If a creditor objects to the taxation of my accounts, I will apply to the registrar for a date for the hearing of the objection and will send to any creditor who has objected a notice of the hearing.

FORM 58 -- *Concluded*

5. If I do not receive notice of objection to the taxation of my accounts and to my discharge within the 30 days after the day on which this notice is sent, I will within the three months after the day on which this notice is sent:

- (a) if I have not already done so, send to each creditor under the consumer proposal his or her final dividend or confirmation of electronic payment of dividend;
- (b) close the bank account used in administering the consumer proposal, if that account is not a consolidated account, or, if the account is a consolidated account, ensure that all funds have been withdrawn from it,
- (c) remit any unclaimed dividends and undistributed funds to the Superintendent of Bankruptcy, and
- (d) send a certificate of compliance and deemed discharge to the division office.

6. After doing the things referred to in item 5, I will be deemed to be discharged.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 59

Notice of Hearing for Taxation of Administrator's Accounts and Discharge of Administrator  
(Rule 102(1)(a))

*(Title Form 1)*

Take notice that a hearing will be held before the registrar of the \_\_\_\_\_ Court of \_\_\_\_\_ (*province*) in Bankruptcy, at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, for the taxation of my accounts and my discharge as administrator of the consumer proposal of \_\_\_\_\_, a consumer debtor.

Attached to this notice are a copy of:

- (a) my final statement of receipts and disbursements; and
- (b) the dividend sheet, showing the dividends paid or to be paid to the creditors under the consumer proposal.

Any creditor may object to the taxation of my accounts or to my discharge by doing the following:

- (a) serving a notice of objection on me or sending me a notice of objection by registered mail or courier which notice of objection must be received by me before the start of the hearing;
- (b) filing a copy of the notice of objection with the registrar, along with any applicable fee of as provided by the tariff, and;
- (c) sending a copy of the notice of objection to the division office.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

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Administrator of  
Consumer Proposal

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 60

Request for Mediation Made by Trustee  
(Subsections 68(6), 68(7) and 170.1(5))

*(Title Form 1)*

I, \_\_\_\_\_, trustee of the estate of \_\_\_\_\_, bankrupt, who made an assignment (*or* against whom a bankruptcy order was made) on the \_\_\_\_\_ day of \_\_\_\_\_, hereby apply to the official receiver to refer this matter to the mediator, who shall set the time and place for the mediation.

This application for mediation is being made for the following reasons:

*(Check appropriate description)*

- Subsection 68(6) - There is disagreement as to the amount of surplus income to be paid by the bankrupt.
- Subsection 68(7) - There is a written request from \_\_\_\_\_, a creditor, \_\_\_\_\_ (*creditor's address*), to proceed with the mediation process.
- Subsection 170.1(4) - The bankrupt does not agree with the discharge recommendation of the trustee.
- Subsection 170.1(5) - The trustee is opposed to the discharge of the bankrupt on a ground referred to in paragraph 173(1)(m) or (n) of the Act.
- Subsection 170.1(5) - \_\_\_\_\_, a creditor, \_\_\_\_\_ (*creditor's address*), is opposed to the discharge of the bankrupt on a ground referred to in paragraph 173(1)(m) or (n) of the Act.

An income and expense statement of the bankrupt is attached to this request (Form 65).

*(Indicate name, address, phone numbers of all parties)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 61

Notice of Mediation  
(Rule 105(7))

*(Title Form 1)*

To: \_\_\_\_\_ Bankrupt  
To: \_\_\_\_\_ Trustee  
To: \_\_\_\_\_ Creditor(s) *(if applicable)*

Take notice that the mediation in the matter of the bankruptcy of \_\_\_\_\_, bankrupt, will be held in \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (or as soon as possible) at:

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The mediation will be held for the following reasons:

*(Check appropriate description)*

- Subsection 68(6) - There is disagreement as to the amount of surplus income to be paid by the bankrupt.
- Subsection 68(7) - There is a written request from \_\_\_\_\_, a creditor, \_\_\_\_\_ *(creditor's address)*, to proceed with the mediation process.
- Subsection 170.1(4) - The bankrupt does not agree with the discharge recommendation of the trustee.
- Subsection 170.1(5) - The trustee is opposed to the discharge of the bankrupt on a ground referred to in paragraph 173(1)(m) or (n) of the Act.
- Subsection 170.1(5) - \_\_\_\_\_, a creditor, \_\_\_\_\_ *(creditor's address)*, is opposed to the discharge of the bankrupt on a ground referred to in paragraph 173(1)(m) or (n) of the Act.

Further take notice that the mediation can only be rescheduled on extraordinary grounds and that under the Bankruptcy and Insolvency General Rules, only one such adjournment will be allowed. Therefore, if the mediation has already been adjourned and a second adjournment is requested, regardless of the ground for adjournment, the mediator must cancel the mediation.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mediator

FORM 62

Notice of Cancellation of Mediation  
(Rule 105(16))

*(Title Form 1)*

Take notice that the mediation of issues related to the bankruptcy of \_\_\_\_\_, bankrupt, was cancelled for the following reason:

*(Check appropriate description)*

- There was an outstanding opposition to the discharge of the bankrupt on a ground referred to in paragraphs 173(1)(a) to (l) or (o) of the Act.
- I believe on reasonable grounds that \_\_\_\_\_ *(Indicate: the bankrupt, the trustee or a creditor, as applicable)* abused the rescheduling procedures.
- A second adjournment was requested or circumstances causing an adjournment occurred after one adjournment had already been granted.
- I believe on reasonable grounds that \_\_\_\_\_ *(Indicate: the bankrupt or a creditor, as applicable)*, in the case of a mediation requested by a creditor under subsection 170.1(5) of the Act, cannot continue the mediation at all.
- I believe that the non-appearance of all creditors, who were informed of the mediation, is a delaying tactic or is intended to bring the mediation into disrepute.
- I believe that in the case of a mediation requested by a creditor under subsection 170.1(5), the non-appearance of \_\_\_\_\_ *(Indicate: the bankrupt or a creditor, as applicable)* who was informed of the mediation, is a delaying tactic or is intended to bring the mediation into disrepute.
- I believe that the non-appearance of \_\_\_\_\_ *(Indicate: the bankrupt or the trustee, as applicable)* who was informed of the mediation, is a delaying tactic or is intended to bring the mediation into disrepute.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mediator

FORM 63

Mediation Settlement Agreement  
(Rule 105(18))

*(Title Form 1)*

The parties acknowledge that an agreement was reached in the mediation held on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, and that the results of the mediation are as follows:

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Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Bankrupt's Legal Counsel  
*(if applicable)*

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee's Legal Counsel  
*(if applicable)*

\_\_\_\_\_  
Creditor  
*(as applicable)*

\_\_\_\_\_  
Creditor's Legal Counsel  
*(if applicable)*



FORM 64

Notice of Non-Resolution by Mediation  
(Rule 105(20))

