Form B8

Rule 5.01

Referral of debtor’s petition

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: General

**In the matter of [name of debtor or bankrupt estate]**

**Referral by Official Receiver**

[Select and complete appropriately one of the following options and delete the others. Do not otherwise edit or adapt.]

[\*]The debtor [name of debtor] has presented a debtor’s petition to the Official Receiver and Creditor’s Petition No. [number] of [year] is pending against a number of debtors including this debtor.

[\*or]A debtor’s petition has been presented to the Official Receiver against the partnership [name of partnership] by some but not all members of the partnership.

[\*or]A debtor’s petition has been presented to the Official Receiver against the partnership [name of partnership] and Creditor’s Petition No. [number] of [year] is pending against at least one of the members of the partnership.

[\*or]A debtor’s petition has been presented to the Official Receiver against the partnership [name of partnership] by some but not all of the members of the partnership and, in addition, Creditor’s Petition No. [number] of [year] is pending against at least one of the members of the partnership.

[\*or]A debtor’s petition has been presented to the Official Receiver by debtors [name of joint debtors] jointly and Creditor’s Petition No. [number] of [year] is pending against at least one but not all of those joint debtors.

A copy of the debtor’s petition and any relevant statement/s of affairs are filed with this referral.

The Official Receiver refers the debtor’s petition to the Court for a direction to accept or reject that petition as required under subsection [\*]55(3B)[\*or]56C(1)[\*or]57(3B) of the *Bankruptcy Act 1966*.

Any person who wishes to attend Court or take any other step in this referral must first file and serve a notice of appearance (Form B4) in the Registry.

Date:

|  |
| --- |
| Signed  Official Receiver |

**To: Official Receiver, debtor and applicant creditor**

The Court will hear this referral, or make orders for the conduct of it, at the time, date and place shown in the Notice of Filing and Hearing attached.[Note: The Court will insert the Notice of Filing and Hearing as a coversheet when this referral is accepted for filing.]

[\*delete if inapplicable]