

# A Debtor's Journey



Financial  
Burden



Pre-  
Bankruptcy  
Application



Application for  
Bankruptcy Order



Post-  
Bankruptcy  
Application



Debt-Free

## What you may encounter

- Debt size of more than \$15,000
- Inability to pay bills and make ends meet
- Receipt of Statutory Demand from creditors

## What you could do

- Private settlement with creditors via consolidated debt repayment plans (if possible)
- **Voluntary arrangement**
- Seek legal advice at:
  - (A) Free Legal Clinics\*
    - Community Legal Clinics by Law Society
    - SMU Pro Bono Centre Legal Clinic
    - Community Justice Centre (CJC)– On-Site Legal Advice Scheme
  - (B) Subsidised Legal Clinic\*
    - Legal Aid Bureau

\* more information in slides 2-5

## Bankruptcy Application by Debtor

- Debtor files a bankruptcy application
- Debtor may seek assistance from CJC – Help Centre to file an application (see slide 6)

## Bankruptcy Application by Creditor

- Creditor files a bankruptcy application against the debtor

## The Result:

- Court determines if Debtor is to be assessed for the Debt Repayment Scheme (“DRS”); or
- A Bankruptcy Order is made

## DRS

- Debtor qualifies for DRS; or
- Bankruptcy**
  - Debtor did not qualify for DRS and the Official Assignee or a Private-Trustee-in-Bankruptcy is appointed as the administrator of the bankruptcy estate

For detailed process flow:

- DRS – Slide 7
- Bankruptcy – Slides 8-9

- Completion of DRS; or
- Discharge from Bankruptcy

# Pre-Bankruptcy Application

## **Community Legal Clinics by The Law Society of Singapore**

The Community Legal Clinics offers free legal advice (**by appointment only**) at the 4 locations below every Monday to Thursday (except public holidays and eves of public holidays).

### **Location:**

North West District:	Woodlands Civic Centre
South East District:	Wisma Geylang Serai
South West District:	The JTC Summit
Central District:	HDB Hub

### **Appointment Booking:**

Tel: 6536 0650

Email: [clc@lawsocprobono.org](mailto:clc@lawsocprobono.org)

### **For more information on the Community Legal Clinics:**

Visit the [Community Legal Clinics](#) website

*Please note that they only offer legal advice and **DO NOT** assist in filing of documents for bankruptcy should you decide to do so.*

# Pre-Bankruptcy Application

## **Singapore Management University Pro Bono Centre Legal Clinic**

The Singapore Management University (SMU) Pro Bono Centre offers free legal advice (**by appointment only**) every Friday evening, except on Public Holidays and during the months of April and November.

### **Location:**

Singapore Management University School of Law Pro Bono Centre  
55 Armenian Street, Basement 2 Singapore 179943

### **Appointment Booking:**

Tel: 6828 1951

Email: [probonocentre@smu.edu.sg](mailto:probonocentre@smu.edu.sg)

### **For more information on SMU Pro Bono Centre Legal Clinic:**

Visit the [\*SMU Pro Bono Centre Legal Clinic\*](#) website

*Please note that they only offer legal advice and **DO NOT** assist in filing of documents for bankruptcy should you decide to do so.*

# Pre-Bankruptcy Application

## **Community Justice Centre - On-Site Legal Advice Scheme (OSLAS)**

The On-Site Legal Advice Scheme provides a free and immediate legal advice (i.e. up to 20 minutes) to litigants-in-person who urgently need legal assistance. The clinic operates on a first-come, first-served basis (**no appointment required**).

### **Location:**

For General Matters (Monday to Friday)

Basement 1 of the State Courts Towers, 1 Havelock Square, Singapore 059724

AM session: 10am – 12:30pm

PM session: 2:30pm – 5pm

For Bankruptcy Matters (every Thursday only)

Level 1 of the Supreme Court, 1 Supreme Court Lane, Singapore 178879

AM session: 10am – 12:30pm

PM session: 2:30pm – 5pm

### **For more information on OSLAS:**

Visit the [Community Justice Centre - OSLAS](#) website

*Please note that they only offer legal advice and **DO NOT** assist in filing of documents for bankruptcy should you decide to do so.*

# Pre-Bankruptcy Application

## Legal Aid Bureau

The Legal Aid Bureau provides legal advice to Singaporeans and SPRs who require legal assistance. Please note that the applicant is required to pass both the Means and Merits tests first before legal aid can be granted.

### **Location:**

MinLaw Services Centre  
45 Maxwell Road  
07-11 The URA Centre (East Wing)  
Singapore 069118

### **Registration:**

Online registration of case at [LAB e-Services](#)

### **For more information on how to apply for legal aid:**

Visit the [Legal Aid Bureau](#) website

*Please note that they only offer legal advice and **DO NOT** assist in filing of documents for bankruptcy should you decide to do so.*

# Bankruptcy Application

## **Community Justice Centre – HELP (Helping to Empower Litigants-in-Person) Centre**

The HELP Centre provides directions in courts' procedures and processes. There are assistants who will be present to help the litigants-in-person with the preparation of court documents pertaining to Bankruptcy.