*(Title Form 1)*

Take notice that in the matter of the mediation of \_\_\_\_\_, bankrupt, which was held on the \_\_\_\_\_ day of \_\_\_\_\_, the issues submitted to mediation were not resolved because the parties have failed to reach an agreement.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mediator

FORM 65

Monthly Income and Expense Statement of the Bankrupt and the Family Unit  
and Information (or Amended Information) Concerning  
the Financial Situation of the Individual Bankrupt  
(Section 68 and Subsection 102(3) of the Act and Rule 105(4))

(Title Form 1)

The information concerning the monthly income and expense statement of the bankrupt and the family unit, the financial situation of the bankrupt and the bankrupt's obligation to make payments required under section 68 of the Act to the estate of the bankrupt are as follows:

MONTHLY INCOME	Bankrupt	Other members of the family unit	Total
Net employment income .....	_____		
Net pension/Annuities .....	_____		
Net child support .....	_____		
Net spousal support .....	_____		
Net employment insurance benefits .....	_____		
Net social assistance .....	_____		
Self-employment income			
Gross _____ Net .....	_____		
Other net income .....	_____		
(Provide details _____)			
<b>TOTAL MONTHLY INCOME</b> .....	<b>\$ _____ (1)</b>	<b>\$ _____ (2)**</b>	
<b>TOTAL MONTHLY INCOME OF THE FAMILY UNIT ((1) + (2))</b>			<b>➤ \$ _____ (3)</b>
<b>MONTHLY NON-DISCRETIONARY EXPENSES</b>			
Child support payments .....	_____		
Spousal support payments .....	_____		
Child care .....	_____		
Health condition expenses .....	_____		
Fines/Penalties imposed by the court .....	_____		
Expenses as a condition of employment .....	_____		
Debts where stay has been lifted .....	_____		
Other expenses .....	_____		
(Provide details _____)			
<b>TOTAL MONTHLY NON- DISCRETIONARY EXPENSES</b> .....	<b>\$ _____ (4)</b>	<b>\$ _____ (5)</b>	
<b>TOTAL MONTHLY NON-DISCRETIONARY EXPENSES OF THE FAMILY UNIT ((4) + (5))</b>			<b>➤ \$ _____ (6)</b>
<b>AVAILABLE MONTHLY INCOME OF THE BANKRUPT ((1) - (4))</b> .....	<b>\$ _____ (7)</b>		
<b>AVAILABLE MONTHLY INCOME OF THE FAMILY UNIT ((3) - (6))</b>			<b>➤ \$ _____ (8)</b>
<b>BANKRUPT'S PORTION OF THE AVAILABLE MONTHLY FAMILY UNIT INCOME ((7) / (8) X 100))</b>			<b>➤ % _____ (9)</b>

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\*\*If one or more members of the family unit have refused to divulge this information, please provide details as required by section 10 of Directive 11R.

FORM 65 -- *Concluded*

MONTHLY DISCRETIONARY EXPENSES: *(Family unit)*

Housing expenses	Living expenses
Rent/Mortgage/Hypothec .....	Food/Grocery .....
Property taxes/Condo fees .....	Laundry/Dry cleaning .....
Heating/Gas/Oil .....	Grooming/Toiletries .....
Telephone .....	Clothing .....
Cable .....	Other .....
Hydro .....	Transportation expenses
Water .....	Car lease/Payments .....
Furniture .....	Repair/ Maintenance/Gas .....
Other .....	Public transportation .....
Personal expenses	Other .....
Smoking .....	Insurance expenses
Alcohol .....	Vehicle .....
Dining/Lunches/Restaurants .....	House .....
Entertainment/Sports .....	Furniture/Contents .....
Gifts/Charitable donations .....	Life insurance .....
Allowances .....	Other .....
Other .....	Payments
Non-recoverable medical expenses	To the estate .....
Prescriptions .....	To secured creditor .....
Dental .....	<i>(Other than mortgage and vehicle)</i> .....
Other .....	Other .....

TOTAL MONTHLY DISCRETIONARY EXPENSES (FAMILY UNIT) ..... - \$ \_\_\_\_\_(10)  
 MONTHLY SURPLUS OR (DEFICIT) FAMILY UNIT ((8) - (10)) ..... = \$ \_\_\_\_\_(11)

**Information (or Amended Information) Concerning the Financial Situation of the Individual Bankrupt**

**Payments to the estate as per agreement**

Number of persons in household family unit, including bankrupt: \_\_\_\_\_  
 Total amount bankrupt has agreed to pay monthly ..... (12)  
 Amount bankrupt has agreed to pay monthly to repurchase assets  
*(provide details)* ..... (13)  
 Residual amount paid into the estate ( (12) - (13)) ..... (14)

**Payments required by the Directive on Surplus Income**

Monthly amount required by the Directive on Surplus Income based on percentage established on line (9) ..... (15)  
 Difference between amounts at lines (14) and (15) ..... (16)  
 Other applicable comments: *(If amount at line (14) is less than amount at line (15), explain why the required payments are not being made: \_\_\_\_\_ )*  
 Amendment or material change: *(If the information relates to a material change or an amendment, provide details: \_\_\_\_\_ )*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

Trustee

Bankrupt

Notes: In a joint assignment, only one form is required and each debtor's monthly income and non-discretionary expenses have to be explained in detail.

If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 66

Notice to Bankrupt of Meeting of Creditors  
(subsection 102(1) or paragraph 155(d.1) of the Act)

To: \_\_\_\_\_, bankrupt

Take notice that a meeting of your creditors will be held on the \_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock at \_\_\_\_\_, and that you are required to attend and to give any information that may be required.

And further take notice that if, without reasonable cause, you fail to comply with the requirements of this notice you are guilty of an offence under the Act and liable to imprisonment for a term not exceeding 3 years.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 67

Notice of Bankruptcy and First Meeting of Creditors  
(Subsection 102(1) of the Act)

*(Title Form 1)*

Take notice that:

1. \_\_\_\_\_ (*name of bankrupt*) filed (*or was deemed to have filed*) an assignment (*or A* bankruptcy order was made against \_\_\_\_\_ (*name of bankrupt*)) on the \_\_\_ day of \_\_\_\_\_, and the undersigned, \_\_\_\_\_ (*name of trustee*), was appointed as trustee of the estate of the bankrupt by the official receiver (*or the court*), subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.

2. The first meeting of creditors of the bankrupt will be held on \_\_\_\_\_ (*date*), at \_\_\_\_\_ (*time*) at the office of \_\_\_\_\_ (*meeting office*), at \_\_\_\_\_ (*address of meeting office*).

3. To be entitled to vote at the meeting, a creditor must lodge with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.

4. Enclosed with this notice is a form of proof of claim, a form of proxy, and a list of creditors with claims amounting to 25 dollars or more, showing the amounts of their claims.

5. Creditors must prove their claims against the estate of the bankrupt in order to share in any distribution of the proceeds realized from the estate.

