

Bankruptcy (Debt Repayment Scheme) Rules 2009

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No. S 199

**BANKRUPTCY ACT
(CHAPTER 20)**

BANKRUPTCY (DEBT REPAYMENT SCHEME) RULES 2009

In exercise of the powers conferred by section 56T of the Bankruptcy Act, the Minister for Law hereby makes the following Rules:

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Bankruptcy (Debt Repayment Scheme) Rules 2009 and shall come into operation on 18th day of May 2009.

Definitions

2. In these Rules, unless the context otherwise requires —

“appropriate fee” means the appropriate fee as specified in the Schedule;

“certificate of completion” means a certificate of completion of a debt repayment scheme issued by the Official Assignee in respect of a debtor under section 56N of the Act;

“certificate of failure” means a certificate of failure of a debt repayment scheme issued by the Official Assignee in respect of a debtor under section 56M of the

Act;

“certificate of inapplicability” means a certificate of inapplicability of a debt repayment scheme issued by the Official Assignee in respect of a debtor under section 56L of the Act;

“Chairman” means the Chairman of the Appeal Panel who is appointed by the Minister under section 56Q(3)(a) of the Act;

“court” includes the Registrar when exercising the powers of the court under the Act or these Rules;

“creditor concerned”, in relation to a debt repayment scheme, means a creditor who has proved his debt under the scheme and who is bound by the debt repayment plan under the scheme;

“debt repayment scheme” means a debt repayment scheme under Part VA of the Act;

“Deputy Chairman” means a Deputy Chairman of the Appeal Panel who is appointed by the Minister under section 56Q(3)(b) of the Act;

“Form” means a form for use in relation to these Rules that is set out on the Official Assignee’s Internet website at <http://www.drs.gov.sg> and a form referred to by a number means the form that is so numbered on the website;

“meeting of creditors” means a meeting of a debtor’s creditors convened by the Official Assignee under section 56D(2) or 56H(2) of the Act;

“threshold amount” means \$100,000 or such other amount specified by the Minister by order in the Gazette under sections 56B(2)(a) and 65(7)(a) of the Act.

Notices in writing

3.—(1) All notices required to be given under Part VA of the Act and these Rules shall be in writing, unless the Act or these Rules otherwise provide or the court otherwise orders.

(2) Where any notification is required to be sent to the court, it shall be in writing unless the Act or these Rules otherwise provide or the court otherwise orders.

Manner of making applications

4. Every application to the court under these Rules shall —