

138. Order by court for prosecution on report of trustee

Where the Official Receiver or a trustee in a bankruptcy reports to the court that in his opinion a bankrupt who has been adjudged bankrupt has been guilty of any offence under this Ordinance, or where the court is satisfied upon the representation of any creditor or member of the creditors' committee that there is ground to believe that the bankrupt has been guilty of any such offence, the court shall, if it appears to the court that there is a reasonable probability that the bankrupt will be convicted and that the circumstances are such as to render a prosecution desirable, order that the bankrupt be prosecuted for such offence, but no such order shall be a condition antecedent to any prosecution under this Ordinance.

(Amended 33 of 1939; G.N. 840 of 1940 Supp. Schedule; 76 of 1996 ss. 63, 72 & 74)

[cf. 1914 c. 59 s. 161 U.K.; 1926 c. 7 s. 8 U.K.]