**Form 305**

**THE UNITED REPUBLIC OF TANZANIA**

**BUSINESS REGISTRATIONS AND LICENSING AGENCY**

**Liquidator’s statement of receipts and payments**

**Pursuant to section 305 of the Companies Act 2002**

To the Registrar of Companies

|  |  |
| --- | --- |
| Company Number |  |
|  |  |
| Company Name  (in Full) |  |
|  |  |
|  |  |

|  |  |
| --- | --- |
| I, we:  (name(s)) |  |
|  |  |
| of:  (address(es)) |  |
|  |  |

the Liquidator(s) of the above named Company, attach a copy of my / our statement of receipts and payments under section 305 of the Companies Act 2002.

Signed………………………………………………………………… Date………………………

NAME IN BLOCK LETTERS…………………………………………………………………………

(by each liquidator if more than one)

Signed………………………………………………………………… Date………………………

NAME IN BLOCK LETTERS…………………………………………………………………………

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FOR OFFICIAL USE ONLY.

|  |  |
| --- | --- |
| Company Number |  |
|  |  |
| Company Name  (in full) |  |
|  |  |
|  |  |
| Type of winding up |  |
|  |  |
| Date to which this statement is made |  |
|  |  |
| Name and address of liquidator |  |

**Notes**

**Form and Contents of Statement**

(1) Every statement must contain a detailed account of all the liquidator’s realisations and disbursements in respect of the company. The statement of realisations should contain a record of all receipts derived from assets existing at the date of the winding-up resolution and subsequently realised, including balance at bank, book debts and calls collected, property sold, etc., and the account of disbursements should contain all payments for costs, charges and expenses or to creditors or contributories. Where property has been realised, the gross proceeds of sale must be entered under realisations and the necessary payments incidental to sales must be entered as disbursements. A payment into the Companies Liquidation Account is not a disbursement and should not be shown as such; nor are payments into a bank, building society or any other financial institution. However, the interest received on any investment should be shown in the realisations. Each receipt and payment must be entered in the account in such a manner as sufficiently to explain its nature. The receipts and payments must severally be added up at the foot of each sheet and the totals carried forward from one account to another without any intermediate balance, so that the gross totals represent the total amounts received and paid by the liquidator respectively.

**Trading Account**

(2) When the liquidator carries on a business, a trading account must be forwarded as a distinct account, and the totals of receipts and payments on the trading account must alone be set out in this statement.

**Dividends**

(3) When dividends, instalments of compositions, etc are paid to creditors or a return of surplus assets is made to contributories, the total amount of each dividend, etc actually paid, must be entered in the statement of disbursements as one sum; and the liquidator must forward separate accounts showing in lists the amount of the claim of each creditor and the amount of dividend, etc payable to each creditor, or contributory.

(4) When unclaimed dividends, etc are paid into the Companies Liquidation Account, the total amount so paid in should be entered in the statement of disbursements as one sum. The items to be paid in relation to unclaimed dividends should first be included in the realisations side of the account.

(5) Credit should not be taken in the statement of disbursements for any amount in respect of liquidator’s remuneration unless it has been duly allowed by resolutions of the liquidation committee or of the creditors or of the company in general meeting, or by order of the court as the case may require, or is otherwise allowable under the provisions of the Companies (Insolvency) Rules.

(6) This statement of receipts and payments is required in duplicate.

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Liquidator’s statement of account (continued on page 4)

|  |  |  |  |
| --- | --- | --- | --- |
| **Realisations** | | | |
| Date | Of whom received | Nature of assets realised | Amount (TSh) |
|  |  | Brought forward |  |
| Carried forward | | |  |

Note: No balance should be shown on this sheet but only the total realisations and disbursements which should be carried forward t the next account

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Liquidator’s statement of account (continued from page 3)

|  |  |  |  |
| --- | --- | --- | --- |
| **Disbursements** | | | |
| Date | To whom paid | Nature of disbursements | Amount (TSh) |
|  |  | Brought forward |  |
| Carried forward | | |  |

Note: No balance should be shown on this sheet but only the total realisations and disbursements which should be carried forward to the next account

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**Analysis of balance**

|  |  |  |  |
| --- | --- | --- | --- |
|  | |  | TSh |
| Total Realisations…………………………………………………………………………  Total Disbursements……………………………………………………………………… | | |  |
|  | Balance (TSh) | |  |

|  |  |  |
| --- | --- | --- |
| The balance is made up as follows: |  |  |
| 1. Cash in hands of liquidator……………………………………………………………… | |  |
| 2. Balance at bank………………………………………………………………………… | |  |
| 3. Amount in Companies Liquidation Account…………………………………………… | |  |
| 4. Amounts invested by liquidator…………………………………… |  |  |
| less: the costs of investments realised…………………………… |  |  |
| Balance (TSh) |  |  |

|  |  |
| --- | --- |
| Total balance as shown above (TSh)…………………………………………………… |  |

**Note**

Full details of stocks purchased for investment and any realisation of them should be given in a separate statement.

The investment or deposit of money by the liquidator does not withdraw it from the operation of the Companies (Insolvency) Rules 2003, and any such investments representing money held for six months or upwards must be realised and paid into the Companies Liquidation Account.

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**The liquidator should also state:—**

(1) The amount of the estimated assets and liabilities at the date of the commencement of the winding up:

|  |  |
| --- | --- |
| **Assets** (TSh):  (after deducting amounts charged to secured creditors, including the holders of floating charges) |  |
| **Liabilities** (TSh):  Fixed charge creditors  Floating charge holders  Unsecured creditors |  |

(2) The total amount of the capital paid up at the date of the commencement of the winding

up:

|  |  |
| --- | --- |
| Paid up in cash |  |
| Issued as paid up otherwise than for cash |  |

(3) The general description and estimated value of any outstanding assets (if there is insufficient space here, attach a separate sheet):

(4) Why the winding up cannot yet be concluded:

(5) The period within which the winding up is expected to be completed:

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