

91. Report or affidavit of trustee

- (1) Where the bankrupt makes an application under section 30B of the Ordinance, the trustee shall, at least 21 days before the date fixed for the hearing of the application, file in court, where the trustee—
 - (a) is the Official Receiver, a report; or
 - (b) is not the Official Receiver, an affidavit,
containing the following information with respect to the bankrupt—
 - (i) any failure by him to comply with his obligations under the Ordinance;
 - (ii) the circumstances surrounding the present bankruptcy, and those surrounding any previous bankruptcy of his;
 - (iii) the extent to which, in the present and in any previous bankruptcy, his liabilities have exceeded his assets; (*1 of 2016 s. 11*)
 - (iv) particulars of any distribution which has been, or is expected to be, made to creditors in the present bankruptcy or, if such is the case, that there has been and is to be no distribution; and (*1 of 2016 s. 11*)
 - (v) particulars of any non-commencement order against the bankrupt, (*1 of 2016 s. 11*)and the trustee shall include in his report or affidavit any other matters which in his opinion ought to be brought to the court's attention.
- (2) The trustee shall send a copy of the report or affidavit to the bankrupt so as to reach him at least 14 days before the date of the hearing of the application under section 30B of the Ordinance.
- (3) The bankrupt may, not later than 7 days before the date of the hearing, file in court a notice specifying any statements in the trustee's report or affidavit that he intends to deny or dispute and, where he does so, he shall send a copy of it, not less than 4 days before the date of the hearing, to the trustee.
- (4) The trustee and any creditor may appear on the hearing of the bankrupt's application, and may make representations and put to the bankrupt such questions as the court may allow.

(*L.N. 77 of 1998*)