

**IN THE SUPREME COURT OF TONGA  
PRACTICE DIRECTION  
NUMBER 4 OF 1992 : BANKRUPTCY**

10

1. In the absence of any Tongan Bankruptcy legislation, the provisions of general application in Partx IX to XI of the English Insolvency Act 1986 and the Insolvency Rules 1986, read together with the Tongan Civil Law Act (cap.25), at present apply to bankruptcy proceedings brought in the Supreme Court.
2. Applying the provisions of the Civil Law Act, the forms to be used in any such proceedings in the Supreme Court of Tonga should follow the style, as nearly as may be in the particular circumstances of each case, of the Forms in the Schedule to this Direction. All Forms assume that the parties involved are individuals. Suitable  
20 revision will be required where any one or more of the parties is a body corporate, Society, partnership or firm.

20

NUKU'ALOFA, 22 September 1992

(GORDON WARD)  
Chief Justice

SCHEDULE  
INDEX TO FORMS

	FORM 1	:	Statutory Demand under s. 268(1)(a) of the Insolvency Act 1986 (Debt payable immediately - liquidated sum - Court Judgment)
30	FORM 2	:	Statutory Demand under s.269(1)(a) of 1986 Act (Debt payable immediately - liquidated sum).
	FORM 3	:	Statutory Demand under s.268(2) of 1986 Act (Debt payable at future date).
	FORM 4	:	Application to set aside Demand.
40	FORM 5	:	Petition for Bankruptcy Order following Form 1 Demand, together with First Order of Court.
	FORM 6	:	Petition for Bankruptcy Order following Form 2 Demand, together with First Order of Court.
50	FORM 7	:	Petition for Bankruptcy Order following Form 3 Demand, together with First Order of Court.
	FORM 8	:	Affidavit of Personal Service of Demand.
	FORM 9	:	Affidavit by Applicant/Petitioner vouching accuracy of his pleadings.
60	FORM 10	:	Affidavit by Counsel for Applicant or Petitioner vouching authority to act and accuracy of the pleadings.

## FORM - 1

KINGDOM OF TONGA  
 STATUTORY DEMAND UNDER SECTION 268(1)(a) OF THE INSOLVENCY  
 ACT 1986  
 DEBT FOR LIQUIDATED SUM PAYABLE IMMEDIATELY FOLLOWING  
 COURT JUDGMENT

70 DEMAND TO: (insert full name) - DEBTOR  
 ADDRESS: (insert full postal address)

This Demand is served on you by the Creditor:

NAME: (insert full name) - CREDITOR  
 ADDRESS: (insert full postal address)

80 The Creditor claims that you owe the sum of (insert amount) pa'anga, full particulars of which are set out below under PARTICULARS OF DEBT, and that it is payable immediately and, to the extent of the sum demanded, is unsecured. The Creditor demands that you pay the above debt or secure or compound for it to the Creditor's satisfaction.

On (insert date of judgment) in an action number (insert Court reference number) brought in the Supreme Court of Tonga by the Creditor against yourself as Debtor, judgment was granted against you in the sum of (insert amount) pa'anga inclusive of interest and costs.

80 Signed: DATED:

Name of Signatory:

Address:

Telephone:

Telefax:

100 The signatory is the Legal Counsel for the Creditor, authorised to make this Demand on the Creditor's behalf.

PARTICULARS OF DEBT : (insert brief particulars)

NOTES

1. THIS IS AN IMPORTANT DOCUMENT. You should consider these notes carefully.
2. If you wish to have this Demand set aside you must make application to do so WITHIN 18 DAYS from its service on you to the SUPREME COURT OF TONGA.