### **Location:**

Basement 1 of the State Courts Towers  
1 Havelock Square, Singapore 059724

### **Operating Hours (except Public Holidays):**

#### **Monday to Thursday**

AM session: 8:30am – 12:30pm

PM session: 1:30pm – 5:30pm

#### **Friday**

AM session: 8:30am – 12:30pm

PM session: 1:30pm – 5:00pm

### **For more information on HELP Centre:**

Visit the [\*Community Justice Centre – HELP Centre\*](#) website

# Debt Repayment Scheme (DRS)

*\*please note that a debtor is not automatically placed under DRS*

## 1) Bankruptcy Application (BA)

- Debtor/Creditor files a BA at High Court
- Payment: \$1,850 (by applicant) at SingPost counters
- Debtor attends Hearing, case is adjourned for DRS assessment
- Debtor receives a letter informing them of how to file his/her DRS submissions [see PDF for DRS filing]
- **MinLaw Service Centre provides a range of services, which include filing of documents, at an affordable fee (see [Price List](#))**

## 3) Creditors' Meeting

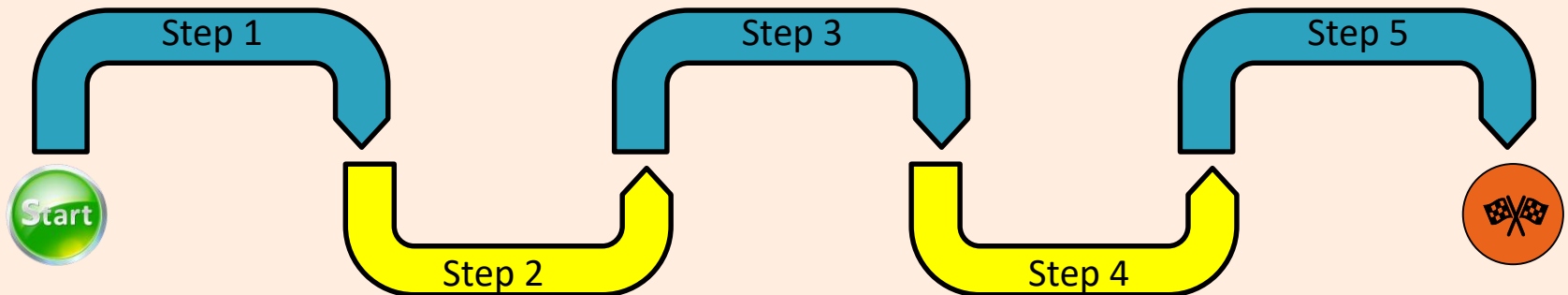
- Case is reviewed and a meeting is scheduled between debtor and case officer
- Debtor to pay review fee of \$250 before meeting

## 5) Completion of DRS

- Debtor completes the Debt Repayment Plan

*To note:*

*For debtors who did not complete the Debt Repayment Plan, the OA will issue a Certificate of Failure and any creditor from DRS may file a bankruptcy application against the said debtor subsequently.*



## 2) DRS Prelim Assessment

- Prelim assessment of whether debtor meets DRS criteria
- <https://io.mlaw.gov.sg/debt-repayment-scheme/information-for-debtors/>
- Debtor pays \$350 once prelim assessment is successful
- OA may take **up to 6 months** to assess the debtor's suitability for DRS

## 4) Commencement of DRS

- Annual Fee of \$300 to be paid
- Agreed monthly instalment to be paid
- Repayment plan to be signed by debtor

# Bankruptcy

## 1) Bankruptcy Application (BA)

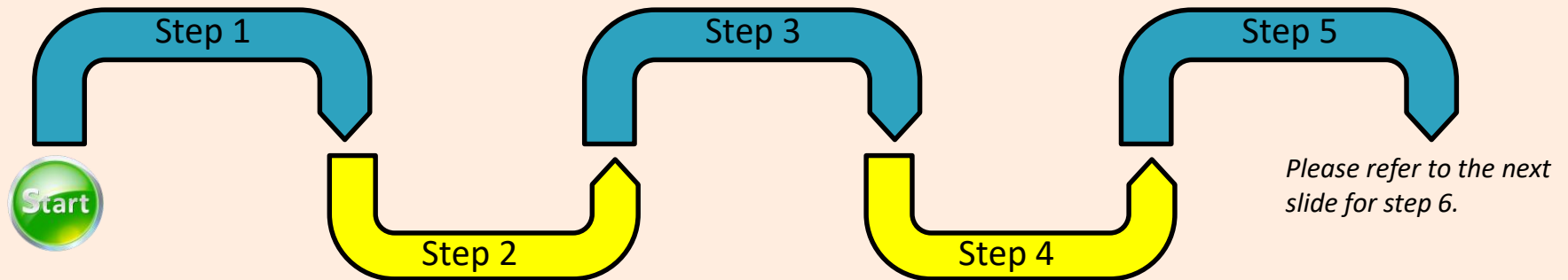
- Debtor/Creditor files a BA at Supreme Court
- Payment: \$1,850 (by applicant) at SingPost counters
- Debtor attends Hearing, case is adjourned for DRS assessment
- If case is **not suitable for DRS** (i.e. debt size is more than \$150,000), proceed to step 3

## 3) Resume of Adjourned Hearing

- Debtor adjudged a bankrupt
- Debtor will be informed by the Court if the OA or a Private-Trustee-in-Bankruptcy ("PTIB") is appointed as the administrator of his/her bankruptcy estate

## 5) Determination of MC & TC by PTIB/OA

- The PTIB/OA will determine the Monthly Contribution ("MC") and Target Contribution ("TC") based on the Statement of Affairs and supporting documents furnished by the bankrupt
- You are required to attend the MC & TC appointment by the PTIB/OA upon the determination of your MC & TC plan
- If you require to open a bank account, please submit the [Bank Application form](#) online for the OA's approval.



