|  |
| --- |
| **Statement of Affairs (SOA 1)** |
| **Debtor**  |  | **Debtor ID** |  | **Date**  |  |

**NAMA Held Assets & Liabilities**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of Entity** | **Entity % of ownership** | **Asset Location (1)** | **Asset Description (2)** | **Bank/****Lender (3)** |  **Value € (4)** | **Valuation basis (5)** | **Valuation Date (6)** | **Debt Limit € (7)** | **Debt****Drawn Balance** **€ (8)** | **Net Value € (9)** | **Annual Income € (10)** | **Annual Holding Costs € (11)** | **Annual Surplus Cash € (12)** | **Annual Debt Servicing (13)** | **Debt Service Agreement (17)** | **Debt Expiry Date (18)** | **Guarantee****€(19)** | **Guarantor Name(20)** | **Guarantee Type(21)** |
|  |  |  |  |  |  **Interest (14) €**  | **Capital Repayment € (15)** | **Total Commitment € (16)** |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Sub Total** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

**Other Bank/Lender Held Assets & Liabilities**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Name of Entity** | **Entity % of Ownership** | **Asset Location** **To include Folio Number or details of predecessor /previous Owner (If applicable)** | **Asset Description**  | **Bank/****Lender** | **Value €** | **Valuation Basis** | **Valuation Date** | **Debt Limit €** | **Debt****Drawn Balance €** | **Net Value €** | **Annual Income €** | **Annual Debt Servicing** | **Annual Holding Costs €** | **Surplus Cash €** | **Debt Service Agreement** | **Debt Expiry Date** | **Guarantee****€** | **Guarantor Name** | **Guarantee Type** |
|  |  |  |  |  |  |  |  |  |  |  |  |  **Interest €** | **Capital Repayment €** | **Total Commitment €** |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Sub Total** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

**Unencumbered Assets (22)**

*Properties*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF ENTITY** | **Entity % of Ownership** | **Asset Location** **To include Folio Number or details of predecessor /previous Owner (If applicable)** | **Asset Description**  | **Value €** | **Valuation Basis** | **Valuation Date** | **Annual Income €** | **Annual Holding Costs €****(If applicable)** | **Surplus Income €** |
|  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  | **Sub Total** |  |  |  |  |  |  |

*Bank Accounts*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Account Name** | **Account Number** | **Sort Code** | **IBAN** | **Bank Name & Address** | **Account Type**  | **Balance €** | **Balance Currency** |
|  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |
|  |  |  |  | **Sub Total** |  |  |

*Cash (232)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Name & Address where cash held** | **Owner and % Ownership** | **Balance €** | **Balance Currency** |
|
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
| **Sub Total** |  |  |

*Client Money Accounts (24)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Name & Address where cash held** | **Owner and % Ownership** | **Balance €** | **Balance Currency** |
|
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
| **Sub Total** |  |  |

*Investments (25)*

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF Entity** | **Entity % of Ownership** | **Date of Investment** | **Fund manager/Stock Broker** | **Asset Description**  | **Investment/Cost to date €** | **Current Value €** | **Valuation Basis** | **Valuation Date** | **Annual Income €** | **Annual Holding Costs €****(If applicable)** | **Surplus Income €** |
|  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **Sub Total** |  |  |  |  |  |  |  |

*Pensions (26)*

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF ENTITY** | **Entity % of Ownership** | **Date Fund Established** | **Pension Broker** | **Pension Description including how Pension is to be paid out** | **Amount paid into Fund to date €** | **Current Value €** | **Valuation Basis** | **Valuation Date** | **Annual Income €** | **Annual Holding Costs €****(If applicable)** | **Surplus Income €** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  | **Sub Total** |  |  |  |  |  |  |  |

*Trusts (including discretionary trusts) (27)*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF ENTITY** | **Entity % of Ownership** | **Date Trust Established** | **Trust Name**  | **Trust Location / Jurisdiction** | **Trust beneficiaries** | **Amount paid / Transferred into Trust to date €** | **Current Value €** | **Valuation Basis** | **Valuation Date** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  | **Sub Total** |  |  |  |  |

*Chattels (28)*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Description of Chattel and Address where Chattel Held** | **Owner and % Ownership** | **Current Value €** | **Valuation Basis** | **Valuation Date** | **Original Cost €** |
|  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **Sub Total** |  |  |  |  |

*Other (29)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Asset Description** | **Owner and % Ownership** | **Current Value €** | **Valuation Basis** | **Valuation Date** |
|  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Sub Total** |  |  |  |