## NUKU'ALOFA, KINGDOM OF TONGA.

3. If you do not apply to set aside this Demand within 18 days or otherwise deal with this Demand as set out in these notes within 21 days after its service on you, YOU COULD BE MADE BANKRUPT AND YOUR PROPERTY AND GOODS TAKEN AWAY FROM YOU.
- 120 4. Please read this demand and these Notes CAREFULLY. If you are in any doubt about your position you should seek advice IMMEDIATELY from any Legal Counsel entitled to practice in Tonga.
5. Any communication regarding this Demand should be addressed to LEGAL COUNSEL for the Creditor whose NAME, ADDRESS and TELEPHONE NUMBER are stated overleaf at the foot of the page.
- 130 6. IF YOU WISH TO AVOID A BANKRUPTCY PETITION being presented against you, you must pay the debt shown on this form within the period of 21 DAYS after the service upon you of this Demand. Alternatively, you can attempt to come to a settlement with the Creditor. To do this you should immediately inform the person named in Note 5 above that you are willing and able to offer security for the debt to the Creditor's satisfaction or that you are willing and able to compound for the debt to the Creditor's satisfaction.
7. IF YOU DISPUTE THE DEMAND in whole or in part you should immediately inform the person named in Note 5 above.
- 140 8. If you consider that you have grounds to have this Demand set aside, or if you do not quickly receive a satisfactory written reply from the person named in Note 5 above after you have contacted him, you should APPLY WITHIN 18 DAYS from the date of service of this Demand on you to the SUPREME COURT OF TONGA at Nuku'alofa to have the Demand set aside. That APPLICATION must be lodged with the Registrar of the SUPREME COURT within 18 days from the date of service upon you of this Demand stating the grounds upon which the Demand should be set aside, together with a supporting Affidavit from yourself.

## FORM - 2

KINGDOM OF TONGA  
 STATUTORY DEMAND UNDER SECTION 268(1)(a) OF THE INSOLVENCY  
 ACT 1986  
 DEBT FOR LIQUIDATED SUM PAYABLE IMMEDIATELY

150 DEMAND TO: (insert full name) - DEBTOR  
 ADDRESS: (insert full postal address)

This Demand is served on you by the Creditor:

NAME: (insert full name) - CREDITOR  
 ADDRESS: (insert full postal address)

160 The Creditor claims that you owe the sum of (insert amount) pa'anga, full particulars of which are set out below under PARTICULARS OF DEBT, and that it is payable immediately and, to the extent of the sum demanded, is unsecured. The Creditor demands that you pay the above debt or secure or compound for it to the Creditor's satisfaction.

Signed:

Dated:

Name of Signatory:

170 Address:

Telephone:

Telefax:

The signatory is the Legal Counsel for the Creditor, authorised to make this Demand on the Creditor's behalf.

PARTICULARS OF DEBT : (insert brief particulars)

NOTES

- 180
1. THIS IS AN IMPORTANT DOCUMENT. You should consider these notes carefully.
  2. If you wish to have this Demand set aside you must make application to do so WITHIN 18 DAYS from its service on you to the SUPREME COURT OF TONGA, NUKU'ALOFA, KINGDOM OF TONGA.
  3. If you do not apply to set aside this Demand within 18 days or otherwise deal with this Demand as set out in these notes within 21 days after its service on you, YOU
- 190

COULD BE MADE BANKRUPT AND YOUR PROPERTY AND GOODS TAKEN AWAY FROM YOU.

4. Please read this demand and these Notes CAREFULLY. If you are in any doubt about your position you should seek advice IMMEDIATELY from any Legal Counsel entitled to practice in Tonga.
5. Any communication regarding this Demand should be addressed to LEGAL COUNSEL for the Creditor whose NAME, ADDRESS and TELEPHONE NUMBER are stated overleaf at the foot of the page.
6. IF YOU WISH TO AVOID A BANKRUPTCY PETITION being presented against you, you must pay the debt shown on this form within the period of 21 DAYS after the service upon you of this Demand. Alternatively, you can attempt to come to a settlement with the Creditor. To do this you should immediately inform the person named in Note 5 above that you are willing and able to offer security for the debt to the Creditor's satisfaction or that you are willing and able to compound for the debt to the Creditor's satisfaction.
7. IF YOU DISPUTE THE DEMAND in whole or in part you should immediately inform the person named in Note 5 above.
8. If you consider that you have grounds to have this Demand set aside, or if you do not quickly receive a satisfactory written reply from the person named in Note 5 above after you have contacted him, you should APPLY WITHIN 18 DAYS from the date of service of this Demand on you to the SUPREME COURT OF TONGA at Nuku'alofa to have the Demand set aside. That APPLICATION must be lodged with the Registrar of the SUPREME COURT within 18 days from the date of service upon you of this Demand stating the grounds upon which the Demand should be set aside, together with a supporting Affidavit from yourself.

## FORM - 3

KINGDOM OF TONGA  
STATUTORY DEMAND UNDER SECTION 268(2) OF THE INSOLVENCY ACT  
1986  
DEBT PAYABLE AT FUTURE DATE.

