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No. S 688

INSOLVENCY, RESTRUCTURING AND DISSOLUTION ACT 2018

INSOLVENCY, RESTRUCTURING AND DISSOLUTION (PERSONAL INSOLVENCY) (AMENDMENT) RULES 2023

In exercise of the powers conferred by section 448 of the Insolvency, Restructuring and Dissolution Act 2018, we, the Rules Committee, make the following Rules:

Citation and commencement

1. These Rules are the Insolvency, Restructuring and Dissolution (Personal Insolvency) (Amendment) Rules 2023 and come into operation on 1 November 2023.

Amendment of rule 28

2. In the Insolvency, Restructuring and Dissolution (Personal Insolvency) Rules 2020 (G.N. No. S 585/2020) (called in these Rules the principal Rules), in rule 28(1), replace “upon oath” with “on oath”.

Amendment of rule 46

3. In the principal Rules, in rule 46 —

(a) replace the rule heading with —

“Appointment of trustee of bankrupt’s estate”;
and

(b) replace paragraphs (1) and (2) with —

“(1) A person applying for a bankruptcy order must include in the bankruptcy application —

(a) where the Official Assignee has consented to be the trustee of the bankrupt’s estate —

the written consent of the Official Assignee; and

- (b) where the Official Assignee has not consented to be the trustee of the bankrupt's estate — an application for the appointment of a trustee in bankruptcy.”.

Deletion of rule 72

4. In the principal Rules, delete rule 72.

Amendment of rule 105

5. In the principal Rules, in rule 105(2), replace “Any” with “The Official Assignee and any”.

Amendment of rule 126

6. In the principal Rules, in rule 126 —
- (a) in the rule heading, replace “**Interrogatories**” with “**Examination on oath**”;
 - (b) in paragraph (a), replace “upon interrogatories or otherwise as it thinks fit” with “on oath”; and
 - (c) in paragraph (b), replace “upon oath” with “on oath”.

Amendment of First Schedule

7. In the principal Rules, in the First Schedule —
- (a) in Form PIR-4, replace both options for paragraph 8 (including the *Note* under each option for paragraph 8) with —

“8. The Official Assignee/[*the name of the licensed insolvency practitioner*] has consented to being appointed as trustee of the bankrupt's estate. [A copy of the licensed insolvency practitioner's licence is annexed.]

(*Note: A copy of the licensed insolvency practitioner's licence granted under section 53 of the Insolvency, Restructuring and Dissolution Act 2018 must be annexed if a licensed insolvency practitioner is being appointed as trustee of the bankrupt's estate.*)”;

(b) in Form PIR-4, delete paragraph 9 (including the *Note*);

(c) in Form PIR-10, after paragraph 5, insert —

“6. The Official Assignee/[*the name of the licensed insolvency practitioner*] has consented to being appointed as trustee of the bankrupt’s estate. [A copy of the licensed insolvency practitioner’s licence is annexed.]

(*Note*: A copy of the licensed insolvency practitioner’s licence granted under section 53 of the Insolvency, Restructuring and Dissolution Act 2018 must be annexed if a licensed insolvency practitioner is being appointed as trustee of the bankrupt’s estate.)”;

(d) in Form PIR-13, replace the **Notice to the Bankrupt** with —

“Notice to the Bankrupt

Upon written notification by the Official Assignee / trustee in bankruptcy*, please comply with the instructions contained in the written notification from the [Official Assignee / trustee in bankruptcy].

*Delete accordingly.”; and

(e) in Form PIR-14, replace the **Notice to the Bankrupt** with —

“Notice to the Bankrupt

Upon written notification by the Official Assignee / trustee in bankruptcy*, please comply with the instructions contained in the written notification from the [Official Assignee / trustee in bankruptcy].

*Delete accordingly.”.

[G.N. Nos. S 1039/2020; S 196/2022]

Made on 7 September 2023.

SUNDARESH MENON
Chief Justice.

LUCIEN WONG
Attorney-General.

TAY YONG KWANG
Justice of the Court of Appeal.

STEVEN CHONG
Justice of the Court of Appeal.

BELINDA ANG SAW EAN
Justice of the Court of Appeal.

WOO BIH LI
Judge of the Appellate Division.

VINODH COOMARASWAMY
Judge.

VINCENT HOONG SENG LEI
Presiding Judge of the State Courts.

CHRISTOPHER TAN PHENG WEE
*District Judge and Registrar of the
State Courts.*

SIRAJ OMAR, SC
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(To be presented to Parliament under section 448(3) of the
Insolvency, Restructuring and Dissolution Act 2018).