

Report on Company Activities and Property

Part B Instructions

PART B

About you

B1

Your details

Have you given the External Administrator the information necessary for a 100-point check verifying your identity? Some examples of relevant documents:

- ❖ Birth certificate
- ❖ Citizenship certificate
- ❖ Passport
- ❖ Driver's licence

Australia Post (www.auspost.com.au/id-and-document-services) and most banks have a full list of identity documents.

Give the External Administrator copies of these identity documents.

B2

Have you received payments from the Company during the last four years?

Give totals over the four years of the type of payment. For example:

	AUS\$
2015-18: Salary	210,000
2015-17: Share dividends	101,000
2015: Loan	24,000
2016-17: Travel expenses	1500
2016-18: Superannuation	6,000
2016-18: Performance bonuses	500,000
2017: Property transfers	1,000,000

Table B2 on Part B Appendix: Example Tables p2 illustrates the table showing you how to present the information as an attachment to the Report.

If you use accounting software, you can print out the table and attach it to the Report. See [Adding attachments Part A Instructions p4](#). If you do not have the software, you can hand copy or photocopy the table in [Parts A and B Appendix: Tables To Copy](#).

Continued on next page

Attach a table using the following fields:

YEAR

PAYMENT TYPE

AMOUNT

B3

Did you instruct the Company to make payments to someone else or to another company on your behalf?

If you instructed the Company to make a payment to you or a related party, or to another company, please provide details.

For example:

- ❖ School fees
- ❖ Personal expenses
- ❖ Loan to family members or friends

Part A Instructions p12 explains 'related party' for the purposes of this question.

TABLE B3 in Part B Appendix: Example Tables p3, the **PAYMENTS MADE** table, shows you how to present the information as an attachment to the **Report**.

If you use accounting software, you can create tables in that software for printing and attaching to the Report.

*If you do not have the software, you can hand copy or photocopy Table B3 in **Parts A and B Appendix: Tables To Copy**.*

Attach a table using the following fields:

YEAR

PAYMENT TYPE

PAYEE

ADDRESS

AMOUNT

B4

Did you operate the Company's business through a trust?

A trust company is a legal entity that your professional adviser, lawyer, or accountant may have created for you to run your business, usually for the purpose of administration, management, and eventual transfer of assets or income to a beneficiary.

You should have a copy of the Trust Deed, which may also be called a Deed of Settlement, setting out how the trust is to operate.

Provide details of the ABN and a copy of the Trust Deed to the External Administrator. Contact the External Administrator if you do not understand this question.

If you answered 'Yes' to this question, the External Administrator may seek additional information from you.

About the Company

B5

Who managed the Company's day-to-day business?

Add as many names as necessary.

Name

Use sufficient detail to uniquely identify the person:

Example. Mr Peter Paul Jones

Role in the Company

Describe their role within the Company. Example. Logistics Manager

Duties and responsibilities

Example. Plan and manage logistics, warehouse, and transportation.

Liaise and negotiate with suppliers, manufacturers, retailers.

Keep track of quality, quantity, stock levels, delivery times.

Supervise, coach and train warehouse workforce.

If you need to attach more items, see

[Adding attachments Part A Instructions p4.](#)

Company records

Financial records are a valuable tool for managing your Company and checking its progress and financial position.

See the following link for further information:

<https://asic.gov.au/for-business/running-a-company/company-officeholder-duties/what-books-and-records-should-my-company-keep/>

Please note that s286(1) of the *Corporations Act 2001* states that a company must keep written financial records that

- (a) correctly record and explain its transactions, financial position and performance, and
- (b) would enable a true and fair financial statement to be prepared and audited.

B6

Did the Company keep electronic records?

If applicable, provide details of how and where these are stored, and how the External Administrator can access them.

Financial records may be kept electronically, and numerous accounting software packages are available for this purpose. Provide the External Administrator with password and login details for the accounting or other software the Company used.

Provide name and contact details of the Service Provider who maintains or stores the software (e.g details of the Cloud-based provider).

Provide the External Administrator with user name, passwords, and any other information necessary to fully access to the Company's records where they are stored digitally.