**Any Other Assets & Liabilities (including Tax), in Which Borrower (or related entity (30)) Has Legal or Beneficial Interest**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF ENTITY** | **Entity % of Ownership** | **Asset or Liability Location** **To include Folio Number or details of predecessor /previous Owner (If applicable)** | **Asset or Liability Description**  | **Bank/****Lender/Tax** | **Value €** | **Valuation Basis** | **Valuation Date** | **Debt Limit €** | **Debt****Drawn Balance €** | **Net Value €** | **Annual Income €** | **Annual Debt Servicing** | **Annual Holding Costs €** | **Annual Surplus Cash €** | **Debt Service Agreement** | **Debt Expiry Date** |
|  |  |  **Interest €** | **Capital Repayment €** | **Total Commitment €** |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **Sub Total** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

**Other Income [All Other Income not Identified in Tables Above]**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NAME OF ENTITY** | **Borrower % of Ownership** | **Income Source (31)** | **Borrower Annual share of Income € (32)** | **Borrower annual share of Holding costs € (33)** | **Borrowers Annual share of Surplus Income € (34)** | **Income Duration (35)** | **Date of Last Tax Return (36)** | **Tax Status Category (37)** |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  | **Sub Total** |  |  |  |  |  |  |

**Overall Connection Net Worth and Liquidity Position**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Total Value (38)** | **Total Liability (39)** | **Net Value (40)** | **Total Income (41)** | **Total Repayment (42)** | **Total Annual Holding Costs (43)** | **Surplus Cash (44)** |
| € | € | € | € | € | € | € |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Contingent Assets & (Liabilities) (including personal/corporate guarantees)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **nature of Contingent Asset or Liability (45)** | **From (46)** | **To (47)** | **Amount € (48)** | **Due Date (49)** | **Expiry Date****(if any) (50)** | **Status (51)** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Contractual Assets and Obligations**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Nature of Contract** | **From** | **To** | **Amount €** | **Due Date** | **Expiry Date****(if any)** | **Status** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Asset Transfers (52)**

**To Third Parties since January 1st, 2006, including all transfers to Family and/or related parties (Other Than Arm’s Length Transactions in Good Faith to Independent, Unconnected Third Parties for Valuable Consideration at Full Open Market Value)**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Asset Location** | **Asset Description**  | **From** | **Entity % of Ownership pre Transfer (53)** | **To** | **Value of Asset € (54)** | **Consideration for Transfer (55)** | **Date of** **Transfer (56)** | **Reason for Transfer (57)** |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |

**Declaration (58)** See form of Declaration of Debtor below.

|  |
| --- |
| **Please insert details of any litigation or other dispute resolution process in being, apprehended or threatened in this box. (59)**  |

**Glossary of terms (Please refer to the Glossary for an Explanation of corresponding numbered references)**

**Please add additional rows to tables above as is necessary to ensure full declaration. Additional explanatory notes can be appended to the SOA to provide further information on specific assets/liabilities as considered necessary.**

**NAMA reserves the right to seek such further explanatory notes as it deems appropriate.**

**Declaration of Debtor – Statement of Affairs (Ireland)**

I, [[1]](#footnote-1), [[2]](#footnote-2), of

 [[3]](#footnote-3), aged 18 years and upwards do solemnly and sincerely declare as follows:

