



**PROOF OF CLAIM**

(Subsection 50.1(1), paragraphs 51(1)(c) and 66.1(b) and subsections 81.2(1), 102(2), 124(2) and 128(1))

IN THE MATTER OF THE BANKRUPTCY (or PROPOSAL or RECEIVERSHIP of the property) of:

\_\_\_\_\_ (NAME OF DEBTOR)

and the claim of \_\_\_\_\_, creditor.

(NAME OF CREDITOR)

Mail all correspondence regarding this claim to the following address:

\_\_\_\_\_ (NAME)

\_\_\_\_\_ (STREET) \_\_\_\_\_ (CITY, PROVINCE) \_\_\_\_\_ (POSTAL CODE)

I, \_\_\_\_\_ (NAME OF CREDITOR)

of \_\_\_\_\_ (CITY AND PROVINCE)

**DO HEREBY CERTIFY:**

1. That I am a creditor of the above-named debtor or that I am \_\_\_\_\_ (STATE POSITION OR TITLE) of \_\_\_\_\_ (NAME OF CREDITOR).

2. That I have knowledge of all the circumstances connected with the claim referred to in this form.

3. That the said debtor was at the date of bankruptcy (or the proposal or the receivership), namely the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, and still is indebted to the above-named creditor (referred to in this form as « the creditor ») in the sum of \$ \_\_\_\_\_, as shown by the statement of account (or affidavit) attached hereto and marked « Schedule A », after deducting any counter-claims to which the debtor is entitled. (The attached statement of account or affidavit must specify the vouchers or other evidence in support of the claim.)

4. (Check and complete appropriate category.)

- A. UNSECURED CLAIM  
That in respect of the said debt, I do not hold any assets of the debtor as security and (Check appropriate description.)
  - I do not claim a right to a priority.
  - I claim a right to a priority under section 136 of the Bankruptcy and Insolvency Act. (Set out or an attached schedule details to support priority claim.)

B. SECURED CLAIM  
That in respect of the said debt, I hold assets of the debtor valued at \$ \_\_\_\_\_ as security, particulars of which are as follows:  
(Give full particulars of the security, including the date on which the security was given and the value at which the creditor assesses the security, and attach a copy of the security documents.)

C. CLAIM BY FARMER, FISHERMAN, OR A AQUACULTURIST  
That I hereby make a claim under subsection 81.2(1) of the Bankruptcy and Insolvency Act for the unpaid amount of \$ \_\_\_\_\_ (Attach a copy of sales agreement and delivery documents.)

5. That to the best of my knowledge and belief, I am (or the above-named creditor is) (or am not or is not) related to the debtor within the meaning of section 4 of the Bankruptcy and Insolvency Act.

6. That the following are the payments that I have received from and the credits that I have allowed to the debtor within the three months (or, if the creditor and the debtor are related within the meaning of section 4 of the Bankruptcy and Insolvency Act, within the 12 months) immediately preceding the date of bankruptcy:

\_\_\_\_\_  
\_\_\_\_\_  
(PROVIDE DETAILS OF PAYMENTS AND CREDITS)

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_ (WITNESS) \_\_\_\_\_ (CREDITOR)

**Note:** If an affidavit is attached, it must have been sworn to before a person qualified to take affidavits.  
**WARNINGS:** A trustee may, pursuant to subsection 128(3) of the Bankruptcy and Insolvency Act, redeem a security on payment to the secured creditor of the debt or the value of the security as assessed in a proof of security, by the secured creditor. Subsection 201(1) of the Bankruptcy and Insolvency Act, provided severe penalties for making any false claim, proof, declaration or statement of account.

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**THIS MEMO IS FORWARDED TO YOU IN ORDER THAT THE ATTACHED  
PROOF OF CLAIM MAY BE PROPERLY COMPLETED**

**Please** give this matter a particular attention otherwise your proof of claim will be returned to you so that it be completed according to the provisions of the Bankruptcy Act.

- The claim must be signed
- The signature of a witness is required
- The claim must be signed personally by the individual filling out this declaration
- Give the complete address where all notices or correspondence are to be forwarded
- The amount on the statement of account must correspond to the amount indicated on the proof of claim

**PARAGRAPH 1 OF THE PROOF OF CLAIM:**

- If the individual filling out the proof of claim is not the creditor himself, he must state his position or title.

**PARAGRAPH 3 OF THE PROOF OF CLAIM:**

- A detailed statement of account must be attached
- The statement of account must be complete

**NOTE:** A detailed statement of account must be attached to the proof of claim and must show the date, the number and the amount of all the invoices or charges, together with the date, the number and the amount of all credits or payments. A statement of account is not complete if its begins with an amount brought forward.

**PARAGRAPH 4 OF THE PROOF OF CLAIM:**

- An unsecured creditor must strike out sub-paragraphs b) and c)
- A secured creditor must strike out sub-paragraph a) and c) and must complete sub-paragraph b)
- A farmer, fisherman or aquaculturist must strike out sub-paragraphs a) and c)

**PARAGRAPH 5 OF THE PROOF OF CLAIM:**

- Any claimant must indicate if he is related or not to the debtor, as defined in Section 4 of the Bankruptcy Act, by striking out « are » or « are not ».

**PARAGRAPH 6 OF THE PROOF OF CLAIM:**

- Any claimant must attach a detailed list of all payments or credits received or granted, as follows:
  - a) within the three months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are no related;
  - b) within the twelve months preceding the bankruptcy or the proposal, in the case where the claimant and the debtor are related.

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