

**FORM 31
PROOF OF CLAIM**
(Sections 50.1, subsections 65.2(4), 81.2(1), 81.3(8), 81.4(8), 81.5, 81.6, 102(2), 124(2) et 128(1),
and paragraphs 51(1)e) and 66.14b) of the Bankruptcy and Insolvency Act)

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IN THE MATTER OF THE BANKRUPTCY OF: _____
(or proposal or receivership of the property)

AND THE CLAIM OF (All notices or correspondence regarding this claim must be forwarded to the following address):

Name of creditor:	_____	Telephone number:	_____
Address:	_____	Fax number:	_____
	_____	E-mail address:	_____
	_____	Reference number:	_____

In the matter of the bankruptcy (or proposal or receivership) of _____ (name of debtor) of _____ (city and province), do hereby certify:

I, _____ (name of creditor or representative of the 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 creditor or representative of the creditor)).
2. That I have knowledge of all circumstances connected with the claim referred to below.
3. That the debtor was, at the date of the bankruptcy (or the date of the receivership, or in case of a proposal, the date of the notice of intention or of the proposal, if no notice of intention was filed), namely the _____ day of _____, and still is, indebted to the creditor in the sum of _____ \$, as specified in the statement of account (or affidavit or solemn declaration) attached and marked as Schedule "A", after deducting any counterclaims 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 THE APPROPRIATE CATEGORY:

- ☐ **A. UNSECURED CLAIM OF** _____ \$ (Other than as a customer contemplated by Section 262 of the Act):

That in respect of the said debt, I do not hold any assets of the debtor as security and (Check and complete appropriate category):

- ☐ I do not claim a right to a priority;
- ☐ I claim a right to a priority under section 136 of the Act for _____ \$
(Set out on an attached sheet details to support priority claim)

- ☐ **B. CLAIM OF LESSOR FOR DISCLAIMER OF A LEASE FOR THE AMOUNT OF** _____ \$

That I hereby make a claim under subsection 65.2(4) of the Act, particulars of which are as follows (Give full particulars of the claim, including the calculations upon which the claim is based):

- ☐ **C. SECURED CLAIM OF** _____ \$

That in respect of the said debt, I hold assets of the debtor valued at _____ \$ as a 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 you assess the security, and attach a copy of the security documents)

- ☐ **D. CLAIM BY FARMER, FISHERMAN OR AQUACULTURIST OF THE AMOUNT OF** _____ \$

That I hereby make a claim under subsection 81.2(1) of the Act for the unpaid amount of _____ \$. (Attach a copy of sales agreement and delivery receipts)

- ☐ **E. CLAIM BY WAGE EARNER OF THE AMOUNT OF** _____ \$

- ☐ That I hereby make a claim under subsection 81.3(8) of the Act in the amount of _____ \$.
- ☐ That I hereby make a claim under subsection 81.4(8) of the Act in the amount of _____ \$.

- ☐ **F. CLAIM BY EMPLOYEE FOR UNPAID AMOUNT REGARDING PENSION PLAN OF THE AMOUNT OF** _____ \$

- ☐ That I hereby make a claim under subsection 81.5 of the Act in the amount of _____ \$.
- ☐ That I hereby make a claim under subsection 81.6 of the Act in the amount of _____ \$.

FORM 31 – CONCLUDED

☐ **G. CLAIM OF AGAINST DIRECTOR OF THE AMOUNT OF _____ \$**

(To be completed when a proposal provides for the compromise of claims against directors)

That I hereby make a claim under subsection 50(13) of the Act, particulars of which are as follows:

(Give full particulars of the claim, including the calculations upon which the claim is based)

☐ **H. CLAIM OF A CUSTOMER OF A BANKRUPT SECURITIES FIRM OF THE AMOUNT OF _____ \$**

That I hereby make a claim as a customer for net equity as contemplated by section 262 of the Act, particulars of which are as follows: (Give full particulars of the claim, including the calculations upon which the claim is based)

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

6. That the following are the payments that I have received from, and the credits that I have allowed to, and the transfers at undervalue within the meaning of subsection 2(1) of the Act that I have been privy to or a party to with the debtor within the **three months** (or, if the creditor and the debtor are related within the meaning of section 4 of the Act or were not dealing with each other at arm's length, within **the 12 months**) immediately before the date of the initial bankruptcy event within the meaning of subsection 2(1) of the Act: (Provide details of payments, credits and transfers at undervalue)

7. (Applicable only in case of the bankruptcy of an individual)

☐ Whenever the trustee reviews the financial situation of a bankrupt to redetermine whether or not the bankrupt is required to make payments under section 68 of the Act, I request to be informed, under paragraph 68(4) of the Act, of the new fixed amount or of the fact that there is no longer surplus income.