1. I have been requested to provide information to the National Asset Management Agency (“**NAMA**”) concerning assets, liabilities and transfers in the form of the attached statement of affairs dated [[4]](#footnote-4) (the “**Statement**”) as exhibited hereto and marked with the letters “SOA1”. I understand that NAMA has made this request having regard to its purposes and in exercise of its functions under the National Asset Management Agency Act, 2009 (the “**NAMA Act**”).
2. I have read the Statement and the notes and glossary (Version 2.0 May 2013) accompanying the Statement and I understand the scope and nature of the information requested and the level of detail to be provided by me in the Statement. I further understand that NAMA will rely on the information provided by me in the Statement and that the purpose of this declaration is to verify the accuracy of the detail I have set out in the Statement and the completeness of the information I have provided.
3. The Statement contains full, accurate and up to date details, prepared in accordance with the notes and glossary accompanying the Statement, of all:
4. assets of whatsoever nature (including but not limited to real property, chattels/personal property, securities (including shares and warrants), livestock, bloodstock, cash, benefit of services etc.) owned by me or in which I hold any form of ownership interest whatsoever and wheresoever situate, whether partial, beneficial, legal or otherwise; whether in my sole name or with others persons or entities; and whether encumbered or unencumbered (including, for the avoidance of all doubt, any interests of whatsoever nature in pensions or pension funds and any and all contingent assets or interests) (“**Assets**”); and
5. liabilities incurred or owing by me to any party of whatsoever nature, whether actual, contingent, prospective, deferred or otherwise (including, where appropriate, future liabilities) and whether as primary obligor or otherwise (“**Liabilities**”); and
6. transactions involving transfers of assets of any type whatsoever since 1 January 2006 (save for cases where assets have transferred at arm’s length, to independent, unconnected third parties and for valuable consideration at full open market value and for which transactions I hold or have access to satisfactory documentation verifying this) to which I have been a party whether directly or indirectly (in any capacity) and involving third parties and/or related parties including, but not limited to, family members such as spouses, parents, brothers, sisters and/or children; persons related through marriage to myself; spousal equivalent persons; persons acting as trustees of any trust, the principal beneficiaries of which are myself, my spouse or any of my/our children, siblings or parents or any body corporate which I or my spouse or spousal equivalent person control; persons in partnership or joint venture with myself, bodies corporate controlled by myself and any subsidiaries or related companies of such bodies corporate, any shareholders in such companies as aforesaid (“**Transfers**”); and
7. all other facts or information materially relevant to the Assets, Liabilities and Transfers.
8. I am satisfied that there are no assets, liabilities, forms of income or benefits or otherwise of whatsoever nature to which I am entitled, in which I hold any form of interest whatsoever (in the case of assets) or which have been incurred by me (in the case of liabilities) other than those disclosed in the Statement.
9. I am not aware of any future assets, forms of income, benefits or otherwise of whatsoever nature to which I may become entitled but to the extent that I do become so aware, I undertake to make a full and detailed written disclosure to you immediately.
10. I confirm that I am not the beneficiary of any trust whether foreign domiciled or domiciled in this jurisdiction, save as specifically disclosed in the Statement.
11. I am satisfied that there have been no further transfers of assets (save for cases where assets have transferred at arm’s length, to independent, unconnected third parties and for valuable consideration at full open market value and for which transactions I hold or have access to satisfactory documentation verifying this) of whatsoever nature to or from myself since 1 January 2006 other than as disclosed in the Statement.
12. I have set out in the Statement full details of any litigation or any other form of dispute resolution proceedings or processes or mediation or any settlements of any such litigation, proceedings or processes:
13. in which I am involved or in which any bodies corporate or entities owned or controlled by me are involved or to which I am a party or any such bodies corporate are a party; and/or
14. which have the ability to affect in a material way my assets or income or the assets or income of bodies corporate or entities owned or controlled by me,

together with details of any threatened or apprehended litigation or dispute resolution processes that have the potential to involve or affect in a material way my assets or income or the assets or income of bodies corporate or entities owned or controlled by me. Where I am not aware of any such litigation or other dispute resolution process in being, apprehended or threatened, I have left this section of the Statement blank.

1. I say and am advised that my tax affairs and the tax affairs of all bodies corporate or entities owned or controlled by me are in order and all returns are up to date and there are no tax liabilities outstanding from myself or such entities or outstanding tax refunds due to myself or such entities. Where this is not the case, I have with the benefit of tax advice received set out in the Statement full and detailed particulars of my up to date tax position and the up to date tax position of each body corporate or entity owned or controlled by me including details (where applicable) of any (a) outstanding tax returns, (b) tax liabilities which are estimated as due and owing, including an estimate of likely interest and penalties, (c) full details of any arrangements or payment schedules agreed with the relevant tax authorities for payment of outstanding liabilities, including the amount and frequency of all such payments, and (d) refunds of tax which are estimated to be due. I am satisfied that all such details are full and complete based upon tax advices I have received.
2. To the best of my knowledge and belief and having undertaken all such prudent and diligent enquiries to establish such knowledge and belief, I am satisfied that all of the particulars set out in the Statement are complete in all respects and represent a comprehensive, clear, accurate and up to date disclosure of my circumstances with all material and relevant details included. I undertake to update NAMA promptly upon the occurrence of any change or my becoming aware of any change in the particulars I have given in the Statement.
3. To the best of my knowledge and belief there are no circumstances giving rise to the possibility, if I were to be made a bankrupt, of an application to the Court for an order in respect of any transaction which is or may be at an undervalue or preference, any transaction defrauding creditors.
4. I make this declaration for the benefit of NAMA and any group entities of NAMA within the meaning of that term in the NAMA Act from facts within my own knowledge conscientiously believing the same to be true and by virtue of the Statutory Declarations Act, 1938.

**DECLARED** before me by

on this day of at in the County of / City of

and I know the said Declarant / the Declarant is made known to me by

**COMMISSIONER FOR OATHS / PRACTISING SOLICITOR**

**Exhibit to Declaration of Debtor**

**Statement of Affairs**

***See attached Statement of Affairs***

**Exhibit SOA1 referred to in the affidavit of:**

**Deponent**

**Commissioner for Oaths/Practising Solicitor**

1. Debtor to insert name [↑](#footnote-ref-1)
2. Debtor to insert details of occupation [↑](#footnote-ref-2)
3. Debtor to insert address details [↑](#footnote-ref-3)
4. Debtor to insert date of Statement of Affairs [↑](#footnote-ref-4)