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|  | INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018 |  |
|  | INSOLVENCY, RESTRUCTURING AND DISSOLUTION  (SIMPLIFIED WINDING UP) REGULATIONS 2021 |  |
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|  | APPLICATION FORM FOR THE SIMPLIFIED WINDING UP PROGRAMME |  |

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| **Company Details** | |
| Name of Company: |  |
| Unique Entity No. / Registration No.: |  |
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| **Contact Information** | |
| Name of Contact Person: |  |
| Contact No.: |  |
| Address of Contact Person: |  |
| Email Address: |  |
| Instructions:   1. Please complete this form in its entirety as incomplete applications or applications with blank fields shall be rejected. 2. Please note that a non-refundable application fee of $450 has to be paid via bank transfer for this application. Payment instructions can be found at the bottom of this form. 3. This completed form and all required documents are to be submitted via ***Contact Us @ OneMinLaw*** (<https://eservices.mlaw.gov.sg/enquiry/>) | |

| **No** | **Questionnaire on the company’s affairs** | **Yes** | **No** |
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| 1 | Does the company’s annual sales turnover exceed $10 million for the relevant period[[1]](#footnote-1)? |  |  |
| 2 | Does the company have more than 30 employees? |  |  |
| 3 | Does the company have more than 50 creditors (including employees who have outstanding claims against the company)? |  |  |
| 4 | Does the company’s total liabilities (including contingent and prospective liabilities) exceed $2 million? |  |  |
| 5 | Does the company’s total value of realisable assets (not including any asset that is subject to a security) exceed $50,000? |  |  |
| 6 | Is the company currently being wound up pursuant to:   1. an order for winding up of a company under section 216(2)(f) of the Companies Act (Cap. 50) (“CA”) (i.e. due to oppression or injustice); 2. an order for winding up made under section 124 of the Insolvency, Restructuring and Dissolution Act 2018 (“IRDA”) (or any previous written law corresponding to that provision) (i.e. winding up by Court); 3. a resolution passed for the winding up of the company under section 160 of the IRDA (or any previous written law corresponding to that provision) (i.e. voluntary winding up)? |  |  |
| 7 | Is the company currently in judicial management:   1. within the meaning of section 88(2) of the IRDA; or 2. pursuant to an application made under the repealed section 227B(1) of the CA? |  |  |
| 8 | Are there any Court applications made in respect of the company under any of the following provisions and the application is pending:   1. section 210(1), (4) or (10) of the CA (i.e. application to approve compromise with creditors, members and holders of units of shares); 2. section 71 of the IRDA (or any previous written law corresponding to that provision) (i.e. application to approve compromise or arrangement without meeting of creditors); 3. section 91 of the IRDA (or any previous written law corresponding to that provision) (i.e. application for a judicial management order and to appoint judicial manager); 4. section 124 of the IRDA (or any previous written law corresponding to that provision) (i.e. application for winding up)? |  |  |
| 9 | Are there any orders made to restrain proceedings against company, etc under section 210(10) of the CA, section 64(1) of the IRDA (or any previous written law corresponding to that provision) or an automatic moratorium mentioned in section 64(8) of the IRDA (or any previous written law corresponding to that provision), is in force in relation to the company? |  |  |
| 10 | Has a provisional liquidator of the company been appointed under section 161 of the IRDA (or any previous written law corresponding to that provision)? |  |  |
| 11 | Has an interim judicial manager been appointed by the Court under section 92 of the IRDA (or any previous written law corresponding to that provision) or by the company under section 94(3) of the IRDA and the term of the appointment of the interim judicial manager has not ended? |  |  |
| 12 | Has the company made an application for acceptance into the simplified debt restructuring programme under section 72E which is pending? |  |  |
| 13 | Are there any dispute(s) or disagreement(s) between 2 or more of the officers or members (whether part or present) of the company as to the affairs of the company? |  |  |
| 14 | Is the company aware of or has there been any allegation(s) made in writing to the Official Receiver by a past judicial manager or liquidator, a creditor or a contributory, or an employee or officer (whether past or present), of the company, that:   1. any business of the company has been carried on with intent to defraud creditors of the company or creditors of any other person or for any fraudulent purpose within the meaning of section 238 (or any previous written law corresponding to that provision); 2. the company has traded wrongfully within the meaning of section 239(12) of the IRDA (or any previous written law corresponding to that provision); or 3. any person who has taken part in the formation or promotion of the company or any past or present officer or past judicial manager or liquidator of the company has misapplied or retained or become liable or accountable for any money or property of the company or been guilty of any misfeasance or breach of trust or duty in relation to the company within the meaning of section 240 of the IRDA (or any previous written law corresponding to that provision)? |  |  |
| 15 | Is the company a party to any legal proceedings before a court, arbitral tribunal or other body (whether in Singapore or elsewhere) which are pending? |  |  |
| 16 | Is the company a subject of, or a potential subject of, any investigation by a public agency or enforcement body? |  |  |
| 17 | Does the company own any foreign assets, subsidiaries or joint ventures? |  |  |
| 18 | Does the company’s nature of business fall under one or more of the following categories?   1. Construction 2. Property development 3. Investment holding 4. Engineering 5. Intellectual property 6. Shipping 7. Investment company (e.g. time-share, land banking, etc.) 8. Insurance |  |  |
| 19 | Does the company have any assets? |  |  |
| 20 | Does the company have any liabilities? |  |  |

**Application Fee - Information & Instructions**

A fee of $450 is payable for this application.

Please make payment of the application fee of $450 to our bank account as follows:

Account name : Official Assignee & Public Trustee / AG

Account no. : 001-063348-1

Account type : DBS SGD Current Account

Please indicate the reference as SWU and the Applicant Company’s UEN in the “Remarks” or “Narration” field, e.g. ***SWU – 201012345A***.

**Note: This bank account is strictly for the transfer of Official Receiver application fees for Simplified Insolvency Programme only. Please do not transfer any other funds into this account.**

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| **Payment Information** | |
| Date of Payment: |  |

**Submission of Supporting Documents**

You are required to submit the following supporting documents together with this application form:

(Compulsory)

1. Special Resolution passed by the company in general meeting authorising an application to be accepted into the simplified winding up programme and resolves that the company be wound up voluntarily upon being accepted into the simplified winding up programme
2. Latest audited / unaudited financial statements made up to the last financial year
3. Completed Statement of Affairs of the company, using the excel below:



1. Proof of payment of the $450 application fees (e.g. screen shot of the bank transfer)

(Optional)

1. The unaudited balance‑sheet, profit and loss statement and cash flow statement of the company for period(s) subsequent to the financial statements in s/n 2 above, if available.

**Declaration**

I declare that I am not aware of any circumstances under section 250F(3) of the Insolvency, Restructuring and Dissolution Act 2018 that would make the company unsuitable for acceptance into the simplified winding up programme.

I declare that all information and documents that I have provided is true, accurate and complete to the best of my knowledge and belief. I have provided such information and documents knowing that the Official Receiver and/or his officers will use and rely on the same to perform their duties.

I understand that I may be committing an offence of giving false information to a public servant and thereby liable to prosecution under Section 182 of the Penal Code (Cap. 224) for any false declaration and/or material omission of information.  The offence is punishable on conviction with imprisonment for a term of up to two years or a fine or both.

I understand that the application fee of $450.00 paid to the Official Receiver is non-refundable.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Designation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Relevant period**: (a) the business year of the applicant company immediately preceding the date of the application by the applicant company under section 250D; or (b) if there is no such business year, the business commencement period of the applicant company. [↑](#footnote-ref-1)