

Bankruptcy (Debt Repayment Scheme) Rules

Table of Contents

Part I PRELIMINARY

1 Citation

2 Definitions

3 Notices in writing

4 Manner of making applications

5 List of debtors to be kept

Part II PRELIMINARY ADMINISTRATION OF DEBT REPAYMENT SCHEME

Division 1 — Submission of documents by debtor

6 Submission of statement of income and expenditure, etc.

7 Preliminary assessment of aggregate debt owed

Division 2 — Proofs of debt

8 Submission of proofs of debt

9 Inspection of proofs of debt

Division 3 — Information to court

10 Information to court

Part III MEETING OF CREDITORS

Division 1 — Attendance, proceedings, etc.

11 Notification of meeting of creditors

12 Attendance of debtor

13 Attendance by creditor

14 Proceedings at meetings

15 Submission of proofs of debt at meeting

Division 2 — Approval and modification of debt repayment plan, etc.

16 Approval of debt repayment plan

17 Submission of proofs of debt after meeting of creditors

18 Modification of debt repayment plan before effective date

Part IV APPEALS TO APPEAL PANEL

19 Appeal Panel Committee

20 Form and manner of appeal

21 Decision of Appeal Panel Committee

Part V APPEALS TO COURT

22 Appeal against admission or rejection of proof of debt by Official Assignee

Part VI ADMINISTRATION OF DEBT REPAYMENT SCHEME

23 Submission of proofs of debt after effective date

24 Modification of debt repayment plan

25 Modification by way of extension of repayment period

**Part VII CESSATION AND COMPLETION OF DEBT REPAYMENT
SCHEME**

26 Notification of cessation of debt repayment scheme

27 Certificate of completion

**Part VIII FAILURE AND INAPPLICABILITY OF DEBT REPAYMENT
SCHEME**

28 Certificate of failure

29 Certificate of inapplicability

Part IX REVOCATION OF CERTIFICATE OF COMPLETION

30 Notice of revocation

31 Contents of notice

Part X DIVIDENDS AND INTEREST

32 Payment of dividends

33 Interest payable

34 Maximum amount receivable by creditor

Part XI FEES

35 Fees

36 Reduction of fees by Minister

Part XII MISCELLANEOUS

37 Extension, etc., of time

38 Cancellation of certificate

39 Disposal of records and papers

40 Application of Bankruptcy Rules

THE SCHEDULE Fees

Legislative History

BANKRUPTCY ACT (CHAPTER 20, SECTION 56T)

BANKRUPTCY (DEBT REPAYMENT SCHEME) RULES

R 6

G.N. No. S 199/2009

REVISED EDITION 2010

(31st January 2010)

[18th May 2009]

PART I

PRELIMINARY

Citation

1. These Rules may be cited as the Bankruptcy (Debt Repayment Scheme) Rules.

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 published 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