

179. Discharge of costs, etc., before estate handed over to trustee

- (1) Where a bankruptcy order is made against a debtor and a trustee is appointed, the provisional trustee shall forthwith put the trustee into possession of all property of the bankrupt of which the provisional trustee may be possessed; provided that such trustee has, before the estate is handed over to him by the provisional trustee, discharged any balance due to the Official Receiver and provisional trustee on account of fees, costs and charges properly incurred by them and payable under the Ordinance, and on account of all advances properly made by them in respect of the estate, together with interest on such advances at the rate of 8 per cent per annum, and has discharged or undertaken to discharge all guarantees which have been given by the Official Receiver or provisional trustee for the benefit of the estate; and the trustee shall pay all fees, costs and charges of the Official Receiver and provisional trustee which may not have been discharged by the trustee before being put into possession of the property of the bankrupt and whether incurred before or after he has been put into such possession. *(L.N. 77 of 1998)*
- (2) The Official Receiver and provisional trustee shall be deemed to have a lien upon the estate until such balance has been paid and such guarantees and other liabilities have been discharged.
- (3) It shall be the duty of the provisional trustee, if so requested by the trustee, to communicate to the trustee all such information respecting the bankrupt and his estate and affairs as may be necessary or conducive to the due discharge of the duties of the trustee.

(L.N. 123 of 2007)