230 DEMAND TO: (insert full name) - DEBTOR  
ADDRESS: (insert full postal address)

This Demand is served on you by the Creditor:

NAME: (insert full name) - CREDITOR  
ADDRESS: (insert full postal address)

240 The Creditor claims that you owe the sum of (insert amount) pa'anga, full particulars of which are set out below under PARTICULARS OF DEBT, and that payment falls due (insert date). The Creditor is of the opinion that you have no reasonable prospects of paying this debt when it falls due because (insert reason or reasons for this opinion).

Signed:

Dated:

Name of Signatory:

250 Address:

Telephone:

Telefax:

The signatory is the Legal Counsel for the Creditor, authorised to make this Demand on the Creditor's behalf.

PARTICULARS OF DEBT : (insert brief particulars)

## NOTES

1. THIS IS AN IMPORTANT DOCUMENT. You should consider these notes carefully.
2. If you wish to have this Demand set aside you must make application to do so WITHIN 18 DAYS from its service on you to the SUPREME COURT OF TONGA, NUKU'ALOFA, KINGDOM OF TONGA.
- 260 3. If you do not apply to set aside this Demand within 18 days or otherwise deal with this Demand as set out in these notes within 21 days after its service on you, YOU COULD BE MADE BANKRUPT AND YOUR PROPERTY AND GOODS TAKEN AWAY FROM YOU.
4. Please read this demand and these Notes CAREFULLY. If you are in any doubt about your position you should seek advice IMMEDIATELY from any Legal Counsel entitled to practice in Tonga.
- 270 5. Any communication regarding this Demand should be addressed to LEGAL COUNSEL for the Creditor whose NAME, ADDRESS and TELEPHONE NUMBER are stated overleaf at the foot of the page.
6. IF YOU WISH TO AVOID A BANKRUPTCY PETITION being presented against you, you must pay the debt shown on this form within the period of 21 DAYS after the service upon you of this Demand. Alternatively, you can attempt to come to a settlement with the Creditor. To do this you should immediately inform the person named in Note 5 above that you are willing and able to offer security for the debt to the Creditor's satisfaction or that you are willing and able to compound for the debt to the Creditor's satisfaction.
- 280 7. IF YOU DISPUTE THE DEMAND in whole or in part you should immediately inform the person named in Note 5 above.
8. If you consider that you have grounds to have this Demand set aside, or if you do not quickly receive a satisfactory written reply from the person named in Note 5 above after you have contacted him, you should APPLY WITHIN 18 DAYS from the date of service of this Demand on you to the SUPREME COURT OF TONGA at Nuku'alofa to have the Demand set aside. That APPLICATION must be lodged with the Registrar of the SUPREME COURT within 18 days from the date of service upon you of this Demand stating the grounds upon which the Demand should be set aside, together with a supporting Affidavit from yourself.
- 290



## FORM - 4

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERCIAL JURISDICTION

NO.

## APPLICATION

300

by (here set out full name and  
postal address of Applicant) - APPLICANT

TO SET ASIDE A DEMAND dated  
(here set out date) from (here set out  
full name and postal address of  
Creditor) - RESPONDENT

310

1. The Applicant is (insert full name) and resides at (insert full postal address).
2. On or about (insert date of service of Demand) there was served upon him by (insert full name and postal address of Creditor), hereinafter referred to as "the Respondent", a Statutory Demand for Payment of the sum of (insert amount) pa'anga. A copy of that Demand is attached to this Application.
3. The Applicant claims that he is entitled to have that Demand set aside for the following reasons:-  
(Set out here a detailed statement of every reason relied upon by the Applicant).
4. Attached to this Application the Applicant produces:
  - (a) Form 9 dated (insert date).
  - (b) Form 10 dated (insert date).
5. Accordingly, the Applicant humbly requests the Court to pronounce an Order in the following terms:-

320

- (First) - To Order Service of this Application upon the Respondent.
- (Second) - To fix a date for the Hearing of this Application and to Order the attendance of the Applicant and the Respondent.
- (Third) - And thereafter, to grant this Application
- (Fourth) - To do further or otherwise as to the Court seems just.

330

DATED this            day of            199

Counsel for the Applicant

Counsel for the Applicant is:-

Counsel's Address for Service is:-

The following FIRST ORDER forms part of this Application.

The Application having been presented to the Supreme Court of Tonga on the

day of \_\_\_\_\_ 199\_\_\_\_\_ and having been considered by the HONOURABLE

MR JUSTICE \_\_\_\_\_, IT IS ORDERED THAT:-

340

1. The Application be served upon the Respondent WITHOUT DELAY.
2. The Applicant be heard in support of the Application at the Supreme Court, Nuku'alofa at \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_ 199\_\_\_\_\_
3. The Applicant and the Respondent do attend the said Hearing.