B7

Did the Company keep paper records?

If applicable, provide details of how and where these are stored, and how the External Administrator can access them.

B8

Can you or someone else provide the financial statements for the last four years?

If 'Yes', please provide digital or paper copies to the External Administrator.

B9

Have you provided the full details asked for in Questions **B6, B7, and B8?**

Please read the important information under the heading [Company Records](#) on the previous page.

Company history

B10

Date the Company started trading

Give the date that the Company began to generate revenue OR the date that the Company began to incur expenses or liabilities.

Provide all necessary details.

B11

Did the Company purchase or acquire the business or any part of the business from someone else in the last four years?

Please provide all necessary details.

B12

What is the main thing the Company makes or provides?

For example:

- ❖ Makes car parts
- ❖ Dress factory
- ❖ Teaching English
- ❖ Bricklaying
- ❖ Office furniture supplier
- ❖ Tax consultancy
- ❖ Take-away food
- ❖ Hairdressing salon

B13

Did the Company lease or rent business premises?

Provide details of new or ongoing lease details.

If the Company's lease was recently terminated and the Company's books and records and assets remain at the premises, please advise the External Administrator.

If you need more space, see [Adding attachments Part A Instructions p4](#).

B14

Did the business fail?

'Fail' can refer to the inability of the Company to pay money owed to its creditors as and when the money becomes due and payable.

Here are some possible reasons for a company to fail:

- ❖ Under-capitalised
- ❖ Poor financial control, including lack of records
- ❖ Poor management of accounts receivable
- ❖ Poor strategic management of business
- ❖ Inadequate cash flow or high cash use
- ❖ Competition
- ❖ Lack of a comprehensive business plan
- ❖ Trading losses
- ❖ Destruction of property by fire
- ❖ Poor marketing strategies
- ❖ Refusal of bank to extend/advance loan
- ❖ Fraud
- ❖ Industry restructuring
- ❖ Poor economic conditions
- ❖ Natural disaster
- ❖ Deed of Company Arrangement (DOCA) failed
- ❖ Dispute among Directors

Give as many reasons as necessary.

Provide the earliest date you believe the Company could not pay its creditors.

B15

Has the Company ceased trading?

Provide the date the Company ceased incurring expenses and/or liabilities on behalf of the Company.

Please give the reason(s) the Company ceased to trade.

B16

Is someone else or another company currently carrying on the business, or any part of the business, ordinarily carried on by the Company?

If there is more than one business ordinarily carried on by the Company and now carried on by someone else, provide the details of the other business(es) to the External Administrator.

If there is a sale agreement for the sale or transfer of the business, provide a copy to the External Administrator.

Provide details of how much consideration (this is usually money) was paid for the business, and how much, if any, of the money was actually received, if not all of the money was received.

Consideration

Consideration, in legal terms, is the price asked for in a contract. It is usually money, but it could be anything that parties agree on. For example, it could be an agreement to provide goods and services at a discount for the duration of the contract.

Financial transactions

B17

In the last four years, has the Company disposed of, sold, or otherwise transferred any property (including the business) outside the normal course of business?

Outside the normal course of business

Activities that are normal and usual practices of a business or that are common practice and customs of commercial transactions are referred to as the normal (or ordinary) course of business. For example, it might be the usual practice for debtors to pay the Company within 30 days of receipt of an invoice.

Sometimes, transactions or events occur that are not normal or usual for a particular business or business activity.

Provide details of property disposed of, sold or transferred that are outside the normal course of business.

Continued on next page

Related party

If you or people or entities related to you are not owed money, you and those persons or entities are still referred to as a 'related party'.

[Part A Instruction A7 p14](#) defines Related Party for the purposes of this question.

If you need more space, see [Adding attachments Part A Instructions p4](#).

Please provide the External Administrator with a copy of the valuation or contract for the sale or transfer.

Provide details of persons or companies (such as an accountant, solicitor or anyone else) who advised you on this transaction.

Provide details of how much was paid to that person or company to obtain the advice.

Provide a copy of the engagement letter and advice to the External Administrator.

B18

In the last four years, has the Company entered into any financial transactions with a related party, including acquiring any property or businesses?