*(Where the bankrupt is an individual, include paragraph 6.)*

6. Included pursuant to paragraph 102(3)(a) of the Act, is information concerning the financial situation of the bankrupt and the obligation of the bankrupt to make payments to the estate of the bankrupt, as required under section 68 of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 68

Notice of Impending Automatic Discharge of First-time Bankrupt  
(Paragraph 168.1(1)(a.1) of the Act)

*(Title Form 1)*

Take notice that:

1. \_\_\_\_\_ (*name of bankrupt*) filed (*or* was deemed to have filed) an assignment (*or* A bankruptcy order was made against \_\_\_\_\_ (*name of bankrupt*)) on the \_\_\_\_\_ day of \_\_\_\_\_, and the undersigned, \_\_\_\_\_ (*name of trustee*), was appointed as trustee.

2. Pursuant to section 168.1 of the Act, the bankrupt, being an individual who has never before been bankrupt, will be given an automatic discharge on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (*insert the date that is nine months after the date on which the assignment or the receiving order was made.*), unless the Superintendent of Bankruptcy, the trustee of the estate of the bankrupt or a creditor of the bankrupt gives notice of intended opposition to the discharge of the bankrupt before that date.

3. Any creditor who intends to oppose the discharge of the bankrupt shall give notice of the intended opposition, stating the grounds for their opposition, to the trustee of the estate of the bankrupt, the bankrupt, and the division office, of the Superintendent of Bankruptcy at \_\_\_\_\_, at any time before the \_\_\_\_\_ day of \_\_\_\_\_ (*insert the same date as in item 2*).

4. If any creditor opposes the discharge of the bankrupt, a court fee applies.

5. If the discharge of the bankrupt is opposed, the trustee will apply to the court without delay for an appointment for the hearing of the opposition in the manner prescribed by the Act unless it is a matter to be dealt with by mediation pursuant to Section 170.1 of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 69

Notice of Bankruptcy and of Impending Automatic Discharge  
of First-time Bankrupt, and Request of a First Meeting of Creditors  
(Paragraphs 155(d.1), 155(h) and 168.1(1)(a.1) of the Act)

*(Title Form 1)*

Summary Administration

Take notice that:

1. \_\_\_\_\_ (*name of bankrupt*) filed (*or* was deemed to have filed) an assignment on the \_\_\_\_\_ day of \_\_\_\_\_, and the undersigned, \_\_\_\_\_ (*name of trustee*), was appointed as trustee of the estate of the bankrupt by the official receiver (*or* the court), subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.

2. Pursuant to paragraph 155(d.1) of the Act, a first meeting of creditors will be required only if, within thirty days after the date of bankruptcy, the official receiver or creditors who have in the aggregate at least 25 percent in value of the proven claims, request a meeting to be held.

3. To request such a meeting and to vote at a meeting, a creditor must lodge with the trustee before such request for a meeting, a proof of claim and where necessary, a proxy.

4. Enclosed with this notice is a form of proof of claim, a form of proxy, and a list of creditors with claims amounting to 25 dollars or more, showing the amounts of their claims.

5. Also enclosed pursuant to section 102(3)(a) of the Act, is information concerning the financial situation of the bankrupt and the obligation of the bankrupt to make payments to the estate of the bankrupt, as required under section 68 of the Act.

6. Creditors must prove their claims against the estate of the bankrupt in order to share in any distribution of the proceeds realized from the estate.

7. Pursuant to section 168.1 of the Act, the bankrupt, being an individual who has never before been bankrupt, will be given an automatic discharge on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ (*Insert the date that is nine months after the date of the bankruptcy*), unless the Superintendent of Bankruptcy, the trustee of the estate of the bankrupt or a creditor of the bankrupt gives notice of intended opposition to the discharge of the bankrupt before that date.

8. Any creditor who intends to oppose the discharge of the bankrupt shall state in writing the grounds for their opposition, and send a notice to this effect to the division office, the trustee of the estate of the bankrupt and the bankrupt at any time before the \_\_\_\_\_ day of \_\_\_\_\_. (*Insert the same date as in item 7*).

FORM 69 -- *Concluded*

9. If any creditor opposes the discharge of the bankrupt, a court fee applies.

10. If the discharge of the bankrupt is opposed, the trustee will apply to the court without delay for an appointment for the hearing of the opposition in the manner prescribed by the Act unless it is a matter to be dealt with by mediation pursuant to Subsection 170.1(4) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 70

Notice of Bankruptcy and Request of a First Meeting of Creditors  
(Paragraph 155(d.1) of the Act)

*(Title Form 1)*

Summary Administration

Take notice that:

1. \_\_\_\_\_ (*name of bankrupt*) filed (*or* was deemed to have filed) an assignment on the \_\_\_\_\_ day of \_\_\_\_\_, and the undersigned, \_\_\_\_\_ (*name of trustee*), was appointed as trustee of the estate of the bankrupt by the official receiver (*or* the court), subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.

2. Pursuant to paragraph 155(d.1) of the Act, a first meeting of creditors will be required only if, within 30 days after the date of bankruptcy, the official receiver or creditors who have in the aggregate at least 25 percent in value of the proven claims, request a meeting to be held.

3. To request such a meeting or vote at a meeting, a creditor must lodge with the trustee before such request for a meeting, a proof of claim and where necessary, a proxy.

4. Enclosed with this notice is a form of proof of claim, a form of proxy, and a list of creditors with claims amounting to \$25 or more, showing the amounts of their claims.

5. Also enclosed pursuant to paragraph 102(3)(a) of the Act, is information concerning the financial situation of the bankrupt and the obligation of the bankrupt to make payments to the estate of the bankrupt, as required under section 68 of the Act.

6. Creditors must prove their claims against the estate of the bankrupt in order to share in any distribution of the proceeds realized from the estate.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 71

Notice of First Meeting of Creditors  
(Paragraph 155(d.1) of the Act)

*(Title Form 1)*

Summary Administration

Take notice that:

1. A first meeting of creditors has been requested to be held by the official receiver (*or* creditors).

2. The first meeting of creditors of the bankrupt will be held on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock, at \_\_\_\_\_ (*Insert place of meeting*).

3. To be entitled to vote at the meeting, a creditor must lodge with the trustee, before the meeting, a proof of claim and, if necessary, a proxy.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 72

Revoked on November 1<sup>st</sup>, 2000

FORM 73

Notice of Bankruptcy and First Meeting of Creditors in Local Newspaper  
(Subsection 102(4))

In the matter of the bankruptcy of \_\_\_\_\_

Notice is hereby given that the bankruptcy of \_\_\_\_\_ (*Insert name of bankrupt, the bankrupt's trade or occupation, and the address at which the bankrupt has carried on business or resides*) occurred on the \_\_\_\_\_ day of \_\_\_\_\_; and that the first meeting of creditors will be held on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, at \_\_\_\_\_ (*Insert place of meeting*).