## 2) DRS Prelim Assessment

- Debtor failed the prelim assessment and deemed not suitable for DRS
- Debtor issued with a Certificate of non-qualification for DRS by the Official Assignee ("OA")

## 4) Filing of Statement of Affairs

- Bankrupt is required to file his/her Statement of Affairs via [Insolvent Person's Portal](#)
- Bankrupt is required to provide any supplementary information/documents (i.e. CPF statements, Income Tax statements, Employment Contract, Payslips, rental tenancy agreement etc)
- **If assistance is required, bankrupts can visit the MinLaw Service Centre where there are ehelpers to assist with a range of services, which include filing of documents, at an affordable fee (see [Price List](#))**
- Your administration date will be the date where your Statement of Affairs has been accepted by your administrator



## 7) Non-Compliance of OA's/PTIB's direction

- Failure to comply with the directions from the PTIB/OA may result in penalties/prosecution
- [Responsibilities and Rights of a Bankrupt](#)

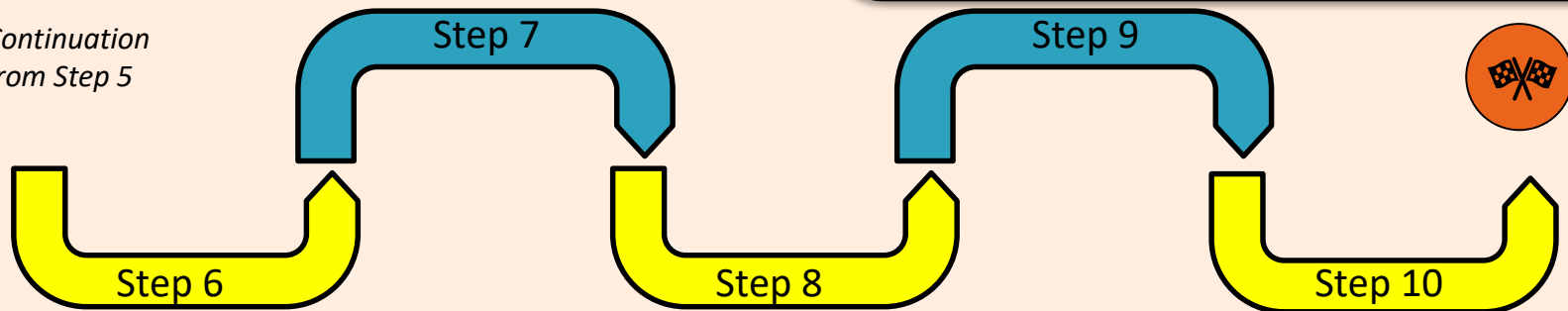
## 9) Meeting the Target Contribution "TC"

- PTIB/OA may take **up to 8 months** to process your discharge from bankruptcy **once your TC is met**. However, your tenure in bankruptcy may be extended if an Unauthorised Travel offence is committed.

### Objections raised by your creditors

- For cases where TC is met between 3<sup>rd</sup> and 5<sup>th</sup> year in bankruptcy (or 7<sup>th</sup> year for a repeat bankrupt), any objections raised will be assessed by the PTIB/OA.
- For cases where TC is met after 5<sup>th</sup> year (or 7<sup>th</sup> year for a repeat bankrupt), creditors may only object to the discharge application at the High Court.

Continuation  
from Step 5



## 6) Bankruptcy Administration

- The PTIB/OA will realise all your assets (i.e. Local and Overseas)
- Bankrupts may submit an application via [Insolvent Person's Portal](#) for the following:
  - Travel Application
  - HDB Application (more than \$500,000)
  - Directorship/Manage a business application
- All bankrupts are required to file the Statement of Moneys and Property Received (biannually/annually)

## 8) Legal Proceedings (i.e. divorce, damages etc)

- If there is a pending/new legal proceedings commenced by/against a bankrupt, save for divorce proceedings, he/she should seek a sanction from the OA before he/she can commence, continue or defend himself/herself in the said proceedings
- For parties commencing a suit against a bankrupt, you are required to apply for Leave of Court to commence, continue or defend a proceedings against or from a bankrupt

## 10) Discharge from Bankruptcy

- The PTIB/OA will issue a Certificate of Discharge by the Official Assignee or may apply to Court for an order of discharge upon conclusion of your bankruptcy administration
- You will be notified of the discharge application by the PTIB/OA in due course