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| |  |  | | --- | --- | | Form PIR-10 | | | Rule 101(1) | | | **INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018 (ACT 40 OF 2018)** | | | **INSOLVENCY, RESTRUCTURING AND DISSOLUTION (PERSONAL INSOLVENCY) RULES 2020** | | | (Title) | | | **AFFIDAVIT IN SUPPORT OF DEBTOR’S BANKRUPTCY APPLICATION** | | |  | | | I                                                        , of                                             do make oath (or affirm) and say as follows: | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 1. | [*explanation as to how rule 100(5) of the Insolvency, Restructuring and Dissolution (Personal Insolvency) Rules 2020 is satisfied*]. | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 2. | I have assets worth $            and liabilities of $             owing to creditors. | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 3. | I am unable to pay my debts. The cause(s) of my insolvency is/are | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 4. | Prior to my filing of this bankruptcy application, I verily believe that the Debt Repayment Scheme applies to me as — | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*a*) | the aggregate of the unsecured debts specified in the statement of affairs exhibited in this affidavit does not exceed \*$150,000/$250,000; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*b*) | I am not an undischarged bankrupt; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*c*) | I have not been adjudged a bankrupt in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*d*) | I am not presently subject to a voluntary arrangement; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*e*) | I have not been subject to a voluntary arrangement in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*f*) | I am not presently subject to a debt repayment scheme; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*g*) | I have not been subject to a debt repayment scheme in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*h*) | I am not a sole-proprietor; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*i*) | I am not presently a partner in a firm; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*j*) | I am not presently a partner in a limited liability partnership. | | | | | |  |  | | --- | --- | |  | (*Note*: The Debt Repayment Scheme does not apply to the applicant if the applicant fails to satisfy any of the conditions specified in paragraph 4 above.) | | | | |  |  | | --- | --- | |  | \*Delete accordingly. Please refer to section 289(2)(*a*) of the Insolvency, Restructuring and Dissolution Act 2018 and section 21(1)(*a*) of the COVID‑19 (Temporary Measures) Act 2020. | | | | |  |  | | --- | --- | |  | OR | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 4. | Prior to my filing of this bankruptcy application, I verily believe that the Debt Repayment Scheme does not apply to me as — | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*a*) | the aggregate of the unsecured debts specified in the Statement of Affairs exhibited in this affidavit exceeds \*$150,000/$250,000; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*b*) | I am an undischarged bankrupt; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*c*) | I have been adjudged a bankrupt in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*d*) | I am presently subject to a voluntary arrangement; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*e*) | I have been subject to a voluntary arrangement in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*f*) | I am presently subject to a debt repayment scheme; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*g*) | I have been subject to a debt repayment scheme in the 5 years preceding the date of this application; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*h*) | I am a sole-proprietor; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*i*) | I am presently a partner in a firm; | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | (*j*) | I am presently a partner in a limited liability partnership. | | | | | |  |  | | --- | --- | |  | (*Note*: Please delete the sub-paragraphs which you are not relying on to support your belief.) | | | | |  |  | | --- | --- | |  | \*Delete accordingly. Please refer to section 289(2)(*a*) of the Insolvency, Restructuring and Dissolution Act 2018 and section 21(1)(*a*) of the COVID‑19 (Temporary Measures) Act 2020. | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 5. | A statement of my affairs has been filed in court with this application. | | | | | |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 6. | The Official Assignee / [*the name of the licensed insolvency practitioner*] has consented to being appointed as trustee of the bankrupt’s estate. [A copy of the licensed insolvency practitioner’s licence is annexed.] | | | | | |  |  | | --- | --- | |  | (*Note*: A copy of the licensed insolvency practitioner’s licence granted under section 53 of the Insolvency, Restructuring and Dissolution Act 2018 must be annexed if a licensed insolvency practitioner is being appointed as trustee of the bankrupt’s estate.) | | | |  | | | Sworn (or affirmed) on the      day of                     20   , | | | at | | | (through the interpretation of                              ) | | |  | | |  | Before me | |  | Commissioner for Oaths | |