Related party

If you or people or entities related to you are not owed money, you and those persons or entities are still referred to as a 'related party'.

[Part A Instruction A7 p14](#) defines *related party* for the purposes of this question.

B19

In the last four years, has the Company lent money that the borrower has not repaid in full?

If the Company has lent money to more than one borrower, see [Adding attachments Part A Instructions p4](#).

Continued on next page

Related party

Part A Instruction A7 p14 defines *related party* for the purposes of this question.

If you or people or entities related to you are not owed money, you and those persons or entities are still referred to as a 'related party'.

B20

In the last four years, has the Company borrowed any money and repaid it in full?

Related party

Part A Instruction A7 p14 defines *related party* for the purposes of this question.

If you or people or entities related to you are not owed money, you and those persons/entities are still referred to as a 'related party'

Repayment of money to creditors

B21

In the last 12 months, did the Company pay more than a normal payment to a creditor, or enter into any financial arrangement to pay a creditor who demanded payment?

Over and above normal payment

Activities that are the normal and usual practices of a business or that are the common practice and customs of commercial transactions are referred to as 'normal' or 'ordinary' business activities. For example, it might be the usual practice for the Company to pay a particular creditor within 30 days of receipt of an invoice. Sometimes, transactions or events occur that are not usual for the particular business or activity that a business performs.

Part B Appendix: Example Tables B21 p4 illustrates the Repayments to Creditors table showing you how to present the information as an attachment to the **Report**. If you use accounting software, you can create tables in that software for printing and attaching to the Report. If you do not have the software, you can hand copy or photocopy the table in **Parts A and B Appendix: Tables To Copy**. Collect records of these payments.

Please provide all relevant details to the External Administrator.

Continued next page

Attach a table using the following fields:

CREDITOR'S NAME IN FULL

ADDRESS IN FULL

EMAIL

PHONE NUMBER

HOW DID CREDITOR ASK FOR PAYMENT? (REFER TO EXAMPLE)

For example:

- ❖ Did you enter into a repayment plan with a creditor?

If you need more space,

see [Adding attachments Part A Instructions p4](#)

WAS THERE PRESSURE TO PAY? (TICK IF YES)

For example:

- ❖ Did a creditor press for payment, and you took steps to satisfy that payment?
- ❖ Did the creditor start legal action?
- ❖ Did the creditor employ a debt collection agency?

PAYMENT AMOUNT OR PROPERTY VALUE GIVEN
(PROVIDE AMOUNT TOTALLING OVER \$3,000)

If the Company paid smaller amounts over time, you can add those amounts together.

BALANCE OWING NOW

How much of the debt remains?

DATE OF FIRST PAYMENT/PROVISION OF PROPERTY

B22

Have any creditors taken enforcement action against the Company?

Provide details of whether a creditor took any enforcement action (e.g sending a legal demand for payment, serving a statutory demand for payment, or collecting any assets secured against money owed).

Taxation

B23

Did the Company enter into a payment arrangement with the Australian Taxation Office?

Please provide details.

B24

Who prepared the most recent Income Tax Return, Business Activity Statement, Single Touch Payroll, and Superannuation Statements for the Company?

This could be an internal or external book-keeper or accountant.

For example:

- ❖ Company book-keeper
- ❖ Tax consultant
- ❖ Accountant

Provide the dates covered by the latest Income Tax Return, Business Activity Statement, Single Touch Payroll, and Superannuation Guarantee

Please provide a copy of the tax return and all other tax-related documents to the External Administrator.

B25

Does the Company owe State taxes?

An example is payroll tax to the State Revenue Office.

Please provide details requested.

B26

Does the Company owe insurance and workers compensation?

Please provide details requested.

B27

Have you provided the full details asked for in Questions [B17 to B26?](#)

As previously stated (Part B Instructions p5), section 286(1) of the *Corporations Act 2001* states that a company must keep written financial records that correctly record and explain its transactions, financial position, and performance, and that would enable a true and fair financial statement to be prepared and audited.

External advisers

B28

Have people other than those mentioned at B17 and B24 provided advice about the Company's affairs for the last four years?

