

**30AC. Non-commencement of relevant period: court order and trustee's notice**

- (1) On an application made by the trustee under section 30AB(1), the court may approve the application and make a non-commencement order against the bankrupt if it—
  - (a) is satisfied by the trustee as to the matters mentioned in section 30AB(1)(a), (b) and (c); and
  - (b) is not satisfied by the bankrupt that there is sufficient cause for the order not to be made.
- (2) A non-commencement order—
  - (a) must—
    - (i) specify that the relevant period for the bankrupt is treated as not commencing to run on the date of the bankruptcy order; and
    - (ii) specify one or more terms that the bankrupt must comply with before the relevant period is to commence to run; and
  - (b) may specify any other terms the court thinks fit.
- (3) If the terms specified under subsection (2)(a)(ii) are complied with by the bankrupt, the trustee must, within 14 days after the date on which all such terms are complied with—
  - (a) file with the Registrar a notice stating that fact and the date on which all such terms are complied with; and
  - (b) send a copy of the notice to—
    - (i) the bankrupt; and
    - (ii) (where the trustee is not the Official Receiver) the Official Receiver.
- (4) On the trustee's filing of the notice mentioned in subsection (3)(a), the relevant period is treated as commencing to run on the date stated in the notice under that subsection.
- (5) This section is without prejudice to any power of the court to annul a bankruptcy order.

*(Added 1 of 2016 s. 5)*