

FORM 28B

表格 28B

**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

Full Name : _____
全名
Hong Kong Identity Card No. : _____
香港身份證號碼
Trading as : _____
營商名稱

STATEMENT OF AFFAIRS

資產負債狀況說明書

Please complete this Statement of Affairs and such of the attached lists A, B, C, D, E and F as are applicable in order to show the state of your affairs on the day on which the Bankruptcy Order was made against you, viz., the _____ day of _____, _____. 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 schedule which should be signed and attached as part of your Statement of Affairs. Such completed schedules will constitute your Statement of Affairs, and must be verified by oath, declaration or affirmation (please see note below).

請填寫本資產負債狀況說明書及隨附的A、B、C、D、E及F各表中的適用者，以顯示你在破產令針對你作出的日期，即_____年_____月_____日的資產負債狀況。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，則須以另外的附表提供詳情。該附表應予簽署，並應隨附作為你的資產負債狀況說明書的一部分。該等填妥的附表將構成你的資產負債狀況說明書，並必須以誓言、聲明書或非宗教式誓詞核實（請見以下的註）。

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) Debts receivable 應收債項	
C	(3) 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	
	(4) Total Assets, i.e. total of items (1) to (3) above 資產總額，即以上第(1)至(3)項的總額	
LIABILITIES 負債		
D	(5) Claims and amounts due to employees and Government departments 僱員及政府部門的申索及被拖欠的款額	
C	(6) 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	
E	(7) Unsecured creditors and other liabilities (including contingent liabilities) 無抵押債權人及其他負債（包括或有負債）	
	(8) Total Liabilities, i.e. total of items (5) to (7) above 負債總額，即以上第(5)至(7)項的總額	
	(9) Surplus/(Deficiency), i.e. total assets as in item (4) less total liabilities as in item (8) above 盈餘（不敷），即以上第(4)項的資產總額減去第(8)項的負債總額	\$

Continued Overleaf . . .

AFFIDAVIT OR AFFIRMATION — (The format is set out below and you need to complete either the affidavit at (i) or the affirmation at (ii), but not both.)

誓章或非宗教式誓詞 —— (格式已在下面列出，你需填寫下面 (i) 的誓章或 (ii) 的非宗教式誓詞，但無需填寫兩者。)

Before swearing the affidavit or 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 affidavit/affirmation in any of the above respects will mean that it is refused by the court, and will need to be re-sworn.

在為本誓章監督或作此份非宗教式誓詞前，律師或監督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／本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，並需重新宣誓。

(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、監督員或獲妥為授權監督的法院人員面前就本誓章宣誓。

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

(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

I (a) _____
本人 (a) _____

of (b) _____
地址為 (b) _____

Make oath and say that the foregoing Statement and 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：以上說明書及在此展示並標明為 _____ 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 _____
日期

Before me _____
在本人面前

Signature _____
簽署

(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、監督員或獲妥為授權監督的法院人員面前作出此份非宗教式誓詞。

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

(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

I (a) _____
本人 (a) _____

of (b) _____
地址為 (b) _____

Solemnly and sincerely affirm that the foregoing Statement and 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：以上說明書及在此展示並標明為 _____
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

Before me _____
在本人面前

Signature _____
簽署

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。

LIST A
A 表
VARIOUS ASSETS
各項資產

Full particulars of every description of assets not included in any other lists should be specified in this list. If the space allotted to items (a) to (j) below is not adequate, please provide the requisite information by attaching additional schedule(s) and completing item (l) below. 不包括在任何其他表內的每一類資產，其所有詳情應在本表內指明。如以下 (a) 至 (j) 項所獲分配的空位不足夠，請隨附額外的附表並填寫以下 (l) 項，以提供所需資料。

