



# BANKRUPTCY BY SEQUESTRATION ORDER: INSTRUCTIONS AND FORM

September 2013

You have received this information package as a result of the court making you bankrupt by way of a sequestration order. This order was made by the court based on a creditor lodging a petition for your bankruptcy.

## Bankruptcy information

There are two ways you can become bankrupt:

- by presenting your debtor's petition, referred to as voluntary bankruptcy; or
- a creditor (someone you owe money to) makes an application to court to make you bankrupt, referred to as involuntary bankruptcy (or bankruptcy by sequestration order).

Please refer to the information about bankruptcy included in this pack. Regardless of the method by which you became bankrupt, the information about bankruptcy applies to you. It contains important information about your rights, obligations and restrictions while bankrupt.

Any enquiries in relation to your bankruptcy should be addressed to your trustee. Please make contact with your trustee without delay, they will be able to provide you with further information about your bankruptcy.

## Your bankruptcy trustee

A trustee is appointed to every bankrupt estate. Your trustee is either a registered trustee (a private practitioner registered by AFSA) or the Official Trustee (AFSA).

If you are unsure who your trustee is, you can contact us and quote the court reference number that is on your sequestration order. The trustee performs various functions such as investigating your financial affairs, reporting to creditors, recovering assets and making distributions to creditors.

You must cooperate with your trustee and provide information when required.

**Warning:** failure to cooperate with your trustee is an offence under the *Bankruptcy Act 1966*.

## Statement of affairs form for your completion

You must complete the enclosed statement of affairs form and lodge it with AFSA within 14 days of having been notified of the sequestration order.

You will not be discharged from your bankruptcy until at least three years and one day from the date on which you lodge the statement of affairs form. The longer you delay filing your statement of affairs, the longer you remain bankrupt.

**Warning:** failing to lodge your statement of affairs or providing false or misleading information are offences under the Bankruptcy Act and you could be prosecuted.

## Lodgement of forms

Your completed statement of affairs form may be lodged by post to:  
Australian Financial Security Authority, GPO Box 1550, ADELAIDE SA 5001  
Or by email to [registry@afsa.gov.au](mailto:registry@afsa.gov.au)