350

NUKU'ALOFA,

## FORM - 5

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERCIAL JURISDICTION

NO.

## PETITION

360

by (here set out full name and  
postal address of Petitioner)

- PETITIONER

against

(here set out full name and  
postal address of Debtor)

- RESPONDENT

FOR A BANKRUPTCY ORDER to be  
made against the Respondent

370

1. The Petitioner is (insert full name) and resides at (insert full postal address). The Respondent is (insert full name) and resides at (insert full postal address).
2. The Petitioner has for the greater part of six months immediately preceding the presentation of this Petition resided at the above address. The Supreme Court of Tonga therefore has jurisdiction to consider this action.
3. The Respondent is justly and truly indebted to the Petitioner in the sum of (insert amount) pa'anga, which debt is for a liquidated sum payable immediately. The Respondent appears to the Petitioner to be unable to pay.
4. On (insert date) in an action between these parties in the Supreme Court of Tonga, Action No. (insert number), judgment was obtained by the Petitioner against the Respondent in the total sum of (insert amount) pa'anga inclusive of interest and costs. Execution was authorised by the Court on (insert date). That judgment debt remains unpaid. The enforcement officer has made a return to the effect that the execution was unsatisfied and the debt referred to in paragraph 3 of this Petition represents the amount by which the execution was returned unsatisfied. On the (insert date of Statutory Demand) a Statutory Demand for that amount was served upon the Respondent. He has neither complied with the Demand nor applied for it to be set aside. The debt remains outstanding.
5. Neither the Petitioner nor anyone else on his behalf holds any security over the whole or any part of the Respondent's estate for the payment of that debt.

380

390

400

OR

The Petitioner holds security for the payment of that debt which he will give up for

the benefit of all the Creditors of the Respondent in the event of a bankruptcy order being made

OR

The Petitioner holds security for the payment of part of that debt, the value of which the Petitioner estimates at (insert amount) pa'anga. This Petition is not made in respect of the secured part of the debt owed by the Respondent to the Petitioner.

410 6. Attached to this Petition the Petitioner produces:

- (a) Statutory Demand dated (insert date);
- (b) Affidavit of Personal Service of Statutory Demand;
- (c) Judgment in Action number (insert number);
- (d) Return of execution unsatisfied;
- (e) Form 9 dated (insert date);
- (f) Form 10 dated (insert date);

(Also list all other documents necessary to confirm the nature and extent of the debt, and otherwise as seems appropriate)

430 7. Accordingly, the Petitioner humbly requests the Court to pronounce an Order in the following terms:-

- (First) - To Order Service of the Petition upon the Respondent.
- (Second) - To fix a date for the Hearing of the Petition and to Order the attendance of the parties to the action;
- (Third) - And thereafter, to make a Bankruptcy Order against the Respondent;
- 440 (Fourth) - To do further or otherwise as to the Court seems just.

DATED this                      day of    199

Counsel for the Petitioner

Counsel for the Petitioner is:-  
Counsel's Address for Service is:-

The following FIRST ORDER forms part of this Petition.

The Petition having been presented to the Supreme Court of Tonga on the

day of                      199                      and having been considered by the HONOURABLE

MR JUSTICE

IT IS ORDERED THAT:-

- 450 1. The Petition be served upon the Respondent WITHOUT DELAY.
2. The Petitioner be heard in support of the Petition at the Supreme Court, Nuku'alofa  
at                      o'clock on the                      day of                      199
3. The Respondent lodge Answers to the Petition, if so advised, by 4o'clock on the  
day of                      199                      with the Registrar of the Supreme  
Court specifying the grounds upon which he objects to the making of a bankruptcy  
order: AND deliver a copy of his Answers to Counsel for the Petitioner (or any  
460 member of his staff) at the address for service stated in the Petition.
4. The Petitioner and the Respondent do attend the said Hearing.

NUKU'ALOFA

## FORM - 6

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERICAL JURISDICTION

NO.

