

Insolvency, Restructuring and Dissolution (Bankruptcy) Regulations 2020

Table of Contents

Enacting Formula

Part 1 PRELIMINARY

1 Citation and commencement

2 Definitions

3 Forms

4 Notices to be in writing

5 Proof of posting of notice by Official Assignee

Part 2 OFFICIAL ASSIGNEE

6 Use of proxies by Official Assignee

7 Removal of special manager

8 Deposits payable to Official Assignee

Part 3 TRUSTEE IN BANKRUPTCY

9 Provisions as to security

10 Report of trustee in bankruptcy

11 Payment by trustee in bankruptcy to Bankruptcy Estates Account

12 Trustee in bankruptcy to notify Official Assignee of constitution of creditors' committee

13 Removal of trustee in bankruptcy by creditors' meeting

Part 4 INTERIM RECEIVER

14 Repayment of deposit to applicant for order appointing interim receiver, etc.

Part 5 PRESCRIBED VALUE FOR PURPOSES OF SECTION 274 OF ACT

15 Prescribed value for purposes of section 274(1)(f) of Act

Part 6 BANKRUPTCY ADMINISTRATION

Division 1 — Creditors' meetings

16 Meetings summoned by trustee of bankrupt's estate

17 Meetings summoned by Court

18 Creditors' committees in bankruptcy of partnership

19 Non-receipt of notice by creditor

20 Chairperson of meeting

21 Costs of creditors' meeting

22 Orders or directions for meetings

23 Quorum

24 Adjournment

25 Proxies

26 Where creditor is blind or incapable of writing

27 Use and retention of proxies

28 Proxy-holder with financial interest

29 Entitlement to vote

30 Admission and rejection of proofs of debt

31 Record of proceedings

Division 2 — Statements of affairs

32 Prescribed particulars and information for statement of affairs

33 Submission and filing of statement of affairs

34 Proof of information in statement of affairs

35 Extension of time to file statement of affairs, etc.

Division 3 — Trading accounts, etc., of bankrupt's business

36 Accounts of bankrupt's business to be submitted to trustee of bankrupt's estate

Division 4 — Settlement of list of debtors to estate

37 Settled list of debtors to estate

Division 5 — Monthly contribution and target contribution

38 Notice, etc., of determination of monthly contribution and target contribution

39 Notice of issue of certificate reducing monthly contribution and target contribution, etc.

40 Review by Official Assignee of administration by trustee in bankruptcy

Division 6 — Procedure for proving of debts and quantification of claims in proofs

41 Manner of giving notice of bankruptcy order, etc.

42 Manner and contents of proof of debt

43 Workmen's wages

44 Proof of debt filed by licensed moneylenders

45 Cost of proving

46 Time for lodging proofs

47 Inspection of proofs

48 Discounts

49 Debt in foreign currency

50 Periodical payments

51 Prescribed rate of interest under section 356(1) and (2)(b)(ii) of Act

52 Debt payable at future time

Division 7 — Secured creditors

53 Secured creditors

54 Amendment of valuation on satisfaction of trustee

55 Realisation of security

56 Maximum amount receivable by creditor

Division 8 — Taking accounts and sale of mortgaged property

57 Application of proceeds of sale of mortgaged property

Division 9 — Admission and rejection of proofs

58 Adjudication and notice to creditor

59 Withdrawal or variation of proof

60 Expunging of proof by trustee

Division 10 — Acceptance of composition or scheme

61 Acceptance of composition or scheme by joint and separate creditors

62 Voting on composition or scheme by firm and by individual partners

63 Forms in respect of proposal and terms of resolution

64 Action upon issue of certificate of discharge or annulment under section 358 of Act

65 Effect of annulment of composition or scheme

66 Provision for disputed claims

67 Proofs of debts in composition or scheme

Division 11 — Disclaimers

68 Notice of disclaimer under section 373 of Act

69 Service of copy of notice of disclaimer on interested persons

70 Application by person interested in property

Division 12 — Realisation of bankrupt's property