This could be anyone who advised about financial, legal, risk or business matters.

For example:

- ❖ Accountants
- ❖ Tax consultants
- ❖ Solicitors
- ❖ Business advisers/consultants
- ❖ Insurance agents, brokers or consultants

[TABLE B28 on Part B Appendix: Example Tables p5](#) illustrates the External Advisers table showing you how to present the information as an attachment to the Report.

If you use accounting software, you can create tables in that software for printing and attaching to the Report.

If you do not have the software, you can hand copy or photocopy the table in [Parts A and B Appendix: Tables To Copy](#).

Attach a table using the following fields:

ADVISER NAME, BUSINESS OR FIRM NAME

NATURE OF ADVICE GIVEN

Continued on next page

TICK IF FORMAL ADVICE

Advice can be formal or informal. Formal advice usually comprises an engagement letter, written report, and emails about the Company's affairs, including recommendations. Informal advice may be phone calls and or meetings that may not have been documented.

Provide the External Administrator with copies of the engagement letters and advice given.

ADVISER ADDRESS

PHONE NUMBER

AMOUNT PAID

DATE PAID

PAYMENT METHOD

If you need more space, see [Adding attachments Part A Instructions p4](#).

B29

Is the Company currently subject to or undertaking legal action?

Provide details if the Company is currently engaged in any action involving the courts or legal authorities.

For example:

- ❖ breach of contract
- ❖ disputes over debt or property
- ❖ breach of environmental obligations.

B30

Did someone help you to complete this Report?

If an accountant, lawyer, or adviser helped you to prepare the Report, provide their details.

Have you given the External Administrator permission to contact them about this Report?

Declaration

B31

Declaration by a Director, Secretary, or the person nominated by the External Administrator

You must provide information in this Report to the best of your ability.

You can be penalised for giving false information.

Report on Company Activities and Property

Parts A and B Appendix: Tables To Copy

Do not lodge Part B with ASIC.

*Company Director or relevant person to complete Part B
for the External Administrator's use only.*

*Before you start, download INSTRUCTIONS Part A (Form 507) and Part B
www.asic.gov.au/forms/507*

Table A4

This is the annexure of Page/s _____ of _____ marked with * mentioned in **Part A** signed byand dated / / .

Assets owned by the Company

ASSET DESCRIPTION	LOCATION/ADDRESS WHERE ASSET IS LOCATED. WITH BANK ACCOUNTS, GIVE BANK A/C DETAILS INCLUDING A/C NUMBERS	SECURITY HELD BY (SUBJECT TO FINANCE) (IF APPLICABLE)	ESTIMATED ASSET VALUE	VALUE OF SECURITY	NET REALISABLE VALUE	TICK IF DISPOSED OF IN THE LAST 6 MONTHS
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	
			\$	\$	\$	

Table A5

This is the annexure of Page/s ____ of ____ marked with * mentioned in Part A signed byand dated / /

Money owed to the Company *(debtors)*

DEBTOR NAME	DESCRIPTION	DEBTOR ADDRESS	AMOUNT OUTSTANDING	ESTIMATED AMOUNT REALISABLE	*PPSR IF APPLICABLE	SECURITY TYPE	DATE SECURED
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /
			\$	\$			/ /

*To secure the repayment of the debt, has the Company registered (on the PPSR) an interest or security (charge) over the assets of the debtor (who owes money to the Company) or over the assets of another party? If 'Yes', write 'Yes' at this column.

Provide the security or interest type and the date secured. See [Part A Instruction A5 p10 for examples of security type](#)

Table A6

This is the annexure of Page/s ____ of ____ marked with * mentioned in Part A signed byand dated / /

Amounts the Company owes to its unrelated* employees (priority creditors)

EMPLOYEE'S NAME	START DATE	WAGES OR SALARY OWED	ANNUAL LEAVE (HOLIDAY PAY) OWED	LONG SERVICE LEAVE OWED	SUPERANNUATION OWED	REDUNDANCY OWED	OTHER	TOTAL OWED
	/ /	\$	\$	\$	\$	\$	\$	\$
	/ /	\$	\$	\$	\$	\$	\$	\$
	/ /	\$	\$	\$	\$	\$	\$	\$
TOTAL OWED TO UNRELATED* EMPLOYEES		\$	\$	\$	\$	\$	\$	\$