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address of Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 74

Reclamation of Property  
(Subsection 81(4) of the Act)

*(All notices or correspondence regarding this claim are to be forwarded to the following address:  
\_\_\_\_\_ )*

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_ in  
the Province of \_\_\_\_\_,

DO HEREBY CERTIFY:

1. That I am the claimant, (*or* That I am) \_\_\_\_\_

\_\_\_\_\_  
*(State position or title)*

of \_\_\_\_\_  
*(Name of claimant)*

2. That I have knowledge of all the circumstances connected with the claim referred to below.

3. That on the \_\_\_\_\_ day of \_\_\_\_\_, the debtor made an assignment (*or*  
a bankruptcy order was made against the debtor *or* the debtor filed a notice of intention or a proposal).

4. That, on that date, the property enumerated in the document(s) attached and marked "A" (*and* "B") was in the  
possession of the bankrupt, and still remains in the possession of the bankrupt and (*or*) the trustee.

5. That the claimant hereby claims that property, or interest or right in it, by virtue of the document(s) attached  
and marked "A" (*and* "B"), namely:

*(Set out the particulars of all documents serving as proof of the claim, giving*

*(i) the grounds on which the claim is based, and*

*(ii) sufficient particulars to enable the property to be identified; if the particulars do not appear on  
the face of the documents, attach an additional statement marked "B" setting them forth.)*

FORM 74 -- *Concluded*

6. That the claimant is entitled to demand from the trustee the return of the property enumerated in these document(s).

7. That I hereby demand that the trustee return to me (*or* to the claimant whom I represent) the property enumerated in the document(s) within the 15 days after the filing of this form, or within the 15 days after the first meeting of the creditors of the debtor, whichever is the later.

SWORN (*or* SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (*city, town or village*)

in the Province of \_\_\_\_\_,

on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths  
for the Province of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Claimant

WARNING:

Subsection 201(1) of the Act prescribes severe penalties for making any false claim, declaration or statement of account.

FORM 75

Demand for Repossession of Goods  
(Paragraph 81.1(1)(a) of the Act)

To: \_\_\_\_\_, purchaser (or trustee or receiver)

I, \_\_\_\_\_, of \_\_\_\_\_ (address), (or as \_\_\_\_\_ of \_\_\_\_\_,) supplier, hereby demand access to and repossession of the goods described below, which were sold and delivered to \_\_\_\_\_, the purchaser, on the dates and in accordance with the terms set out in the attached documents:

*(Attach copies of documents of sale (invoice, delivery slip, etc.) and provide an appropriate description of the goods.)*

Whereas the purchaser is bankrupt (or there is a receiver within the meaning of subsection 243(2) of the Act, appointed in respect of the purchaser's property) the trustee (or receiver) is required to release the goods described above in accordance with subsection 81.1(1) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Supplier

Telephone Number : \_\_\_\_\_  
Fax Number : \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 76

Notice by Trustee Requiring Filing of Proof of Security  
(Subsection 128(1) of the Act)

Take notice that:

1. You are hereby required, pursuant to subsection 128(1) of the Act, to file with me a proof of claim and proof of security (security documents) relating to any security that you hold on the property of \_\_\_\_\_, a bankrupt, which property is described below:

*(Describe the property.)*

2. The proof of claim and proof of security must give full particulars of the security, including the date on which it was given and the value at which you assess it.

3. If you do not file with me a proof of claim and proof of security in respect of the property, within the 30 days after the day on which this notice is served I may, with leave of the court, sell or dispose of the property, free of your security.

4. A proof of claim in the required form is attached.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee



FORM 77

Notice of Disallowance of Claim, Right to Priority or Security *or* Notice of Valuation of Claim  
(Subsection 135(3) of the Act)

Take notice that:

(A) as trustee acting in the matter of the bankruptcy (*or* proposal) of \_\_\_\_\_, I have disallowed your claim (*or* your right to a priority *or* your security on the property) in whole (*or* to the extent of \$\_\_\_\_\_), pursuant to subsection 135(2) of the Act, for the following reasons:

*(Set out the reasons for the disallowance.)*

(*or*)

(B) as trustee acting in the matter of the bankruptcy (*or* proposal) of \_\_\_\_\_, I have determined that your contingent or unliquidated claim is a provable claim and have valued it at \$\_\_\_\_\_ and therefore, it is deemed a proved claim to this amount pursuant to subsection 135(1.1) of the Act.

And further take notice that if you are dissatisfied with my decision in disallowing your claim in whole or in part (*or* a right to rank *or* your security *or* valuation of your claim), you may appeal to the court within the 30-day period after the day on which this notice is served, or within any other period that the court may, on application made within the same 30-day period, allow.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 78

Statement of Affairs (Business Bankruptcy)  
(Paragraph 158(d) of the Act)

(Title Form 1)

To the bankrupt:

You are required to carefully and accurately complete this Form and the applicable attachments, showing the state of your affairs on the date of your bankruptcy, on the \_\_\_\_\_ day of \_\_\_\_\_. When completed, this Form and the applicable attached lists will constitute your Statement of Affairs and must be verified by oath or solemn declaration.

LIABILITIES

(as stated and estimated by bankrupt)

- 1. Unsecured creditors as per list "A" ..... \$ \_\_\_\_\_
  - 2. Secured creditors as per list "B" ..... \_\_\_\_\_
  - 3. Preferred creditors as per list "C" ..... \_\_\_\_\_
  - 4. Contingent, trust claims or other liabilities as per list "D"  
estimated to be reclaimable for ..... \_\_\_\_\_
- =====
- Total liabilities ..... \$ \_\_\_\_\_
- Surplus ..... \$ \_\_\_\_\_

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_, do swear (or solemnly declare) that this statement and the attached lists are to the best of my knowledge a full, true and complete statement of my affairs on the \_\_\_\_\_ day of \_\_\_\_\_ and fully disclose all property of every description that is in my possession or that may devolve on me in accordance with section 67 of the Act.

SWORN (or SOLEMNLY DECLARED)  
before me at \_\_\_\_\_ (city, town or village)  
in the Province of \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths  
for the Province of \_\_\_\_\_.

