

1990 - No. 253

**TRUSTEE COMPANIES ACT 1964 - REGULATION**

(Relating to financial declarations by trustee companies)

NEW SOUTH WALES



*[Published in Gazette No. 57 of 4 May 1990]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Trustee Companies Act 1964, has been pleased to make the Regulation set forth hereunder.

JOHN DOWD  
Attorney General.

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The Trustee Companies Regulation 1980 is amended by omitting Schedule 2 and by inserting instead the following Schedule:

**SCHEDULE 2**

(Cl. 6)

*FINANCIAL STATEMENT BY A TRUSTEE COMPANY*

..... ("the company")

in accordance with a resolution of the directors of the company, states:

That on ..... (note 1)  
(hereinafter referred to as "the balance date"):

The authorised capital of the company was \$ ..... divided into  
..... shares of \$ ..... each.

The issued capital was made up of ..... shares of \$ ..... each paid to  
\$ ..... per share.

The total amount of paid up capital was \$ .....

The uncalled capital being \$ ..... per share and amounting to \$ .....  
was made up as follows:

\$ ..... per share amounting to \$ ..... which may be called up at the  
discretion of the company.

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\$ ..... per share amounting to \$ ..... which can only be called up on and for the purpose of the winding up of the company (reserve liability).

Calls to the amount of \$ ..... per share amounting to \$ ..... had been made but remained unpaid and the shares had not been forfeited.

The net tangible assets of the company (i.e. the amount calculated by deducting total liabilities from total tangible assets) amounted to \$ .....

That the following loans were obtained from financial institutions other than banks and insurance companies during the period of 6 months preceding the balance date:

Name of institution	Amount of loan \$'000	Term of loan and maturity date	Interest rate	Security (if applicable)
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That the following contingent liabilities existed at the balance date  
(Show the amounts where they can be quantified):

\$'000

Guarantees of liabilities of related parties .....  
Guarantees of liabilities of other persons .....  
Other contingent liabilities (note 2) .....

TOTAL



That the balance sheet as at ..... (note 1) and the profit and loss account for the 6 months ended on that date were as follows:

BALANCE SHEET AS AT .....

\$'000

CURRENT ASSETS

Cash at bank and on hand .....  
 Bills receivable:  
     bank accepted or endorsed (note 4) .....  
     other (note 4) .....  
 Investments in and loans to related parties (note 3):  
     investments (notes 4 and 5) .....  
     loans:  
         secured (notes 4 and 10) .....  
         unsecured (note 4) .....  
 Other loans and deposits (note 6):  
     secured (notes 4 and 10) .....  
     unsecured (note 4) .....  
 Government and semi-government securities (note 7) .....  
 Shares, units, options, debentures and convertible notes:  
     listed on a prescribed stock exchange - market value (notes 4, 5 and 8) .....  
     not listed on a prescribed stock exchange (notes 4, 5 and 8) .....  
 Interests in partnerships, trusts and unincorporated joint ventures (notes 4 and 9) .....  
 Lease receivables (note 4) .....  
 Property held for resale (note 4) .....  
 Other current assets (notes 2 and 4) .....

TOTAL CURRENT ASSETS

	\$'000
NON-CURRENT ASSETS	
Bills receivable:	
bank accepted or endorsed (note 7) .....	
other (note 7) .....	
Investments in and loans to related parties (note 3):	
investments (notes 5 and 7) .....	
loans:	
secured (notes 7 and 10) .....	
unsecured (note 7) .....	
Other loans and deposits (note 6):	
secured (notes 7 and 10) .....	
unsecured (note 7) .....	
Government and semi-government securities (note 7) .....	
Shares, units, options, debentures and convertible notes:	
listed on a prescribed stock exchange - market value (notes 5, 7 and 8) .....	
not listed on a prescribed stock exchange (notes 5, 7 and 8)	
Interests in partnerships, trusts and unincorporated joint ventures (notes 7 and 9) .....	
Lease receivables (note 7) .....	
Property held for resale (note 7) .....	
Intangible assets (notes 2 and 7) .....	
Other non-current assets (notes 2 and 7) .....	
	_____
TOTAL NON-CURRENT ASSETS	_____
	_____
TOTAL ASSETS	_____

	\$'000
CURRENT LIABILITIES	
Bank overdrafts and bank loans:	
secured (note 10) .....	
unsecured .....	
Loans from other financial institutions:	
secured (note 10) .....	
unsecured .....	
Bills payable and liabilities under promissory notes .....	
Subordinated loans from related parties .....	
Clients' balances and deposits:	
secured (notes 2 and 10) .....	
unsecured .....	
Trade creditors and accrued expenses .....	
Lease payables .....	
Provisions:	
income tax .....	
dividends .....	
other .....	
Deferred income (notes 2 and 11) .....	
Other amounts payable:	
secured (notes 2 and 10) .....	
unsecured (note 2) .....	
	_____
TOTAL CURRENT LIABILITIES	_____

	\$'000
NON-CURRENT LIABILITIES	
Bank overdrafts and bank loans:	
secured (note 10) .....	
unsecured .....	
Loans from other financial institutions:	
secured (note 10) .....	
unsecured .....	
Bills payable and liabilities under promissory notes .....	
Subordinated loans from related parties .....	
Clients' balances and deposits:	
secured (notes 2 and 10) .....	
unsecured .....	
Lease payables .....	
Provisions:	
income tax .....	
other .....	
Deferred income (notes 2 and 11) .....	
Other amounts payable:	
secured (notes 2 and 10) .....	
unsecured (note 2) .....	
	_____
TOTAL NON-CURRENT LIABILITIES	_____
TOTAL LIABILITIES	_____
NET ASSETS/SHAREHOLDERS' FUNDS	
(Total assets less total liabilities)	_____
LESS: INTANGIBLE ASSETS	_____
NET TANGIBLE ASSETS	_____
PROFIT AND LOSS ACCOUNT FOR THE 6 MONTH	\$'000
PERIOD ENDED ..... (note 1)	
Operating profit (loss) .....	
Income tax .....	_____
Operating profit (loss) after income tax .....	
Profit (loss) on extraordinary items after income tax .....	_____
Net profit (loss) .....	=====

That, in the opinion of the directors who have passed the resolution in accordance with which this Statement is made, the balance sheet and the profit and loss account of the company have been drawn up so as to give a true and fair view of the state of affairs of the company as at ..... (note 1) and the profit or loss of the company for the period ended on that date.

That the classification of assets and liabilities and the valuation of assets in the balance sheet are based upon the company's intentions at the balance date as to the use or disposal of those assets and the repayment of liabilities.

That, in the opinion of the directors who have passed the resolution in accordance with which this Statement is made, at the date of this Statement there are reasonable grounds to believe that the company will be able to pay its debts as and when they fall due.

That during the period of 6 months preceding the balance date:

There had been the following significant changes in the nature of the principal activities of the company (note 12):

.....  
.....  
.....  
.....  
.....

The following items, transactions or events of a material and unusual nature affected the results of the company's operations (note 13):

.....  
.....  
.....  
.....

The provisions of the Trustee Companies Act 1964 and of the Trustee Companies Regulation 1980 in respect of the investment of money held by the company on trust had been complied with.

The company had complied with all other requirements of the Trustee Companies Act 1964 and of the Trustee Companies Regulation 1980.

That the following matters or circumstances have arisen since the balance date and have significantly affected or may significantly affect:

- (a) the operations of the company;
  - (b) the results of those operations; or
  - (c) the state of affairs of the company,
- in subsequent periods (note 13):

.....  
.....  
.....  
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