

FORM 28A

表格 28A

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

NO. OF

香港特別行政區
原訟法庭
高院破產案件
年第 宗Name: _____
姓名

STATEMENT OF AFFAIRS

(Individual, i.e. non-trading)

資產負債狀況說明書

(個人, 即非營商)

Please show your financial position as at the date of the Bankruptcy Order by completing all the pages of this form and the attached lists, A, B, C and D as are applicable, which will then be your Statement of Affairs. You are also required to specify in the relevant list whether or not there is a dispute about any amount due to or by you and, if so, to supply details in a separate sheet which should be signed and attached as part of your Statement of Affairs.

請填寫本表格各頁，並按適用情況填寫隨附的 A、B、C 及 D 各表，以顯示你在破產令日期的經濟狀況；上述各頁及各表填妥後即為你的資產負債狀況說明書。你亦須在有關的表內指明欠你的或你所欠的任何款額是否有所爭議，如有爭議，則須另紙提供詳情。該紙應予簽署，並應隨附作為你的資產負債狀況說明書的一部分。

AFFIDAVIT OR AFFIRMATION (you need to complete either the affidavit at (i) below or the affirmation at (ii) overleaf, but not both.)

誓章或非宗教式誓詞 (你需填寫下面 (i) 的誓章或下頁 (ii) 的非宗教式誓詞，但無須填寫兩者。)

(i) Affidavit

(i) 誓章

This Affidavit must be sworn before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

你在填妥本表格的其他部分後，必須在一名律師、監誓員或獲妥為授權監誓的法院人員面前就本誓章宣誓。

(a) Insert full name,
Hong Kong Identity Card No.
and Occupation

I (a) _____
本人 (a)

(a) 填上全名、香港身份證號碼
及職業

(b) Insert full address

of (b) _____

(b) 填上詳細地址

地址為 (b) _____

Make oath and say that the attached lists exhibited hereto and marked _____ are to the best of my knowledge and belief a full, true and complete statement of my affairs as at _____ the date of the Bankruptcy Order made against me.

宣誓聲言：在此展示並標明為 _____ 的隨附各表，盡本人所知所信，為有關本人在 _____ (即針對本人作出的破產令的日期) 的資產負債狀況的一份全面、真實及完整的說明書。

Sworn at _____
在 _____ 宣誓

Date _____ Signature _____
日期 簽署

Before me _____
在本人面前

A Solicitor or Commissioner of Oaths or Duly authorised officer

任何律師或監誓員或獲妥為授權的人員

Before swearing the affidavit the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the Deponent are stated, and to initial any crossings-out or other alterations in the printed form. A deficiency in the affidavit in any of the above respects will mean that it is refused by the court, and will need to be re-sworn.

在為本誓章監誓前，律師或監誓員務請確定宣誓人的全名、地址及描述已有述明，並務請在印製的表格上任何刪除或其他更改之處簡簽。本誓章如在任何上述方面有所不足，即會被法院拒絕接納，並須重新宣誓。

(Please see overleaf for the Affirmation)

(非宗教式誓詞請見下頁)

(ii) Affirmation
(ii) 非宗教式誓詞

This Affirmation must be made before a Solicitor or Commissioner of Oaths or an officer of the court duly authorised to administer oaths when you have completed the rest of this form.

你在填妥本表格的其他部分後，必須在一名律師、監誓員或獲妥為授權監誓的法院人員面前作此份非宗教式誓詞。

(a) Insert full name,
Hong Kong Identity Card No.
and Occupation

I (a) _____
本人 (a) _____

(a) 填上全名、香港身份證號碼
及職業

(b) Insert full address
(b) 填上詳細地址

of (b) _____
地址為 (b) _____

Solemnly and sincerely affirm that the attached lists exhibited hereto and marked _____
are to the best of my knowledge and belief a full, true and complete statement of my affairs as at
_____ the date of the Bankruptcy Order made against me.

謹以非宗教方式至誠鄭重宣誓：在此展示並標明為 _____ 的隨附各表，
盡本人所知所信，為有關本人在 _____ (即針對本人作出的破產令的日期)
的資產負債狀況的一份全面、真實及完整的說明書。

Affirmed at _____
在 _____ 以非宗教方式宣誓

Date _____
日期

Signature _____
簽署

Before me _____
在本人面前

A Solicitor or Commissioner of Oaths or Duly authorised officer
任何律師或監誓員或獲妥為授權的人員

Before making the affirmation the Solicitor or Commissioner is particularly requested to make sure that the full name, address and description of the Deponent are stated, and to initial any crossings-out or other alterations in the printed form. A deficiency in the affirmation in any of the above respects will mean that it is refused by the court, and will need to be re-affirmed.

在作此份非宗教式誓詞前，律師或監誓員務請確定宣誓人的全名、地址及描述已有述明，並務請在印製的表格上任何刪除或其他更改之處簡簽。此份非宗教式誓詞如在任何上述方面有所不足，即會被法院拒絕接納，並須以非宗教方式重新宣誓。

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 and the trustee to discharge his 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 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或受託人提出。

Important Note

Upon the making of the bankruptcy order, all the bankrupt's assets (including interest in real estate) are vested in the Trustee and will remain so after the bankrupt's discharge from bankruptcy. The bankrupt's discharge from bankruptcy does not mean that the assets of the bankrupt vested in the Trustee will revert to the bankrupt. The Trustee has the power to continue to administer the assets even after the bankrupt's discharge from bankruptcy and to realize the bankrupt's assets at any time for the benefit of the creditors. In case of doubt, the bankrupt may consider seeking independent advice.