\_\_\_\_\_  
(Signature of bankrupt)

ASSETS

(As stated and estimated by bankrupt)

- 1. Inventory ..... \$ \_\_\_\_\_
- 2. Trade fixtures, etc. .... \_\_\_\_\_
- 3. Accounts receivable and other receivables, as  
per List "E"  
    Good ..... \$ \_\_\_\_\_  
    Doubtful ..... \_\_\_\_\_  
    Bad ..... \_\_\_\_\_  
    Estimated to produce ..... \_\_\_\_\_
- 4. Bills of exchange, promissory note, etc., as  
per List "F" ..... \_\_\_\_\_
- 5. Deposits in Financial Institutions ..... \_\_\_\_\_
- 6. Cash ..... \_\_\_\_\_
- 7. Livestock ..... \_\_\_\_\_
- 8. Machinery, equipment and plant ..... \_\_\_\_\_
- 9. Real property or immovable as per List "G" ..... \_\_\_\_\_
- 10. Furniture ..... \_\_\_\_\_
- 11. RRSPs, RRFs, Life insurance, etc. .... \_\_\_\_\_
- 12. Securities (Shares, Bonds, Debentures, etc.) ..... \_\_\_\_\_
- 13. Interests under wills ..... \_\_\_\_\_
- 14. Vehicles ..... \_\_\_\_\_
- 15. Other property, as per List "H"  
..... \_\_\_\_\_  
..... \_\_\_\_\_

If bankrupt is a corporation, add:  
Amount of subscribed capital .... \$ \_\_\_\_\_  
Amount paid on capital ..... \_\_\_\_\_

=====

Balance subscribed and unpaid ..... \$ \_\_\_\_\_  
Estimated to produce ..... \_\_\_\_\_

=====

Total assets ..... \$ \_\_\_\_\_  
Deficiency ..... \$ \_\_\_\_\_

FORM 78 -- *Continued*

List "A"

Unsecured Creditors

*The names to be arranged in alphabetical order and numbered consecutively.*

No.	Name of creditor	Address	Amount of Claim

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Continued*

List "B"

Secured Creditors

No.	Name of creditor	Address	Amount of Claim	Particulars of Security	When given	Estimated value of security	Estimated surplus from security	Balance of claim unsecured

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Continued*

List "C"

Preferred Creditors for Wages, Rent, etc.

No.	Name of creditor	Address and occupation	Nature of Claim	Period during which claim accrued	Amount of claim	Amount payable in full	Difference ranking for dividend

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Continued*

List "D"

Contingent or Other Liabilities

*Give particulars of claims not set out in List "B", or "C".*

No.	Name of creditor or claimant	Address and occupation	Amount of liability or claim	Amount expected to rank for dividend	Date when liability incurred	Nature of liability

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Continued*

List "E"

Debts Due to the Bankrupt

No.	Name of debtor	Address and occupation	Nature of debt	Amount of debt (good, doubtful, bad)	Folio of ledgers or other book where particulars to be found	When contracted	Estimated to produce	Particulars of any securities held for debt

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Continued*

List "F"

Bills of Exchange, Promissory Notes, Lien Notes, Chattel  
Mortgages, etc., Available as Assets

No.	Name of all promissory, acceptors, endorsers, mortgagors and guarantors	Address	Occupations	Amount of bill or note, etc.	Date when due	Estimated to produce	Particular of any property held as security for payment of bill or note, etc.

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date



FORM 78 -- *Continued*

List "G"

Real Property or Immovable Owned by Bankrupt

Description of property	Nature of bankrupt's interest	In whose name does title stand	Total value	Particulars of mortgages, hypothecs, or other encumbrances (Name, Address, Amount)	Equity or surplus

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

FORM 78 -- *Concluded*

List "H"

Property

Give full particulars of property of every description that is in the bankrupt's or that may devolve on the bankrupt in accordance with section 67 of the Act and that are not included in any other list.

FULL STATEMENT OF PROPERTY

Nature of Property	Location	Details of property	Original cost	Estimated to produce
(a) Stock-in-trade				
(b) Trade fixtures, etc.				
(c) Cash in Financial Institution (name) (address)				
(d) Cash on hand				
(e) Livestock				
(f) Machinery, equipment and plant				
(g) Furniture				
(h) Life insurance policies, RRSPs etc.				
(i) Securities				
(j) Interests under wills, etc.				
(k) Vehicles				
(l) Taxes				
(m) Other property ( <i>state particulars</i> )				

\_\_\_\_\_  
Bankrupt

\_\_\_\_\_  
Date

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 79

Statement of Affairs (Non-Business Bankruptcy)  
(Paragraph 158(d) of the Act)

(Title Form 1)

ASSETS						
Type of assets	Description ( <i>Provide details</i> )	Estimated Dollar Value	Exempt Property		Secured Amount/ Liens	Estimated net realizabl e dollar value*
			Yes	No		
1. Cash on hand						
2. Furniture						
3. Personal effects						
4. Cash-surrender value of life insurance policies, RRSPs, etc.						
5. Securities						
6. Real Property or Immovable	House					
	Cottage					
	Land					
7. Motor vehicle	Automobile					
	Motorcycle					
	Snowmobile					
	Other					
8. Recreational equipment						
9. Estimated Tax refund						
10. Other Assets						
TOTAL						

\_\_\_\_\_ Date

\_\_\_\_\_ Bankrupt

\*For a summary administration, indicate value net of the direct realization costs referred to in Rule 128(1) of the BIA.

FORM 79 -- *Continued*

LIABILITIES						
			Liabilities type code (LTC) 1 Real Property or Immovalbe Mortgage or Hypothec 2 Bank Loans (except real property mortgage) 3 Finance Company Loans 4 Credit Cards Bank/Trust Companies Issuers 5 Credit Cards Other Issuers 6 Taxes Federal/Provincial/Municipal 7 Student Loans 8 Loans from Individuals 9 Other			
Creditor	Address including postal code	Account No.	Amount of debt			Enter LTC
			Unsecured	Secured	Preferred	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
	TOTAL	Unsecured				
	TOTAL	Secured				
	TOTAL	Prefered				
					TOTAL	

Date

Bankrupt

FORM 79 -- *Continued*

<b>INFORMATION RELATING TO THE AFFAIRS OF THE BANKRUPT</b>			
1. Family name:	Given names:		Date of birth: ____ / ____ / ____
	Gender : F <input type="checkbox"/> M <input type="checkbox"/>		YYYY / MM / DD
2. Also known as:			
3. Complete address, including postal code			
4. Marital status: <i>(Specify month and year of event if it occurred in the last five years)</i>	____	____	Married
	____	____	Single
	____	____	Widowed
	____	____	Separated
	____	____	Divorced
	____	____	Common-law partner
5. Full name of spouse or common-law partner:			
6. Name of present employer:			Occupation (Bankrupt):
7A. Number of persons in household family unit, including bankrupt:			
7B. Number of persons 17 years of age or less:			
8. Have you operated a business within the last five years?	Yes	No	(If yes) Name, type and period of operation:
<b>B. WITHIN THE 12 MONTHS PRIOR TO THE DATE OF THE INITIAL BANKRUPTCY EVENT, HAVE YOU, EITHER IN CANADA OR ELSEWHERE:</b>			
9A. Sold or disposed of any of your property?	Yes	No	
9B. Made payments in excess of the regular payments to creditors?	Yes	No	
9C. Had any property seized by a creditor?	Yes	No	
<b>C- WITHIN FIVE YEARS PRIOR TO THE DATE OF THE INITIAL BANKRUPTCY EVENT, WHILE YOU KNEW YOURSELF TO BE INSOLVENT, HAVE YOU, EITHER IN CANADA OR ELSEWHERE:</b>			
10A. Sold or disposed of any property?	Yes	No	
10B. Made any gifts to relatives or others in excess of \$500?	Yes	No	