## PETITION

470 by (set out full name and  
postal address of Petitioner) - PETITIONER

against

(here set out full name and  
postal address of the Debtor) - RESPONDENT

480 FOR A BANKRUPTCY ORDER to be made  
against the Respondent.

1. The Petitioner is (insert full name) and resides at (insert full postal address). The Respondent is (insert full name) and resides at (insert full postal address).
2. The Petitioner has for the greater part of six months immediately preceding the presentation of this Petition resided at the above address. The Supreme Court of Tonga therefore has jurisdiction to consider this action.
- 490 3. The Respondent is justly and truly indebted to the Petitioner in the sum of (insert amount) pa'anga, which debt is for a liquidated sum payable immediately. The Respondent appears to the Petitioner to be unable to pay.
4. On (insert date) a Statutory Demand in respect of that debt of (insert amount) pa'anga was served upon the Respondent. He has neither complied with the Demand nor applied for it to be set aside. The debt remains outstanding.
- 500 5. Neither the Petitioner nor anyone else on his behalf holds any security over the whole or any part of the Respondent's estate for the payment of that debt.

OR

The Petitioner holds security for the payment of that debt which he will give up for the benefit of all the Creditors of the Respondent in the event of a bankruptcy order being made.

OR

510 The Petitioner holds security for the payment of part of that debt, the value of which

the Petitioner estimates at (insert amount) pa'anga. This Petition is not made in respect of the secured part of the debt owed by the Respondent to the Petitioner.

6. Attached to this Petition the Petitioner produces:-
- (a) Statutory Demand dated (insert date);
  - (b) Affidavit of Personal Service of Statutory Demand;
  - 520 (c) Form 9 dated (insert date);
  - (d) Form 10 dated(insert date);

(Also list all other documents necessary to confirm the nature and extent of the debt, and otherwise as seems appropriate)

7. Accordingly, the Petitioner humbly requests the Court to pronounce an Order in the following terms:-

- (First) - To Order Service of the Petition upon the Respondent.
- (Second) - To fix a date for the Hearing of the Petition and to Order the attendance of the parties to the action;
- (Third) - And thereafter, to make a Bankruptcy Order against the Respondent;
- 540 (Fourth) - To do further or otherwise as to the Court seems just.

DATED this                      day of    199

Counsel for the Petitioner

Counsel for the Petitioner is:-

Counsel's Address for Service is:-

The following FIRST ORDER forms part of this Petition.

530

The Petition having been presented to the Supreme Court of Tonga on the

day of                                      199<sup>0</sup>                      and having been considered by the HONOURABLE

MR JUSTICE    , IT IS ORDERED THAT:-

1. The Petition be served upon the Respondent WITHOUT DELAY.

540 2. The Petitioner be heard in support of the Petition at the Supreme Court, Nuku'alofa

at            o'clock on the            day of            199

3. The Respondent lodge Answers to the Petition, if so advised, by 4o'clock on the day of            199            with the Registrar of the Supreme Court specifying the grounds upon which he objects to the making of a bankruptcy order: AND deliver a copy of his Answers to Counsel for the Petitioner (or any member of his staff) at the address for service stated in the Petition.
- 570 4. The Petitioner and the Respondent do attend the said Hearing.

NUKU'ALOFA



## FORM - 7

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERICAL JURISDICTION

NO.

## PETITION

580 by (set out full name and  
postal address of Petitioner) - PETITIONER

against

(here set out full name and  
postal address of the Debtor) - RESPONDENT

590 FOR A BANKRUPTCY ORDER to be made  
against the Respondent.

1. The Petitioner is (insert full name) and resides at (insert full postal address). The Respondent is (insert full name) and resides at (insert full postal address).
2. The Petitioner has for the greater part of six months immediately preceding the presentation of this Petition resided at the above address. The Supreme Court of Tonga therefore has jurisdiction to consider this action.
- 600 3. The Respondent is justly and truly indebted to the Petitioner in the sum of (insert amount) pa'anga, which debt is for a liquidated sum payable on (insert date). The Respondent appears to the Petitioner to have no reasonable prospects of being able to pay that debt then.
4. On (insert date) a Statutory Demand in respect of that debt of (insert amount) pa'anga was served upon the Respondent. He has neither complied with the Demand nor applied for it to be set aside. The debt remains outstanding.
- 610 5. Neither the Petitioner nor anyone else on his behalf holds any security over the whole or any part of the Respondent's estate for the payment of that debt.

OR

The Petitioner holds security for the payment of that debt which he will give up for the benefit of all the Creditors of the Respondent in the event of a bankruptcy order being made.