Amounts the Company owes to its related party* employees

EMPLOYEE'S NAME	START DATE	WAGES OR SALARY OWED	ANNUAL LEAVE (HOLIDAY PAY) OWED	LONG SERVICE LEAVE OWED	SUPERANNUATION OWED	REDUNDANCY OWED	OTHER	TOTAL OWED
	/ /	\$	\$	\$	\$	\$	\$	\$
	/ /	\$	\$	\$	\$	\$	\$	\$
	/ /	\$	\$	\$	\$	\$	\$	\$
TOTAL OWED TO RELATED PARTY* EMPLOYEES		\$	\$	\$	\$	\$	\$	\$

*Part A Instruction A6 p12 defines *Related Party* for this table.

Table A7

This is the annexure of page ____ of ____ marked with * mentioned in Part A signed byand dated / / .

Amounts the Company owes to its creditors

CREDITOR'S NAME	POSTAL ADDRESS IN FULL	EMAIL ADDRESS	TICK IF SECURED	PPSR (IF APPLICABLE)	IF SECURED, GIVE ASSET DETAILS*	TICK IF RELATED PARTY**	AMOUNT OWING
			<input type="checkbox"/>			<input type="checkbox"/>	\$
			<input type="checkbox"/>			<input type="checkbox"/>	\$
			<input type="checkbox"/>			<input type="checkbox"/>	\$
			<input type="checkbox"/>			<input type="checkbox"/>	\$
			<input type="checkbox"/>			<input type="checkbox"/>	\$
			<input type="checkbox"/>			<input type="checkbox"/>	\$

*If the amount owed to the creditor is secured, identify whether the creditor has registered an interest on the PPSR over that asset and if so, the details of that security or interest. See [Part A Instructions p13 TICK IF SECURED](#)

Where the Company or someone else has granted a security as guarantor, or otherwise taken security over the asset to secure the repayment of the debt owed by the Company, and that security or interest is not required to be registered on the PPSR (e.g. a mortgage over land), please identify the details of that security or interest.

** [Part A Instruction A7 p14](#) defines *Related Party* for this table.

Table B2

This is the annexure of Page/s ____ of ____ marked with * mentioned in **Part B** signed byand dated / / .

Payments you received from the Company during the last four years

YEAR	PAYMENT TYPE	AMOUNT
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$

Table B3

Your answers to questions on this page is for **EXTERNAL ADMINISTRATOR** use only

This is the annexure of Page/s ____ of ____ marked with * mentioned in **Part B** signed byand dated / /

Payments made by the Company to someone else or another Company.

YEAR	PAYMENT TYPE	PAYEE	ADDRESS	AMOUNT
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$
				\$

Page ____ of ____

Table B21

This is the annexure of Page/s _____ of _____ marked with * mentioned in **Part B** signed byand dated / / .

Repayments to creditors

CREDITOR'S NAME IN FULL	ADDRESS IN FULL	EMAIL	PHONE NUMBER	HOW DID CREDITOR ASK FOR PAYMENT (REFER TO EXAMPLE)	WAS THERE PRESSURE TO PAY (TICK IF YES)	PAYMENT AMOUNT OR PROPERTY VALUE GIVEN (PROVIDE AMOUNT TALLING OVER \$3,000)	BALANCE OWING NOW	DATE OF FIRST PAYMENT/ PROVISION OF PROPERTY
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
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					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /
					<input type="checkbox"/>		\$	/ /

Table B28

This is the annexure of Page/s ____ of ____ marked with * mentioned in **Part B** signed byand dated / / .

External Advisers

ADVISER NAME, BUSINESS OR FIRM NAME	NATURE OF ADVICE GIVEN	TICK IF FORMAL ADVICE	ADVISER ADDRESS	PHONE NUMBER	AMOUNT PAID	DATE	PAYMENT METHOD
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	
		<input type="checkbox"/>			\$	/ /	