重要通知

在法院頒布破產令後,破產人的所有資產(包括房地產的權益)即歸屬受託人。破產人獲解除破產後,有關資產仍然歸屬受託人。破產人解除破產並不代表已歸屬受託人的破產人資產將復歸予破產人。即使在破產人獲解除破產後,受託人仍有權繼續管理有關資產,並在任何時間為債權人的利益而將破產人的資產變現。如有任何疑問,破產人可考慮徵詢獨立意見。

SUMMARY OF STATEMENT OF AFFAIRS
資產負債狀況說明書撮要

List Reference 參閱表目	Particulars 詳情	Amount 款額 \$
	ASSETS 資產	
A	(1) Various assets 各項資產	
B	(2) Excess value of assets pledged as security to creditors fully secured 質押予有十足抵押的債權人作為抵押品的資產的超額價值	
	(3) Total Assets, i.e. total of items (1) and (2) above 資產總額，即以上第 (1) 及 (2) 項的總額	
	LIABILITIES 負債	
B	(4) Secured creditors (net of security) — i.e. after deducting the amount of the security 有抵押債權人（經扣除抵押）——即扣除抵押品的款額後	
C	(5) Unsecured creditors 無抵押債權人	
	(6) Total Liabilities, i.e. total of items (4) and (5) above 負債總額，即以上第 (4) 及 (5) 項的總額	
	(7) Surplus/(Deficiency), i.e. total assets as in item (3) less total liabilities as in item (6) 盈餘(不敷)，即第 (3) 項的資產總額減去第 (6) 項的負債總額	\$

Signature _____
 簽署

Date _____
 日期

LIST B B 表

SECURED CREDITORS (either fully or partly secured)/EXCESS VALUE OF ASSETS PLEDGED AS SECURITY TO CREDITORS 有抵押債權人 (有十足抵押或部分債權有抵押者) / 質押予債權人作為抵押品的資產的超額價值

Does any creditor of yours hold or claim any item(s) of your property?
你的債權人中可有任何人持有或申索你財產中的任何項目?

If 'YES' give details below:
如“有”，請在下面提供詳情：

如“有”，請在下面提供詳情：

Yes No
有 無

(i) No. 編號	(ii) Name of creditor or claimant 債權人或申索人 姓名/名稱	(iii) Address 地址	(iv) Amount owed to creditor 欠債權人 的款額 \$	(v) Specify the asset being held or claimed or pledged as security 指明現正被持有或 被申索為抵押品或 被質押作抵押品的資產	(vi) Date when security given 作出抵押 日期	(vii) Estimated value of the asset in column (v) 第(v)欄內 資產的估值 \$	(viii) Estimated excess, i.e. (vii) less (iv) 估計超出額, 即 (vii) 減去 (iv) \$	(ix) Net indebtedness, i.e. (iv) less (viii) 淨負債額, 即 (iv) 減去 (viii) \$
1.								
2.								
3.								
4.								
5.								
6.								
7.								
8.								
9.								
10.								
11.								
12.								
13.								
14.								
15.								
Show the total of column (viii) under "Assets", item (2) in the Summary of Statement of Affairs 在資產負債狀況說明書摘要“資產”之下第(2)項列出第(viii)欄的總額						\$		
Show the total of column (ix) under "Liabilities", item (4) in the Summary of Statement of Affairs 在資產負債狀況說明書摘要“負債”之下第(4)項列出第(ix)欄的總額							\$	

Signature
簽署

Date
日期

LIST C
C 表
UNSECURED CREDITORS
無抵押債權人

(i) No. 編號	(ii) Name of creditor or claimant 債權人或申索人 姓名／名稱	(iii) Address 地址	(iv) Amount the creditor claims you owe him/her 債權人聲稱 你欠他／她 的款額 \$	(v) Amount you consider as owed to the creditor 你認為欠債權人 的款額 \$
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
Show the total of column (v) under "Liabilities", item (5) in the Summary of Statement of Affairs 在資產負債狀況說明書撮要“負債”之下第(5)項列出第(v)欄的總額				

Signature _____
簽署

Date _____
日期

LIST D
D 表

STATEMENT OF EXPECTED INCOME
預期的收入說明書

Include in the table below details of your estimated gross income for the next 12 months following the filing of this statement of affairs.

在以下的表內列入在呈交資產負債狀況說明書以後 12 個月你的估計總收入。

Gross income is the amount of your income before any deductions, including tax, are made.

Ensure that you include all income details as any details left out may affect your ability to obtain an early discharge.

總收入即為你的收入在作出任何扣除（包括稅項）之前的款額。

確保你將所有收入詳情列入，因任何遺漏的詳情可能會影響你獲得提早解除破產的能力。

Source of Income 收入來源	Estimated income for the next 12 months 以後 12 個月的估計收入 (\$)
Gross wages and salary before income tax is deducted (including overtime & penalty rates) 在扣除稅項之前的總工資及薪金（包括超時及處罰工資） • •	
Drawings from business if self-employed （如屬自僱）從業務提取的款項	
Government pensions, benefits & allowances (Specify type) 政府退休金、利益及津貼（指明類別） • • •	
Payments from retirement or approved deposit, provident funds (Specify type) 退休或認可存款、公積金方面的付款（指明類別） • •	
Lump Sum payment on termination of employment 僱用終止時的整筆付款	
Income from deceased estate or trust 來自死者的遺產或信託的收入	
Income from investments (Specify type) 來自投資的收入（指明類別） • Interest 利息 • Dividends 派息 • Insurance policies 保險單 • •	
Money from any other allowances, benefits or sources not mentioned above (Specify source & type) 來自非以上所述的任何其他津貼、利益或來源所得的款項（指明來源及類別） • • •	
Total 總額	