Particulars 詳情		Estimated to produce 估計可得 \$
(a) Cash at bank <small>(Please specify the name(s) of the bank(s) and all account numbers)</small> 銀行現金 <small>(請指明有關銀行名稱及所有帳戶號碼)</small>	_____	_____
(b) Cash in hand 手頭現金	_____	_____
(c) Cash deposit held by solicitor or any other person <small>(name of solicitor or person)</small> <small>(律師或該人的姓名)</small> 由律師或任何其他人持有的現金存款	_____	_____
(d) Land and buildings in your name or in the name of your *husband/*wife/*concubine <small>(Location and address)</small> 在你名下或在你 * 丈夫 / * 妻子 / * 妾侍名下的土地及建築物 <small>(位置及地址)</small>	_____ Cost \$ _____ _____ 原值 _____	_____
(e) Stock in trade 存貨	_____ Cost \$ _____ _____ 原值 _____	_____
(f) Plant and machinery 設備及機器	_____ Cost \$ _____ _____ 原值 _____	_____
(g) Life assurance policies 人壽保單	_____ <small>(policy number and insurance company)</small> _____ <small>(保單號碼及保險公司)</small>	_____
(h) Investment in stocks and shares, etc. 股額及股份等的投資	_____ <small>(please provide details)</small> _____ <small>(請提供詳情)</small> Cost \$ _____ _____ 原值 _____	_____
(i) Amount due to you from the estate of a deceased person 任何死者的遺產欠你的款額	_____ <small>(please provide details)</small> _____ <small>(請提供詳情)</small>	_____
(j) Any other assets 任何其他資產	_____	_____
(k) Total (show the total under "Assets" on page 1 of the Statement of Affairs) 總額 (在資產負債狀況說明書第 1 頁 "資產" 之下列出此總額)	\$	_____

(l) * _____ additional schedule(s) are attached/No additional schedule(s) are attached.*
(specify no.)

* 隨附額外的附表 _____ 份 / 並無額外的附表隨附 *。
(指明數目)

Dated this _____ day of _____
日期： _____ 年 _____ 月 _____ 日

(Signature)
(簽署)

(*delete the inapplicable words)
(* 刪去不適用的字句)

LIST B
B 表

DEBITS RECEIVABLE
應收債項

(i) No. 編號	(ii) Name of debtor 債務人姓名	(iii) Address 地址	(iv) Amount of debt 債項款額 \$	(v) Date when contracted 訂約承借債項 的日期	(vi) Estimated to produce 估計可得 \$	(vii) Folio of ledger or other book where particulars are to be found 可供查閱詳情的分類帳 或其他簿冊的頁碼	(viii) Nature of debt and particulars of any securities held for debt 債項性質及任何就債項而 持有的抵押品的詳情
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							

Totals (show the total of column (vi) under "Assets" on page 1 of the Statement of Affairs)
總額 (在資產負債狀況說明書第 1 頁 "資產" 之下列出第 (vi) 欄的總額)

Dated this day of month year 20 20 20 20

(Signature)
(簽署)

Notes: (1) If you are also indebted to any of the above-mentioned debtor(s), please specify in column (iii) both the amount of your debt due to the debtor and the amount due from the debtor. The net amount due to you by the debtor should be inserted in columns (iv) and (vi). If, however, the amount owed by you to the "debtor" is greater than the amount that the debtor owes you, do not insert any amount in this list but use List E for the purpose.
 如你亦欠任何上述債務人款項，請在第 (iii) 欄指明你欠該債務人的債項款額及該債務人欠你的款額。該債務人欠你的淨款額應在第 (iv) 及 (vi) 欄填寫，但如你欠該 "債務人" 的款額大於該債務人欠你的款額，則請勿在本表內填寫任何款額，而應使用 E 表填寫有關資料。

(2) To substantiate the amount of debt, copies of the relevant source documents should be attached.
 為證實債項款額，應隨附有關證明文件的副本。

LIST C
C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) / 質押予有十足抵押的債權人作為抵押品的資產的超額價值

