

**30AB. Non-commencement of relevant period: trustee's application**

- (1) The trustee may apply to the court for a non-commencement order against a bankrupt if—
  - (a) the trustee has required the bankrupt to—
    - (i) attend an initial interview on a day appointed by the trustee for the administration of the bankrupt's estate; and
    - (ii) provide the trustee at the initial interview with information concerning the bankrupt's affairs, dealings and property;
  - (b) the bankrupt—
    - (i) has failed to attend the initial interview; or
    - (ii) has attended the initial interview, but failed to provide the trustee at the initial interview with all of the information concerning the bankrupt's affairs, dealings and property as reasonably required by the trustee; and
  - (c) the administration of the bankrupt's estate was prejudiced by the matter referred to in paragraph (b)(i) or (ii).
- (2) The trustee may apply for a non-commencement order within—
  - (a) a period of 6 months after the date of the bankruptcy order against the bankrupt; or
  - (b) a longer period specified by the court under subsection (3).
- (3) The court may, on the trustee's application (*extension application*), specify a longer period for the trustee to apply for a non-commencement order.
- (4) An extension application must be made within—
  - (a) the period referred to in subsection (2)(a); or
  - (b) (if the court has specified a longer period under subsection (3)) that longer period.
- (5) This section only applies to a bankrupt against whom a bankruptcy order is made on or after 1 November 2016.
- (6) To avoid doubt, a bankrupt has failed to attend an initial interview under subsection (1)(b)(i) if the bankrupt is not physically present before the trustee at the initial interview.

(Added 1 of 2016 s. 5)