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bankrupt

FORM 79 -- Continued

<b>D. BUDGET INFORMATION: Attach Form 65 to this Form.</b>
11A. Have you ever made a proposal under the <i>Bankruptcy and Insolvency Act</i> ? Yes ___ No ___
11B. Have you been bankrupt before, either in Canada or elsewhere? Yes ___ No ___
(If you answered Yes, provide the following details for all insolvency proceedings: (a) Filing date and location of the proceedings; (b) Name of trustee or administrator; (c) If applicable, was the proposal successful; (d) Date on which Certificate of Full Performance or Discharge was obtained.)
_____
_____
_____
_____
12. Do you expect to receive any sums of money which are not related to your normal income, or any other property within the next 12 months? Yes ___ No ___
13. If you answered Yes to any of questions 9, 10 and 12, provide details:
_____
_____
_____
_____
14. Give reasons for your financial difficulties:
_____
_____
_____
_____

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_, in the Province of \_\_\_\_\_, do swear (or solemnly declare) that this statement is, to the best of my knowledge, a full, true and complete statement of my affairs on the \_\_\_\_\_ day of \_\_\_\_\_ and fully discloses all property and transactions of every description that is or was in my possession or that may devolve on me in accordance with section 67 of the *Bankruptcy and Insolvency Act*.

SWORN (or SOLEMNLY DECLARED)

before me at \_\_\_\_\_ (city, town or village)  
the Province of \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Commissioner of Oaths  
for the Province of \_\_\_\_\_.

\_\_\_\_\_  
Bankrupt

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 80

Notice of Intended Opposition to Discharge of Bankrupt  
(Paragraph 168.1(1)(d) of the Act)

*(Title Form 1)*

Take notice that \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, intends to oppose the discharge of the bankrupt on the following grounds:

*(Set out the grounds for opposing the discharge.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 81

Notice of Hearing for Bankrupt's Application for Discharge  
(Subsection 169(6) of the Act)

*(Title Form 1)*

Take notice that the Court has fixed the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_ o'clock  
(or as soon thereafter as can be heard), at \_\_\_\_\_ to hear the application  
for discharge of \_\_\_\_\_, a bankrupt.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.



FORM 82

Report of Trustee on Bankrupt's  
Application for Discharge  
(Subsection 170(1) of the Act)

(Title Form 1)

Date of bankruptcy:		Date of initial bankruptcy event:	
Marital status:			
Type of employment:	Number of persons in household family unit, including bankrupt:		
AMOUNT OF LIABILITIES			
	Secured	Preferred	Unsecured
Declared	\$	\$	\$
Proven	\$	\$	\$
AMOUNT OF ASSETS			
Description	Value as per Statement of Affairs	Amount realized	Estimate of assets to be realized
	\$	\$	\$
TOTAL			
ANTICIPATED RATE OF DIVIDENDS			
Preferred creditors:		Unsecured creditors:	

**A: CAUSES OF BANKRUPTCY**

1. Provide details of the causes of bankruptcy:

---



---



---

**B: INFORMATION CONCERNING THE FINANCIAL SITUATION** *(The same method of calculation must be used to establish the available monthly income of the bankrupt and the family unit at date of bankruptcy and at date of this report. Explain any material changes.)*

2. (a) Available monthly income of the bankrupt at date of bankruptcy  
(Same amount as line (7) on Form 65): ..... \$ \_\_\_\_\_
- (b) Available monthly income of the bankrupt at date of this report: ..... \$ \_\_\_\_\_
3. (a) Available monthly income of the family unit at date of bankruptcy  
(Same amount as line (8) on Form 65): ..... \$ \_\_\_\_\_
- (b) Available monthly income of the family unit at date of this report: ..... \$ \_\_\_\_\_

**C: CONDUCT OF THE BANKRUPT**

4. (a) Was the bankrupt required to pay to the estate an amount established by the Directive on Surplus Income? *(If yes, attach Appendix A)*  Yes  No
- (b) Could the bankrupt have made a viable proposal rather than proceeding with bankruptcy? *(If yes, attach Appendix A)*  Yes  No
5. (a) Did the bankrupt fail to perform any of the duties imposed on the bankrupt under the Act? *(If yes, provide details)*  Yes  No
- (b) Can the bankrupt be justly held responsible for any of the facts referred pursuant to section 173 of the Act? *(If yes, provide details)*  Yes  No
- (c) Did the bankrupt commit any offence in connection with the bankruptcy? *(If yes, provide details)*  Yes  No
6. (a) Did the bankrupt ever make a proposal under the *Bankruptcy and Insolvency Act*? *(If yes, provide details)*  Yes  No
- (b) Has the bankrupt been bankrupt before either in Canada or elsewhere? *(If yes, provide details)*  Yes  No
7. Were inspectors appointed in this estate?  
*(Provide details if the trustee has reasonable grounds to believe that the inspectors will not approve this report. Attach a copy of the resolution.)*  Yes  No

**D: DISCHARGE OF THE BANKRUPT**

8. (a) Is it the intention of the trustee to oppose the bankrupt's discharge? *(If yes, provide details)*  Yes  No
- (b) Does the trustee have reasonable grounds to believe that a creditor or the Superintendent will oppose the bankrupt's discharge for a reason other than those set out in section 173(1)(m) or (n) of the Act? *(If yes, provide details)*  Yes  No
9. Did the bankrupt refuse or neglect to receive counselling pursuant to the Directive on Counselling in insolvency matters? *(If yes, provide details)*  Yes  No
10. Are there other facts, matters or circumstances that would justify the Court in refusing an absolute order of discharge? *(If yes, provide details)*  Yes  No
11. Other pertinent information? *(e.g. Exceptional personal circumstances, preferential payments, etc. If yes, provide details.)*  Yes  No

Additional details as required

Number

Additional information

---



---



---

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Trustee

APPENDIX A

**A: AMOUNT REQUIRED TO BE PAID MONTHLY BY THE BANKRUPT**

Monthly amount required by the Directive on Surplus Income  
*(Same amount as line (15) on Form 65):* ..... \$ \_\_\_\_\_ (1)  
 Amount bankrupt has agreed to pay monthly *(Same amount as line (14) on Form 65):* ..... \$ \_\_\_\_\_ (2)  
 Difference between amounts at lines (1) and (2): ..... \$ \_\_\_\_\_  
 Amount bankrupt has agreed to pay monthly to repurchase assets  
*(Same amount as line (13) on Form 65, provide details):* ..... \$ \_\_\_\_\_ (3)  
 Total anticipated payments, lines (2) + (3): ..... \$ \_\_\_\_\_