620 OR

The Petitioner holds security for the payment of part of that debt, the value of which the Petitioner estimates at (insert amount) pa'anga. This Petition is not made in respect of the secured part of the debt owed by the Respondent to the Petitioner.

6. Attached to this Petition the Petitioner produces:-

- (a) Statutory Demand dated (insert date);
- (b) Affidavit of Personal Service of Statutory Demand;
- (c) Form 9 dated (insert date);
- (d) Form 10 dated (insert date);

830

(Also list all other documents necessary to confirm the nature and extent of the debt and otherwise as seems appropriate)

840

7. Accordingly, the Petitioner humbly requests the Court to pronounce an Order in the following terms:-

- (First) - To Order Service of the Petition upon the Respondent.
- (Second) - To fix a date for the Hearing of the Petition and to Order the attendance of the parties to the action;
- (Third) - And thereafter, to make a Bankruptcy Order against the Respondent;
- (Fourth) - To do further or otherwise as to the Court seems just.

850

DATED this                      day of                                      199

Counsel for the Petitioner

Counsel for the Petitioner is:-  
Counsel's Address for Service is:-

860

The following FIRST ORDER forms part of this Petition.

The Petition having been presented to the Supreme Court of Tonga on the  
day of                      199                      and having been considered by the HONOURABLE  
MR JUSTICE    , IT IS ORDERED THAT:-

870

1. The Petition be served upon the Respondent WITHOUT DELAY.

2. The Petitioner be heard in support of the Petition at the Supreme Court, Nuku'alofa at \_\_\_\_\_ o'clock on the \_\_\_\_\_ day of \_\_\_\_\_ 199\_\_\_\_\_.
3. The Respondent lodge Answer<sup>s</sup> to the Petition, if so advised, by 4o'clock on the \_\_\_\_\_ day of \_\_\_\_\_ 199\_\_\_\_\_ with the Registrar of the Supreme Court specifying the grounds upon which he objects to the making of a bankruptcy order. AND deliver a copy of his Answers to Counsel for the Petitioner (or any member of his staff) at the address for service stated in the Petition.
- 680 4. The Petitioner and the Respondent do attend the said Hearing.

NUKU'ALOFA

## FORM - 8

AFFIDAVIT OF PERSONAL SERVICE  
OF STATUTORY DEMAND under the  
INSOLVENCY ACT 1986

690 I, (insert full name and service address of Counsel), Counsel for the Creditor named in the Statutory Demand issued by (insert name of creditor) to (insert name of debtor) on (insert date of service), make oath and say as follows:-

1. I (insert full name) as Counsel for (insert name of creditor) at (insert exact time) on (insert date) at (insert place of service) did personally serve upon (insert name of Debtor) a Statutory Demand under the Insolvency Act 1986.
2. A copy of that Demand is annex (a) to the Creditor's Petition for a Bankruptcy Order in Action Number (insert reference number).

700 SWORN BEFORE ME

this    day of  
          199

.....  
(Counsel for Creditor)

.....  
REGISTRAR

FORM - 9

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERCIAL JURISDICTION

NO:

AFFIDAVIT by APPLICANT/PETITIONER  
vouching accuracy of his pleadings.

710

I, (insert name and postal address) the Applicant/Petitioner in bankruptcy proceedings in the Supreme Court of Tonga, Action Number (insert reference number), make oath and say as follows:-

- 1. I (insert full name) am the Applicant/Petitioner in the action aforementioned.
- 2. The statements in that Application/Petition are true and correct.

720

SWORN BEFORE ME  
this            day of  
                  199

.....  
(Applicant/Petitioner)

730

.....  
REGISTRAR

## FORM -10

KINGDOM OF TONGA  
IN THE SUPREME COURT  
COMMERCIAL JURISDICTION

NO:

740

AFFIDAVIT by COUNSEL  
vouching authority to act  
and accuracy of pleadings.

I, (insert full name and service address of Counsel). Counsel for the Applicant/Petitioner in bankruptcy proceedings in the Supreme Court of Tonga, Action Number (insert reference number), make oath and say as follows:-

750

1. I (insert full name) am authorised by (insert full name and postal address of Applicant or Petitioner) to act for him in respect of the Application/Petition to the Supreme Court of Tonga, Action Number (insert reference number).
2. The statements in that Application/Petition are true and correct to the best of my knowledge, information and belief.

760

SWORN BEFORE ME  
this            day of  
                         199

.....  
(Counsel for Applicant/Petitioner)

.....  
REGISTRAR