

**20D. Nominee's report on debtor's proposal**

- (1) Where an interim order has been made on an application under section 20A, the nominee shall, before the order ceases to have effect, submit a report to the court stating—
  - (a) whether, in his opinion, a meeting of the debtor's creditors should be summoned to consider the debtor's proposal; and
  - (b) if in his opinion such a meeting should be summoned, the date on which, and time and place at which, he proposes the meeting should be held.
- (2) For the purpose of enabling the nominee to prepare his report the debtor shall submit to the nominee—
  - (a) a document setting out the terms of the voluntary arrangement which the debtor is proposing; and
  - (b) a statement of his affairs containing—
    - (i) such particulars of his creditors and of his debts and other liabilities and of his assets as may be prescribed; and
    - (ii) such other information as may be prescribed.
- (3) The court may, on an application made by the debtor or the nominee in a case where the nominee has failed to submit the report required by this section, direct that the interim order shall continue, or (if it has ceased to have effect) be renewed, for such further period as the court may specify in the direction.
- (4) If the court is satisfied on receiving the nominee's report that a meeting of the debtor's creditors should be summoned to consider the debtor's proposal, the court shall direct that the period for which the interim order has effect shall be extended, for such further period as it may specify in the direction, for the purpose of enabling the debtor's proposal to be considered by his creditors.
- (5) The court may discharge the interim order if it is satisfied, on the application of the nominee—
  - (a) that the debtor has failed to comply with his obligations under subsection (2); or
  - (b) that for any other reason it would be inappropriate for a meeting of the debtor's creditors to be summoned to consider the debtor's proposal.

*(Added 76 of 1996 s. 13)*