**B: SURPLUS INCOME**

1. Did bankrupt make all required payments pursuant to section 68 of the Act? *(If no, provide details)*  No  Yes
2. Does amount established to be paid correspond with Directive on Surplus Income?  
*(If no, provide details of any extenuating circumstances that would affect amount to be paid as per Directive)*  No  Yes
3. Was the bankrupt made aware of the possibility of requesting mediation?  No  Yes
4. Any amendment or material changes during period of bankruptcy? *(If yes, provide details)*  Yes  No
5. Was mediation necessary under subsection 68(6) or 68(7) of the Act to determine the amount to be paid by the bankrupt?  Yes  No

**C: RECOMMENDATION ON THE BANKRUPT'S DISCHARGE**

*(Do not complete this part if:*

- the bankrupt has previously been a bankrupt;*
- the discharge of the bankrupt is opposed on grounds other than those mentioned at section 170.1 of the Act; or*
- the bankrupt has refused or neglected to receive counselling pursuant to the Directive on Counselling in insolvency matters)*

6. Recommendation of the trustee pursuant to section 170.1 of the Act:
  - bankrupt to be discharged without conditions; *(Provide justification for unconditional discharge)*
  - bankrupt to be discharged subject to conditions (deemed opposition) based on the following grounds under subsection 170.1(2) of the Act; *(Provide details, amount and period of payments)*
    - the bankrupt has not complied with a requirement imposed on the bankrupt under section 68 of the Act;
    - the total amount paid to the estate by the bankrupt is disproportionate in relation to the bankrupt's indebtedness and financial resources;
    - the bankrupt could have made a viable proposal, but chose to proceed with bankruptcy, rather than make a proposal as the means to resolve the indebtedness;
  - bankrupt to be discharged after fulfilling obligations under mediation agreement. *(Provide details, amount and period of payments.)*
7. Does the trustee have reasonable grounds to believe that the debtor agrees to the conditions recommended by the trustee?  Yes  No
8. Was the bankrupt made aware of the possibility of requesting mediation?  Yes  No

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Trustee

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 83

Report of Trustee under Subsections 171(1) and (2)  
(Subsection 171(1) and (2) of the Act)

I, \_\_\_\_\_ of \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, bankrupt, hereby report to the Superintendent at the division office as follows:

1. That on the \_\_\_\_\_ day of \_\_\_\_\_, the bankrupt did file an assignment (*or* a bankruptcy order was issued against the bankrupt *or* the bankrupt did file a proposal which subsequently was deemed to be an assignment) (and that the undersigned was substituted trustee of the estate in the stead of \_\_\_\_\_, *as the case may be*).

2. That on or before the day of the filing of the assignment (*or* the making of the bankruptcy order *or* the filing of the proposal) the bankrupt carried on business under the name of \_\_\_\_\_ at \_\_\_\_\_ in the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ in the Province of \_\_\_\_\_.

3. That the bankrupt resides (*or* has its principal place of business, *in the case of a corporation*) in the \_\_\_\_\_ of \_\_\_\_\_ in the County of \_\_\_\_\_ in the Province of \_\_\_\_\_. (*and, in the case of a corporation, that the directors and officers of the bankrupt are as follows:*)

DIRECTORS:

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

OFFICERS:

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

FORM 83 -- *Continued*

4. That I am of the opinion that:

(a) The persons who actively controlled the day-to-day operations or the business of the bankrupt are as follows:

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

(b) The persons who were responsible for, or under whose directions were incurred, the greater proportion of the bankrupt's liabilities are as follows:

Name	Position	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. That, having made a careful inquiry into the affairs of the bankrupt, I am further of the opinion that the deficiency between the assets and the liabilities of the debtor has (*or has not*) been satisfactorily accounted for (and, *as the case may be*, there is evidence of a substantial disappearance of property that is not accounted for.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

*(At this point the report is ended for purposes of subsection 171(2) and a copy is to be forwarded by registered or certified mail in an envelope marked "private and confidential" to each of the persons named in paragraphs 3 and 4, immediately after the report is filed with the Superintendent of Bankruptcy pursuant to subsection 171(1). The report filed with the Superintendent, however, will include the following paragraphs which must ONLY be made available to the Superintendent.)*

FORM 83 -- *Concluded*

6. That, having made a careful inquiry into the conduct of the bankrupt and other persons hereinbefore named (and having consulted with the inspectors and other persons, *as the case may be*), I am further of the opinion that the probable causes of the bankruptcy are as follows:

*(Specify the probable cause or causes as set out in paragraph 171(1)(c).)*

- (i) misfortune.
- (ii) inexperience.
- (iii) incompetence.
- (iv) carelessness.
- (v) over-expansion.
- (vi) unwarranted speculation.
- (vii) gross negligence.
- (viii) fraud, and
- (ix) other probable cause.

7. That I have arrived at my opinions herein before expressed for the following reasons:

- (a)(i) *(State or name the source of information and verification thereof regarding persons named in 4.(a).)*
- (ii) *(State or name the source of information and verification thereof regarding persons named in 4.(a).)*
- (b) *(Set out by what facts or information and verification or investigation thereof the trustee has arrived at his/her opinions expressed in paragraph 5., treating the matters as fully as the trustee has been able to ascertain them, attaching a copy of the bankrupt's last audited financial statement or the bankrupt's financial statement for the last fiscal period, whichever is the latest and any other statements, affidavits and opinions that are necessary and naming or stating sources of information and verification thereof.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_

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Trustee

FORM 84

Certificate of Discharge  
(Subparagraph 168.1(1)(f)(ii) of the Act)

*(Title Form 1)*

Date of bankruptcy \_\_\_\_\_

I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, hereby certify that, pursuant to subsection 168.1(1) of the Act, on the \_\_\_\_\_ day of \_\_\_\_\_ the bankrupt is discharged and released from all debts, except those matters referred to in subsection 178(1) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 85

Certificate of Discharge (Conditions met)  
(Paragraph 170.1(8)(a) of the Act)

*(Title Form 1)*

Date of bankruptcy \_\_\_\_\_

I, \_\_\_\_\_, the trustee of the estate of \_\_\_\_\_, a bankrupt, hereby certify that the bankrupt has complied with the conditions imposed on the bankrupt by the trustee under the section 170 report, or as a result of a mediation agreement, and that pursuant to subsection 170.1(8) of the Act, on the \_\_\_\_\_ day of \_\_\_\_\_ the bankrupt is discharged and released from all debts, except those matters referred to in subsection 178(1) of the Act.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee



FORM 86

Notice of Intention to Enforce a Security  
(Rule 124)

To: \_\_\_\_\_, an insolvent person

Take notice that:

1. \_\_\_\_\_, a secured creditor, intends to enforce its security on the insolvent person's property described below:

*(Describe the property to which the security relates.)*

2. The security that is to be enforced is the following:

*(Provide particulars of the security.)*

3. The total amount of indebtedness secured by the security is \$\_\_\_\_\_.

4. The secured creditor will not have the right to enforce the security until after the expiry of the 10-day period after this notice is sent unless the insolvent person consents to an earlier enforcement.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

---

Name of Secured Creditor

---

Name and Title of Signing Officer

FORM 87

Notice and Statement of the Receiver  
(Subsections 245(1) and 246(1) of the Act)

The receiver gives notice and declares that:

1. On the \_\_\_\_ day of \_\_\_\_\_, I, \_\_\_\_\_, became the receiver in respect of the property of \_\_\_\_\_, an insolvent person (or a bankrupt), that is described below:

*(Provide an appropriate description of the property including the book value of each asset and broken down into the categories of inventory, accounts receivable and other assets.)*

2. I became a receiver by having taken possession or control of the property described above (or by virtue of being appointed by \_\_\_\_\_ (name of person or court that appointed receiver)) pursuant to \_\_\_\_\_ (State particulars of security agreement or court order pursuant to which receiver was appointed).

