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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: _____

1.15 Contact Details

Tel: Home _____ Pager _____

Office _____ Handphone _____

1.16 Fax No: _____

1.17 If you own any HDB flat, please complete the following:

Address of flat : _____

Type of flat : _____

 Sole owner Joint owner Shareholding _____%

Name of joint owner: _____

1.18 Please furnish particulars of your passport (whether local or foreign) by completing the following:

Passport No.	Country of Issue	Expiry Date
a.		
b.		

1.19 Are you in physical possession of your passport? Yes No
(If no and passport has been lost, please produce police report.)1.20 Were you previously adjudged a bankrupt? Yes No

Bankruptcy No : _____ Date of Discharge: _____

2 Particulars of Bankrupt's Family

2.1 If you are married/separated, please answer the following questions:

2.1.1 Name of Spouse : _____

2.1.2 NRIC/Passport No. of Spouse : _____

2.1.3 Occupation of Spouse : _____

2.1.4 Spouse's monthly income (gross) : _____

Signature: _____

2.2 If you have children, please answer the following:

Number of children: _____

Name	Age	Occupation	Income (Gross)

3 **Bankrupt's Employment Records**

3.1 Please describe your professional/technical/educational qualification

3.2 If you are currently employed, please complete the following:

Occupation: _____

Employer's Name: _____

Gross Income: _____ per month
(N.B. Please submit your latest pay slip)

Net Income: _____ per month
(After deducting your CPF contribution)

3.3 Do you have any other sources of income? If yes, please state the source and the amount.

3.4 If you are not employed, please complete the following:

3.4.1 How long have you been unemployed: _____

3.4.2 Reason for your unemployment: _____

3.4.3 Who is supporting you: _____

Signature: _____

4.2 Repayment of Debts prior to Bankruptcy Order

If you have repaid any of your creditors in the last 2 years prior to the Bankruptcy Order, please complete the following:

Name of Creditor	Relationship to yourself	Amount owed	Amount repaid	Date of Repayment	Reason for Repayment

4.3 Repayment of Debts after the making of Bankruptcy Order

If you have repaid any of your creditors after the making of Bankruptcy Order, please complete the following:

Name of Creditor	Relationship to yourself	Amount owed	Amount repaid	Date of Repayment	Reason for Repayment

Signature: _____

- 5 If you were involved in any criminal activity which directly/indirectly contributed to your bankruptcy, or if you have been convicted of any offences relating to cheating, fraud or CBT (Criminal Breach of Trust), please complete the following:

Nature of Offence/ Charge	Date of Offence	Date of Conviction	Sentence

- 6 If you are currently facing any criminal charges relating to your present bankruptcy, please complete the following:

Nature of Offence/ Charge	Date on which offence alleged to have been committed as stated in the Charge	Name of Solicitor Acting for you.	Date of Hearing

- 7 Please state your debt settlement proposal in the form of instalment or lump sum payment.

- 8 Please explain if you are unable to make any debt settlement proposal.

Signature: _____

PART II

Please tick the relevant boxes below as a summary of the causes of your bankruptcy.

- | | |
|---|--|
| <input type="checkbox"/> Unemployment | <input type="checkbox"/> Inability to collect book debts |
| <input type="checkbox"/> Low income | <input type="checkbox"/> Overspending |
| <input type="checkbox"/> Ill health | <input type="checkbox"/> Speculation/Gambling |
| <input type="checkbox"/> Liability as a guarantor | <input type="checkbox"/> Proceedings for criminal/civil wrong doing, eg cheating, criminal breach of trust (CBT) |
| <input type="checkbox"/> Business failure | <input type="checkbox"/> Others. Please specify _____
_____ |

**PLEASE ELABORATE ON
THE CAUSES OF YOUR BANKRUPTCY**

Signature: _____

PART III

Statement of Assets and Liabilities as at the day of 19.....

		Estimated Realisable Value	
		S\$	Cts
1 ASSETS NOT CHARGED			
(a) Real Estates	A		
(b) Sundry Debtors	B		
(c) Cash at Bank & in Hand	C		
(d) Other Personal Assets	C		
(e) Business Assets	D		
2 ASSETS SECURED/CHARGED	E		
3 CONTINGENT ASSETS	F		
TOTAL ESTIMATED REALISABLE ASSETS			
LESS:			
4 PREFERENTIAL CLAIMS INCLUDING TAX	G		
5 CLAIMS SECURED BY ASSETS	H		
6 UNSECURED CLAIMS	I		
7 CONTINGENT CLAIMS	J		
TOTAL LIABILITIES			
ESTIMATED *DEFICIENCY/SURPLUS (Subject to costs of administration)			

Signature:

Signature:

Name of
Bankrupt:Name of
Bankrupt:

* Delete where applicable

Schedule B
SUNDRY DEBTORS (INCLUDING LOAN DEBTORS)

Notes: (1) Debtors to be listed in alphabetical order.
(2) To attach supporting invoices, delivery notes, judgments, agreements, etc.

S/N:

Debtor's Name:

NRIC/Passport/RCB No:

Debtor's Address:

\$

Amount Owed (Book Value): Currency

Realisable Value:

Contra Amount:

Date Debt Incurred:

Date of Judgment:

Suit No:

Status of Debt (Tick one box): Good Doubtful Bad

Explanation of Deficiency:

S/N:

Debtor's Name:

NRIC/Passport/RCB No:

Debtor's Address:

\$

Amount Owed (Book Value): Currency

Realisable Value:

Contra Amount:

Date Debt Incurred:

Date of Judgment:

Suit No:

Status of Debt (Tick one box): Good Doubtful Bad

Explanation of Deficiency:

Signature: _____

Made this 3rd day of July 1999.

GOH KIM LEONG
*Permanent Secretary,
Ministry of Law,
Singapore.*

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