

NZ-LDGloa10

Statutory demand notice: service on a company

Pick and choose paragraphs and change the style to your own. It is a good idea to indicate your willingness to discuss terms because when

,

Be careful how you word any threat to publicise the debt as a court

To:

The Secretary, [Name of company]

[Registered office address]

[By recorded delivery]

Dear Sir

According to [my/our] records, you have not paid [me/us] for [the work [I/we] carried
out relating to [description]] / ■■■■■■ [■■■■■ / ■■■■■] ■■■■■
■■■]. ■■■■■■■■■■■■■■■■■■■■■ \$[■■■■■].

[illegible][illegible][illegible]

Of course, [I/we] would consider any sensible arrangement for payment you might ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■, ■■■■.

[illegible]

For the sake of good order would you please ■■■■■■■■■■■■■■■■■■■■■■

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Total	\$ 11 , 750
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[illegible]

Alternative example text No 3:

- The creditor
-
- The debtor has failed to make payment.

[illegible]

5. [redacted]
[redacted].

3. [redacted], [redacted] 15 [redacted]
[redacted] ([redacted]
[redacted]):

(a) to pay the Debt to the Creditor; or

(b) [redacted] 14 [redacted]
[redacted] 1993 ; [redacted]

(c) [redacted]
[redacted] ; [redacted]

(d) [redacted]
[redacted], [redacted]
[redacted].

4. [redacted]
[redacted] 287 [redacted]
[redacted]
[redacted]
[redacted].

Signed:

The Creditor: [\[Name of creditor\]](#)

Date:

Example letter withdrawing the demand No more is required

Your letterhead

To:

The Secretary, [Name of company]

[Registered office address]

Dear Sir

Withdrawal of notice to claim for a declaration of bankruptcy

$$[\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3, \mathbf{a}_4] / [\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3] \cong [\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3, \mathbf{a}_4] / [\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3, \mathbf{a}_4] \cong [\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3, \mathbf{a}_4] / [\mathbf{a}_1, \mathbf{a}_2, \mathbf{a}_3, \mathbf{a}_4].$$
[illegible]

OR

[illegible]

Yours faithfully,

Explanatory notes:

Statutory demand notice: service on a company

General notes

1. A statutory demand is a demand by a creditor in respect of a debt owing by a company made in accordance with s 289 of the Companies Act 1993 .
2. A statutory demand must:
 - Be in writing;
 - Be in respect of a debt that is due and is not less than \$ 1000 ;
 - Be served on the company;
 - Require the company to pay the debt, or enter into a compromise under Part 14 of the Act, or otherwise compound with the creditor, or give a charge over its property to secure payment of the debt, to the reasonable satisfaction of the creditor, within 15 days of the date of service of the demand .
3. Interest on the debt may be included in the demand, even if the amount of interest has not previously been notified to the debtor. Full details of the grounds upon which interest is charged and a statement of the amount of interest claimed must be included in the demand . “ ” .
4. Any other charge, such as storage or maintenance charges, accruing due from time to time may be claimed .
5. In either case the amount claimed must be limited to that which has accrued due at the time of the demand .

6. If the creditor holds any security the amount of debt should be the sum the creditor is prepared to regard as unsecured for the purposes of this demand. Brief details of _____, _____, _____, _____.
7. If signatory of the demand is a solicitor or other agent of the _____, _____ / _____.
8. The particulars must include:
 - The date or dates _____;
 - The consideration for the debt, that is what was given or received in _____, (_____);
 - The amount due as at _____.
9. It is possible that you may have to swear an affidavit as to _____, _____, _____.
10. We suggest you now staple together all sheets (not this one!) _____.
11. If the debtor pays, you _____.
12. If the company disputes the debt it has 10 days after being _____.
13. If the company hasn't paid the debt after 15 days, and _____ 10 _____.

14. To bring liquidation proceedings _____ , _____

_____ :

15. You must advertise in the local newspaper and in the New York Times, Wall Street Journal, and the Washington Post.

End of notes