3. The undersigned took possession or control of the property described above on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

4. The following information relates to the receivership:

- (a) Address of insolvent person (or bankrupt):
- (b) Principal line of business:
- (c) Location(s) of business:
- (d) Amount owed by insolvent person (or bankrupt) to each creditor who holds a security on the property described above: \_\_\_\_\_ \$
- (e) The list of other creditors of the insolvent person (or the bankrupt) and the amount owed to each creditor and the total amount due by the insolvent person (or the bankrupt) is as follows:
- (f) The intended plan of action of the receiver during the receivership, to the extent that such a plan has been determined, is as follows:
- (g) Contact person for receiver:  
*(Provide name, telephone and fax numbers and, if applicable, an e-mail address.)*

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Name of Receiver

\_\_\_\_\_  
Name and Title of Signing Officer

NOTE: If a copy of this Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.

FORM 88

Notice of Hearing and Trustee's Report to the Court After Three Years  
(Subsection 34(2) of the Act)

*(Title Form 1)*

Take notice that:

1. I, the trustee of the estate of \_\_\_\_\_ a bankrupt, have not been able to fully administer the estate, for the following reasons:

*(Set out the reasons.)*

2. I estimate that I will be able to apply for my discharge in \_\_\_\_\_ months after this date.

3. I will, on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock, submit to, and be heard by, the court on the attached report at \_\_\_\_\_ (*place of hearing*), pursuant to subsection 34(2) of the Act.

4. Enclosed is a preliminary statement of receipts and disbursements.

5. I have sold or realized all the property of the bankrupt, with the exception of the following:

*(Give the description and value of all property not sold or realized and the reasons why these items were not sold or realized.)*

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

FORM 89

Order of Substituted Service of Application  
(Sections 43 and 44 of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_

*In Bankruptcy*

The Hon. Mr. Justice

*or*

The Registrar (*as the  
case may be*)



\_\_\_\_\_ day, the \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_

In the matter of the bankruptcy of \_\_\_\_\_

On the application of \_\_\_\_\_ and on reading the affidavit verifying it, of \_\_\_\_\_, of  
\_\_\_\_\_, in the province of \_\_\_\_\_, and the bankruptcy application filed on the  
\_\_\_\_\_ day of \_\_\_\_\_:

It is ordered that the sending of a copy of the bankruptcy application, the affidavit verifying it, made pursuant to subsection 43(3) of the Act, and the notice of hearing, together with a copy of this Order, to \_\_\_\_\_ at \_\_\_\_\_ (*as directed by the court*) shall be deemed to be good and sufficient service of the application, the affidavit verifying it pursuant to subsection 43(3) of the Act and the notice of hearing, on \_\_\_\_\_.

It is further ordered that the costs of this application be \_\_\_\_\_.

\_\_\_\_\_  
Judge *or* Registrar

FORM 90

Notice of Substituted Service of Application  
(Sections 43, 44 and subsection 71(2) of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_

*In Bankruptcy*

In the matter of the bankruptcy of \_\_\_\_\_

To: \_\_\_\_\_

Take notice that a bankruptcy application has been filed against you in the court by \_\_\_\_\_, of \_\_\_\_\_, and that the court has ordered that the sending of a copy of the bankruptcy application, the affidavit verifying it, made pursuant to subsection 43(3) of the Act, and the notice of hearing, together with a copy of the order for substituted service, addressed to \_\_\_\_\_ (*following the terms of the order for substituted service*) shall be deemed to be service on you, of the application, the affidavit verifying it pursuant to subsection 43(3) of the Act, and the notice of hearing.

Further take notice that the application will be heard by this court on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock, that you are required to appear on that day, and that if you do not appear, the court may issue a bankruptcy order against you in your absence, on such proof of the allegations in the application as the court thinks sufficient.

You may inspect the application, on application at my office.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Judge *or* Registrar

FORM 91

Bankruptcy Order  
(Sections 43 and 44 of the Act)

In the \_\_\_\_\_ Court of \_\_\_\_\_ in Bankruptcy

In the matter of the Bankruptcy of \_\_\_\_\_

On the application of \_\_\_\_\_, a creditor, of \_\_\_\_\_, in the Province of \_\_\_\_\_, filed on the \_\_\_\_ day of \_\_\_\_\_;

Having heard \_\_\_\_\_;

And having seen the exhibits;

And it appearing to the court that the following acts of bankruptcy have been committed (*Set out the nature and dates of the acts of bankruptcy on which the order is made*):

1. The Court hereby orders that \_\_\_\_\_ (*Insert name, address and description of bankrupt as set out in the petition or proof to the court*) be adjudged bankrupt by virtue of a bankruptcy order hereby made on this date.

2. The Court further orders that \_\_\_\_\_, of \_\_\_\_\_, in the Province of \_\_\_\_\_, be appointed as trustee of the estate of the bankrupt.

3. The Court further orders that the trustee give security in cash or by bond or suretyship without delay, in accordance with subsection 16(1) of the Act.

4. The Court further orders that the costs of the applicant creditor be paid out of the estate of the bankrupt on taxation of the estate.

Dated at \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Judge or Registrar

FORM 92

Notice of Proposal to Creditors  
(Section 51 of the Act)

*(Title Form 1)*

Take notice that \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the Province of \_\_\_\_\_ has lodged with me a proposal under the *Bankruptcy and Insolvency Act*.

A copy of the proposal, a condensed statement of the debtor's assets, and liabilities, and a list of the creditors affected by the proposal and whose claims amount to \$250 or more are enclosed.

A general meeting of the creditors will be held at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_ o'clock.

The creditors or any class of creditors qualified to vote at the meeting may by resolution accept the proposal either as made or as altered or modified at the meeting. If so accepted and if approved by the court the proposal is binding on all the creditors or the class of creditors affected.

Proofs of claim, proxies and voting letters intended to be used at the meeting must be lodged with me prior to the commencement of the meeting.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Trustee

*(A form of proof of claim, a form of proxy and a voting letter should be enclosed with each notice.)*

NOTE: If a copy of this Notice is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document.