

27. Arrest of debtor under certain circumstances

- (1) The court may, by warrant addressed to any person or persons named therein, cause a debtor to be arrested, and any books, papers, money and goods in his possession or under his control or relating to his affairs to be seized, and him and them to be safely kept as prescribed until such time as the court may order under the following circumstances—
- (a) if after presentation of a bankruptcy petition by or against him, it appears to the court that there is probable cause for believing that he has absconded, or is about to abscond, with a view of avoiding payment of a debt, or of avoiding service of a bankruptcy petition, or of avoiding appearance to any such petition, or of avoiding examination in respect of his affairs, or of otherwise avoiding, delaying or embarrassing proceedings in bankruptcy against him;
 - (b) if, after presentation of a bankruptcy petition by or against him, it appears to the court that there is probable cause for believing that he is about to dispose of or remove his goods with a view to preventing or delaying possession being taken of them by the Official Receiver or trustee, or that there is probable ground for believing that he has concealed or is about to conceal or destroy any of his goods or any books, documents or writings which might be of use to his creditors in the course of his bankruptcy;
 - (c) if, after service of a bankruptcy petition on him or after a bankruptcy order is made against him he removes any goods in his possession above the value of \$50 without the leave of the Official Receiver or trustee; (*Amended 37 of 1950 Schedule*)
 - (d) if without good cause shown he fails to attend any examination ordered by the court;
 - (e) if there is probable cause for believing that he has committed an offence punishable under this Ordinance. (*Amended 76 of 1996 s. 18*)
- (2) No payment or composition made or security given after arrest made under this section shall be exempt from the provisions of this Ordinance relating to unfair preferences.

(*Amended 76 of 1996 ss. 18 & 73*)

[*cf. 1914 c. 59 s. 23 U.K.*]