(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) Date when contracted 訂約承擔債項 的日期	(vi) Particulars of the asset being held or claimed or pledged as security 現正被持有或被申索為抵押品或 被質押作為抵押品的資產詳情	(vii) Date when security given 作出抵押 的日期	(viii) Estimated value of the asset in column (vi) 資產的估值	(ix) Estimated excess, i.e. (viii) less (iv) 估計超額, 即 (viii) 減去 (iv)	(x) 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.									
Total amount owed to creditors, i.e. total of column (iv) 欠債權人的總款額, 即第 (iv) 欄的總額			Total value of security, i.e. total of column (viii) 抵押品的總值, 即第 (viii) 欄的總額						
Show the total of column (ix) under "Assets" on page 1 of the Statement of Affairs 在資產負債狀況說明書第 1 頁 "資產" 之下列出第 (ix) 欄的總額									
Show the total of column (x) under "Liabilities" on page 1 of the Statement of Affairs 在資產負債狀況說明書第 1 頁 "負債" 之下列出第 (x) 欄的總額									

Dated this day of 年 月 日
日期:

(Signature)
(簽署)

Note: If the amount due to the fully-secured creditor (as stated in column (iv) above) is the same as the estimated value of security (as stated in column (viii) above), please specify a "Nil" amount in columns (ix) and (x). If any estimated surplus from security as reflected in column (ix) above is further pledged to any other creditor as partial security, that surplus should be deleted from column (ix) and shown in column (viii) for that other creditor instead. Such surplus should then be deducted from the relevant amount due to that other creditor before extending the amount to either column (ix) or (x), whichever is appropriate.

註: 如欠有十足抵押的債權人的款額 (如上面第 (iv) 欄所述) 與抵押品的估值 (如上面第 (viii) 欄所述) 相同, 請在第 (ix) 及 (x) 欄內註明 "無"。如將上面第 (ix) 欄所反映的抵押品估計盈餘再質押予任何其他債權人作為部分債權的抵押, 則該項盈餘應從第 (ix) 欄刪除而改為就該另一名債權人顯示於第 (viii) 欄。該項盈餘應從欠該另一名債權人的有關款額中扣除, 然後將所得款額填報於第 (ix) 或 (x) 欄 (視乎何者適用而定)。

**LIST D
D 表**

CLAIMS AND AMOUNTS DUE TO EMPLOYEES AND GOVERNMENT DEPARTMENTS (e.g. Wages, Rates, Taxes, etc.)
僱員及政府部門的申索及被拖欠的款額 (如工資、差餉、稅款等)

(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) Nature of claim 申索性質	(v) Period during which claim accrued 申索權產生的 期間	(vi) Due date for payment 應付款的日期	(vii) Amount of claim 申索款額 \$
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
Show the total of column (vii) under "Liabilities" on page 1 of the Statement of Affairs 在資產負債狀況說明書第 1 頁“負債”之下列出第 (vii) 欄的總額						\$

Dated this day of 年 月 日
日期：

(Signature)
(簽署)

LIST E
E 表
UNSECURED CREDITORS AND OTHER LIABILITIES (INCLUDING CONTINGENT LIABILITIES)
無抵押債權人及其他負債 (包括或有負債)

(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 款額 \$	(v) Date when contracted 訂約承擔債項 的日期	(vi) Consideration and the nature of liability 代價及負債性質
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
Show the total of column (iv) under "Liabilities" on page 1 of the Statement of Affairs 在資產負債狀況說明書第 1 頁 "負債" 之下列出第 (iv) 欄的總額			\$		

Dated this day of month year 20 20

日期： 年 月 日

(Signature)
(簽署)

Notes: (1) If any creditor is also indebted to you, please specify in column (iii) both the amount due to the creditor and the amount owed by you to the creditor. The net amount due by you to the creditor should be inserted in column (iv). If, however, the amount owed to you by the "creditor" is more than the amount that you owe the creditor, do not insert any amount in this list but use List B for the purpose.
 註： 如任何債權人亦欠你款項，請在第 (iii) 欄指明欠該債權人的款額及該債權人欠下的款額。你欠該債權人的淨款額應在第 (iv) 欄填寫，但如該 "債權人" 欠你的款額大於你欠該債權人的款額，則請勿在本表內填寫任何款額，而應使用 B 表填寫有關資料。

(2) The particulars of any bills of exchange and promissory notes held by a creditor should be inserted immediately below the name of such creditor.
 任何債權人所持有的任何匯票及承付票的詳情，應在該債權人姓名/名稱正下方填寫。

LIST F
F 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	