

Except in the case of claims for wages or salary, where the debt proved for exceeds \$250 a fee of \$35 must be paid hereon otherwise the proof cannot be admitted. 如所證明債權款額超過\$250，必須繳交費用\$35，否則債權證明表將不獲接納，但申索工資或薪金者除外。

**IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
IN BANKRUPTCY PROCEEDINGS**

香港特別行政區
原訟法庭
高院破產案件

HCB 1234/2003
PROOF OF DEBT — GENERAL FORM
債權證明表 —— 一般通用表格
FORM 46A 表格 46A
[Rule 109] (規則第109條)

NO. 1234 OF 2003

2003 年 第 1234 宗

Re: Chan Tai Man trading as Tai Man Company
關於： 陳大文經營之大文公司

Date of Bankruptcy Order **1 July 2003**
破產令的日期 **2003年7月1日**

1	Name of creditor 債權人姓名/名稱	Wong Siu Ming 黃小明
2	Address and telephone no. of creditor 債權人地址及電話	Room 222, 2/F., 123 ABC Street, Central, Hong Kong. 2345 2789 香港中環甲乙丙街123號2樓222室 2345 2789
3	Total amount of claim, including any outstanding uncapitalised interest as at the date of the bankruptcy order 申索總額，包括任何在破產令的日期尚未支付且未轉作本金的利息	(Analysis of claim can be supplied on separate sheet signed by creditor or person authorized to act on his behalf) (申索的分析可另紙述明，但該等數頁必須由債權人或獲授權代其行事者簽署) \$ 109,700.00 元
4	Details of any documents by reference to which the debt can be substantiated [Note: Either the originals or copies of documentary evidence should be submitted. Bills of exchange or other negotiable securities must be produced before the proof can be admitted. The trustee may call for any document or evidence to substantiate the claim at his discretion.] 任何可供參閱以證實債權的文件的詳情 (註：須呈交文件證據的正本或副本。匯票或其他可流轉的抵押品必須先予出示，否則債權證明表將不獲接納。受託人可酌情要求提供任何可用以證實有關申索的文件或證據。)	Invoice No. 01234 發票01234號
5	If total amount above includes outstanding uncapitalised interest please state amount 如上述總額包括尚未支付且未轉作本金的利息，請述明款額	Interest Total : \$1,300.00 利息共 \$1, 300. 00
6	Particulars of how and when debt incurred 詳述債項是何時及如何招致的	On delivery of goods 1. 1. 2000 送貨日期 1. 1. 2000
7	Particulars of any security held, the value of the security, and the date it was given 所持抵押品的詳情與價值，及作出該項抵押的日期	Nil 無
8	I hereby declare that the particulars set out in this Proof of Debt are, to the best of my knowledge and belief, true and correct. 本人現聲明：盡本人所知所信，本債權證明表所列各項詳情均真實無誤。	
	Signature of creditor or person authorized to act on his behalf 債權人或獲授權代其行事者的簽署	<u>Wong Siu Ming</u>
	Name in BLOCK LETTERS 姓名/名稱	Wong Siu Ming 黃小明
		HKIC No. 香港身分證號碼
		<u>A123456 (A)</u>
	Position with or relation to creditor and means of knowledge of the matters declared herein 在債權人機構所持職位或與債權人的關係，和獲悉本債權證明表內所聲明事項的途徑	

Warning: A person convicted of making a false statement in respect of a proof of debt shall be liable to a fine and imprisonment for 2 years.
警告： 任何人如被裁定就債權證明表作出虛假陳述罪名成立，可處罰款及監禁2年。

To be returned to the trustee.
此表格須交還受託人。

Note: The proof cannot be admitted for voting at the general meeting of creditors unless it is properly completed and lodged with the trustee not later than 24 hours before the time specified in the notice convening the meeting.

註： 債權證明表必須填寫妥當，並須在不遲於召開債權人大會的通知書內所指明的時間的24小時前向受託人遞交，否則不得就該會議上進行的表決而獲接納。

Admitted to vote for \$
就表決事宜獲接納的款額

元

Date
日期

Trustee
受託人

Admitted preferentially for \$
獲接納為有優先權的款額

元

Date
日期

Trustee
受託人

Admitted non-preferentially for \$
獲接納為無優先權的款額

元

Date
日期

Trustee
受託人

Personal Information Collection Statement

In accordance with the Data Protection Principles of the Personal Data (Privacy) Ordinance (Cap. 486), please note the following:

Purpose of Collection

The purpose of collecting your personal data is for the Official Receiver, the provisional trustee and the trustee to discharge their duties under the Bankruptcy Ordinance and Bankruptcy Rules.

Transfer of Personal Data

Where necessary, personal data and other related information in this form may be provided to parties who have the right under this and other legislation to obtain the data.

Access to Personal Data

You have the right to request access to and correction of the personal data and other related information provided by you in this form. Such requests should be made in writing to the Departmental Secretary of the Official Receiver's Office, the provisional trustee or to the trustee.

