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No. S 304

BANKRUPTCY ACT (CHAPTER 20)

BANKRUPTCY (AMENDMENT) RULES 1999

In exercise of the powers conferred by section 166 of the Bankruptcy Act, the Minister for Law hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Bankruptcy (Amendment) Rules 1999 and shall come into operation on 15th July 1999.

Amendment of rule 97

2. Rule 97 of the Bankruptcy Rules (R 1) is amended —

(a) by inserting, immediately after paragraph (1), the following paragraph:

“(1A) No appearance need be entered to an originating summons under this rule.”; and

(b) by deleting paragraph (5) and substituting the following paragraph:

“(5) The application and the affidavit in support shall be filed at the same time and shall be served on the creditor within 3 days from the date of filing.”.

Deletion and substitution of rule 105

3. Rule 105 of the Bankruptcy Rules is deleted and the following rule substituted therefor:

“Deposit payable to Official Assignee

105.—(1) The petitioner shall file 2 copies of the creditor’s petition in court, inclusive of the copy to be served on the Official

Assignee, together with the deposit payable to the Official Assignee of such sums as are prescribed by the Bankruptcy (Fees) Rules (R 3).

(2) Upon the filing of 2 copies of the creditor's petition under paragraph (1), the petition shall be deemed to have been served on the Official Assignee.

(3) Where a creditor's petition has been filed under paragraph (1), the Official Assignee may, from time to time, require the petitioner to deposit with the Official Assignee such further sums as may be required by the Official Assignee, whether before or after the making of the bankruptcy order, to cover the fees and expenses incurred by the Official Assignee in connection with the petition.”.

Deletion of rule 111

4. Rule 111 of the Bankruptcy Rules is deleted.

Deletion and substitution of rule 125

5. Rule 125 of the Bankruptcy Rules is deleted and the following rule substituted therefor:

“Deposit payable upon substitution of petitioning creditor

125.—(1) The new petitioning creditor shall file 2 copies of the amended petition in court, inclusive of the copy to be served on the Official Assignee, together with the deposit payable to the Official Assignee of such sums as are prescribed by the Bankruptcy (Fees) Rules (R 3).

(2) Upon the filing of 2 copies of the amended petition under paragraph (1), the amended petition shall be deemed to have been served on the Official Assignee.

(3) Where an amended petition has been filed under paragraph (1), the Official Assignee may, from time to time, require the new petitioning creditor to deposit with the Official Assignee such further sums as may be required by the Official Assignee, whether before or after the making of the bankruptcy

order, to cover the fees and expenses incurred by the Official Assignee in connection with the petition.”.

Deletion and substitution of rule 138

6. Rule 138 of the Bankruptcy Rules is deleted and the following rule substituted therefor:

“Procedure for presentation and filing of debtor’s petition

138.—(1) The petitioner shall file 2 copies each of the debtor’s petition and the Statement of Affairs in court, inclusive of the copies to be served on the Official Assignee, together with the deposit payable to the Official Assignee of such sums as are prescribed by the Bankruptcy (Fees) Rules (R 3).

(2) Upon the filing of 2 copies each of the debtor’s petition and Statement of Affairs under paragraph (1), the petition and Statement of Affairs shall be deemed to have been served on the Official Assignee.

(3) Where a debtor’s petition and Statement of Affairs have been filed under paragraph (1), the Official Assignee may, from time to time, require the petitioner to deposit with the Official Assignee such further sums as may be required by the Official Assignee, whether before or after the making of the bankruptcy order, to cover the fees and expenses incurred by the Official Assignee in connection with the petition.

(4) Where the petitioner is a wage-earner, the deposit payable under paragraph (1) may be reduced or waived at the discretion of the Official Assignee.”.

Amendment of rule 139

7. Rule 139 of the Bankruptcy Rules is amended —

(a) by deleting the marginal note and substituting the following marginal note:

“Service of petition on nominee supervising voluntary arrangement and partners of debtor”; and

(b) by deleting paragraph (1).

Deletion and substitution of rule 264

8. Rule 264 of the Bankruptcy Rules is deleted and the following rule substituted therefor:

“Deposit by petitioner

264.—(1) The petitioner shall file 2 copies of the petition in court, inclusive of the copy to be served on the Official Assignee, together with the deposit payable to the Official Assignee of such sums as are prescribed by the Bankruptcy (Fees) Rules (R 3).

(2) Upon the filing of 2 copies of the petition under paragraph (1), the petition shall be deemed to have been served on the Official Assignee.

(3) Where a petition under section 148 of the Act has been filed, the Official Assignee may, from time to time, require the petitioner to deposit with the Official Assignee such further sums as may be required by the Official Assignee, whether before or after the making of the administration order, to cover the fees and expenses incurred by the Official Assignee in connection with the petition.”.

Amendment of Schedule

9. The Schedule to the Bankruptcy Rules is amended by deleting Form 11 and substituting the following Form:

“Form 11

Rules 137(1) and 167(1)

**BANKRUPTCY ACT
(CHAPTER 20)
BANKRUPTCY RULES**

(Title)

**STATEMENT OF AFFAIRS
PART 1**

1. Personal Data of Bankrupt

1.1 Name : _____

1.2 Aliases : _____

1.3 Previous name (if any) : _____

1.4 NRIC No. : _____
(for Singapore citizens and permanent residents)1.5 Passport No. : _____
(for foreigners)1.6 Sex : ☐ Male ☐ Female 1.7 Age: _____

1.8 Date of Birth : _____ 1.9 Nationality : _____

1.10 Race/Dialect : _____ 1.11 Religion : _____

1.12 Marital Status : ☐ Single ☐ Married ☐ Widowed
☐ Divorced ☐ Separated1.13 Address : _____
(As in NRIC/Passport)1.14 Mailing Address : _____
(If different from above)

Signature: _____