☐ I request that a copy of the report filed by the trustee regarding the bankrupt's application for discharge pursuant to subsection 170(1) of the Act be sent to the above address.

Dated at _____, this _____
(City) (Date)

Witness' Signature

Creditor's Signature (or is representative)

Phone Number: _____
Fax Number: _____
Email address: _____

NOTES AND WARNINGS :

1. If an affidavit is attached, it must be completed before a person qualified to take affidavits.
2. A trustee may, pursuant to section 128(3) of the Act, redeem the security on payment to a secured creditor of the debt or the value of the security as assessed, by the secured creditor.
3. Section 201(1) of the Act provides severe penalties for making any false claim, proof, declaration or statement of account
4. If a copy of the Form is sent electronically by means such as email, the name and contact information of the sender, prescribed in Form 1.1, must be added at the end of the document..

**FORM 36
GENERAL PROXY
(Sections 51(1)(e) and 66.15(3)(b) and 102(2) of the Act)**

In the matter of the bankruptcy (or proposal or consumer proposal) of _____, a bankrupt (or insolvent person or a consumer debtor) I (or We) _____, (name of creditor), of _____ (name of city, town or village), a creditor in the above matter hereby appoint _____ of _____ to be by (or our) general proxy in the above matter except as to the receipt of dividends, (with or without) power to appoint another general proxy in his or her place.

Dated at _____, this _____
(City) (Date)

Name of creditor (or representative)

Witness' Signature

Creditor's Signature (or is representative)

CHECKLIST FOR PROOFS OF CLAIM

This checklist is provided to assist you in preparing the accompanying proof of claim form and, where required, proxy form in a complete and accurate manner. Please specifically check each requirement.

PROOF OF CLAIM

- ▶ The signature of a witness is required;
- ▶ The claim must be signed personally by the individuals;
- ▶ If the creditor is a corporation, the full and complete legal name of the company or firm must be stated;
- ▶ Give the complete address, including postal code, where all notices or correspondence is to be forwarded, the name of the person to contact, the phone number and fax number.

PARAGRAPH 1

- ▶ Please state your name, city of residence, and if you are completing the declaration for a corporation or another person, your position or title.

PARAGRAPH 3

- ▶ State the date of bankruptcy, proposal of receivership and the amount of your claim;
- ▶ A detailed statement of account must be attached and must show the date, number and amount of all the invoices, charged credits or payments;
- ▶ A statement of account is not complete if it begins with an amount brought forward;
- ▶ The amount of the statement of account must agree with the amount claimed on the proof of claim.

PARAGRAPH 4

- ▶ An ordinary creditor must check subparagraph A. A preferred creditor must set out on an attached schedule the particulars of your priority;
- ▶ A secured creditor must check subparagraph C. You must insert the value at which you assess each of your securities and provide a certified true copy of the security documents as registered.

PARAGRAPH 5

Strike out "are" or "are not" as applicable to you. You would be considered a related person if:

- ▶ You are related to blood or marriage to the debtor;
- ▶ If the debtor is a corporation and you were a shareholder or if your company was controlled by the same shareholders as the debtor corporation.

PARAGRAPH 6

All creditors must attach a detailed list of all payments or credits received or granted, as follows:

- ▶ Within the 3 months preceding the bankruptcy or proposal, if the creditor and the debtor are not related;
- ▶ Within 12 months preceding the bankruptcy or proposal, if the creditor and debtor are related.

In the case of an individual's bankruptcy only, you may request some or all of the items stated after paragraph 6.

GENERAL PROXY

A creditor may appoint a proxy by completing the proxy form, if the creditor is a corporation, the proxy form must be completed in the corporate name and signature witness.

NOTES

- ▶ Only creditors who have filed claims in the proper manner before the time appointed for the meeting of creditors are entitled to vote;
- ▶ A creditor may vote either in person or by proxy;
- ▶ A debtor may not be appointed a proxy at any meeting of his creditors;
- ▶ The trustee may be appointed as a proxy to for any creditors;
- ▶ A corporation may vote by an authorized agent at the meeting of creditors;
- ▶ In order to have the right to vote, a person must himself be a creditor or be the holder of a property executed proxy showing the name of the creditor;
- ▶ Only creditors who filed claims in the proper form with the trustee are entitled to share in any distribution that may be made.