

Form 14 Affidavit in support of application for order for payment of call

Court Procedures Rules 2006

(see sch 6 r 7.8 (Application for payment of call (Corporations Act, s 483 (3) (b))))

In the Supreme Court of the Australian Capital Territory

No SC of (year)

In the matter of (*full name of corporation to which the proceeding relates and, if applicable, the words ‘(in liquidation)’, ‘(receiver appointed)’, ‘(receiver and manager appointed)’, ‘(controller acting)’ or ‘(under administration)’*)

*[ABN/ACN/ARBN]:

(name) *[and others]

Plaintiff

(*list, in a schedule, any further plaintiffs*)

(name) *[and others]

*Defendant

(*list, in a schedule, any further defendants*)

I, (name), of (address), liquidator, *[say on oath/solemnly affirm]:

1 I am the liquidator of (name of company) (the **company**).

Filed for the liquidator by:

(*the liquidator’s address for service and telephone number (if any) or, if the liquidator is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

- 2 On (*date*) I made a call of \$ (*amount*) per share on all the contributories of the company (*or specify the class of contributories on whom the call was made*). *[Annexed/Exhibited] and marked **A** is a copy of the notice of the call. Each contributory whose name is shown in the schedule marked **B** was duly served with notice of the call in the form *[annexed/exhibited] and marked **A**.
- 3 Each contributory of the company whose name is set out in column 2 of the schedule marked **B** has not paid, or caused to be paid, to me the amount specified opposite the contributory's name in column 5 of the schedule, which is due from that contributory under the call.
- 4 The amount set out opposite the name of each contributory in column 6 of the schedule is an estimate of the amount due by that contributory in relation to the costs of applying for and giving effect to the order for payment of the call. The estimate of the amounts so due by the several contributories has been reached by apportioning the costs among the contributories who have not paid the call according to the liability of the respective contributories to contribute.
- 5 The amount set out opposite the name of each contributory in column 7 of the schedule is the total of the amount due by that contributory in relation to the call as set out in column 5 and the amount due in relation to costs as set out in column 6.

*Sworn/*affirmed at: (*place of swearing or affirmation*) on (*date*)

OR

*Sworn/*affirmed by the deponent at: (*place of swearing or affirmation*) this (*day*) day of (*month*) (*year*)

Signature of deponent

Before me:

Signature and designation of
person before whom deponent
swears or affirms affidavit

**omit if, or whichever is, inapplicable*

<i>Note</i>	The form of this affidavit may be changed to comply with the form of affidavit used in a particular State or Territory—see sch 6 r 2.6.
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Schedule B

column 1	column 2	column 3	column 4	column 5	column 6	column 7
number on list of contributories	name	address	character in which included in the list	unpaid amount of call	proportion of costs of application	total amount payable
