

G

COMPANIES FORM No.173

173

**Declaration in relation to  
the redemption or purchase  
of shares out of capital**

Please do not  
write in  
this margin

Pursuant to section 173 of the Companies Act 1985

To the Registrar of Companies

For official use

Company number

Please complete  
legibly, preferably  
in black type, or  
bold block lettering

[ ] [ ] [ ] [ ]

530342

Name of company

\* insert full name  
of company

\* HUNT BROTHERS (CULCHETH) LTD

Note  
Please read the notes  
on page 2 before  
completing this form.

o insert name(s) and  
address(es) of all  
the directors

\*We o

Mrs P. A. HUNT

- 94 TWISS GREEN LANE, CULCHETH, WARRINGTON

Mr P HUNT

- 94 TWISS GREEN LANE, CULCHETH, WARRINGTON

† delete as  
appropriate

~~[the sole director]~~ [all the directors]† of the above company do solemnly and sincerely declare that:

The business of the company is:

§ delete whichever  
is inappropriate

- (a) ~~that of a [recognised bank][licensed institution]† within the meaning of the Banking Act 1979~~  
(b) ~~that of a person authorised under section 3 or 4 of the Insurance Companies Act 1982 to carry on insurance business in the United Kingdom~~  
(c) that of something other than the above

The company is proposing to make a payment out of capital for the redemption or purchase of its own shares

The amount of the permissible capital payment for the shares in question is £ 44,000  
(note 1)

Continued overleaf

Presentor's name address and  
reference (if any):

HASLAMs  
WINDSOR HOUSE  
6 WINDSOR WAY  
KNUTSFORD WA16 6JB

For official Use  
General Section

Post room



~~4~~We have made full enquiry into the affairs and prospects of the company, and ~~4~~we have formed the opinion:

- (a) as regards its initial situation immediately following the date on which the payment out of capital is proposed to be made, that there will be no grounds on which the company could then be found unable to pay its debts (note 2), and
- (b) as regards its prospects for the year immediately following that date, that, having regard to my/our intentions with respect to the management of the company's business during that year and to the amount and character of the financial resources which will in my/our view be available during that year, the company will be able to continue to carry on business as a going concern (and will accordingly be able to pay its debts as they fall due) throughout that year.(note 2)

Please do not  
write in  
this margin

Please complete  
legibly, preferably  
in black type, or  
bold block lettering

And ~~4~~we make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

Declared at Culceth, Lheshmie

Declarant(s) to sign below

the 11<sup>th</sup> day of December  
one thousand nine hundred and ninety six

before me James C. S. [Signature]

A Commissioner for Oaths, or Notary Public, or Justice of the Peace, or Solicitor having the powers conferred on a Commissioner for Oaths.

P. A. Hunt.

[Signature]

## Notes

- 1 'Permissible capital payment' means an amount which, taken together with
- (i) any available profits of the company; and
  - (ii) the proceeds of any fresh issue of shares made for the purposes of the redemption or purchase;
- is equal to the price of redemption or purchase.
- 'Available profits' means the company's profits which are available for distribution (within the meaning of section 172 and 263 of the Companies Act 1985).
- The question whether the company has any profits so available and the amount of any such profits is to be determined in accordance with section 172 of the Companies Act 1985.

- 2 Contingent and prospective liabilities of the company must be taken into account, see sections 173(4) & 517 of the Companies Act 1985.
- 3 A copy of this declaration together with a copy of the auditors report required by section 173 of the Companies Act 1985, must be delivered to the Registrar of Companies not later than the day on which the company publishes the notice required by section 175(1) of the Companies Act 1985, or first publishes or gives the notice required by section 175(2), whichever is the earlier.

**AUDITORS' REPORT TO THE DIRECTORS OF  
HUNT BROTHER (CULCHETH) LIMITED  
PURSUANT TO SECTION 173(5) OF THE COMPANIES ACT 1985**

We have examined the attached Statutory Declaration of the Directors dated 11th December 1996 in connection with the Company's proposed purchase of 4,510 (four thousand five hundred and ten) Ordinary Shares by a payment out of capital and reserves.

**Basis of opinion**

We have enquired into the state of the Company's affairs in order to review the bases for the Statutory Declaration.

**Opinion**

In our opinion the amount of £44,048 specified in the Statutory Declaration of the Directors as the permissible capital payment for the shares to be purchased is properly determined in accordance with sections 171 and 172 of the Companies Act 1985.

We are not aware of anything to indicate that the opinion expressed by the Directors in their declaration as to any of the matters mentioned in section 173(3) of the Companies Act 1985 is unreasonable in all the circumstances.

*Haslams*

Haslams  
Registered Auditors  
Windsor House  
6 Windsor Way  
Knutsford  
Cheshire  
WA16 6JB

Date 11-12-96