個人資料收集聲明

根據《個人資料(私隱)條例》(香港法例第486章) 資料保障原則，請你注意以下各點：

收集的目的

破產管理署署長，暫行受託人及受託人是根據《破產條例》及《破產規則》執行職務，收集你的個人資料。

轉遞個人資料

如有需要，在這份表格所提供的個人資料及其他有關資料，可能會給予根據這條條例及其他法例有權獲取該等資料的其他人士。

查閱個人資料

你有權提出要求查閱及改正你在本表格所提供的個人資料及其他有關資料。該等要求必須以書面向破產管理署部門主任秘書、暫行受託人或受託人提出。

債權證明

債權人須知

- (1) 《破產條例》第34-36條和《破產規則》第109-118條載列了有關債權證明的主要法定條文。
- (2) 你必須在債權證明表內填上真確無誤的資料。**填上錯誤的資料，不僅會為你和破產管理署、暫行受託人或受託人帶來不便，更可能影響你申索還款和持有抵押品的權利。**如果你在填寫表格方面遇到困難，你應該徵詢你的律師或會計師的意見。
- (3) 你必須填上中、英文姓名，也必須填上個案編號和個案名稱。
- (4) 如果你是有抵押債權人而又無意交回抵押品，你必須列明所持抵押品的全部資料、取得抵押品的日期和抵押品目前的估計價值。你應該只就扣除抵押品的價值後尚欠你的款項提供證明。**如果你未能透露所持抵押品的資料，為了所有債權人的一般利益，可當作你已放棄該抵押品論。**
- (5) 如果你的通訊地址有所更改，你必須通知受託人。
- (6) 請你在法院頒布破產令之後，盡快呈交你的債權證明表。
- (7) 你必須夾附有關文件以證明你的申索：

(請在適當方格內加上「√」號)

- | | | | |
|--------------|--------------------------|----------------|--------------------------|
| 1. 判決書 | <input type="checkbox"/> | 8. 租約 | <input type="checkbox"/> |
| 2. 經評定的訟費證明書 | <input type="checkbox"/> | 9. 財物扣押令 | <input type="checkbox"/> |
| 3. 發票／單據 | <input type="checkbox"/> | 10. 已清繳的收費單／單據 | <input type="checkbox"/> |
| 4. 收據 | <input type="checkbox"/> | 11. 信貸單據 | <input type="checkbox"/> |
| 5. 已簽收的送貨單 | <input type="checkbox"/> | 12. 收費單／借款單據 | <input type="checkbox"/> |
| 6. 保證書 | <input type="checkbox"/> | 13. 合約 | <input type="checkbox"/> |
| 7. 空頭支票 | <input type="checkbox"/> | 14. 其他 | <input type="checkbox"/> |

請註明： _____

PROOF OF DEBT

IMPORTANT NOTES FOR CREDITORS

- (1) The principal statutory provisions relating to Proof of Debt are contained in Sections 34-36 of the Bankruptcy Ordinance and Rules 109-118 of the Bankruptcy Rules.
- (2) You must complete the Proof of Debt form truly and correctly. ***Incorrect completion of the form may not only cause inconvenience to yourself and the Official Receiver, the provisional trustee or the trustee, but may also affect your rights to claim a dividend and any security held by you.*** If you have any difficulty in completing the form, you should consult your solicitor or accountant.
- (3) You must fill in your name **in both Chinese and English**. You must also fill in **the Case Number and the Case Name**.
- (4) If you are a secured creditor and do not intend to surrender the security, you must state the full particulars of your security, the date when it was given and the current estimated value. You should only prove for the balance due to you. ***If you fail to disclose your security, you may be deemed to have surrendered that security for the general benefit of the creditors.***
- (5) You must inform the trustee, of any change of your correspondence address.
- (6) You should submit your Proof of Debt as soon as possible **after** the making of the bankruptcy order.
- (7) You must attach the following relevant documents to substantiate your claim :

(Please tick against the documents attached)

- | | | | |
|-----------------------------|--------------------------|-----------------------------|--------------------------|
| 1. Judgment | <input type="checkbox"/> | 8. Tenancy agreement | <input type="checkbox"/> |
| 2. Allocatur of taxed costs | <input type="checkbox"/> | 9. Warrant of distress | <input type="checkbox"/> |
| 3. Invoices/bills | <input type="checkbox"/> | 10. Settled fee notes/bills | <input type="checkbox"/> |
| 4. Receipts | <input type="checkbox"/> | 11. Credit notes | <input type="checkbox"/> |
| 5. Receipted delivery notes | <input type="checkbox"/> | 12. Fee notes/Debit notes | <input type="checkbox"/> |
| 6. Guarantee | <input type="checkbox"/> | 13. Contract | <input type="checkbox"/> |
| 7. Dishonoured cheques | <input type="checkbox"/> | 14. Others | <input type="checkbox"/> |

Please specify : _____