

23. Provisions where person other than Official Receiver is appointed trustee

- (1) Where in a bankruptcy a person other than the Official Receiver is appointed trustee, that person—
 - (a) shall not be capable of acting as trustee until he has notified his appointment to the Official Receiver and given security as provided in subsection (2)(a) to the satisfaction of the Official Receiver;
 - (b) shall give the Official Receiver such information and such access to and facilities for inspecting the books and documents of the bankrupt, and generally such aid as may be requisite for enabling the Official Receiver to perform his duties under this Ordinance.
(Amended 18 of 2005 s. 10)
- (2) In the case of a trustee other than the Official Receiver, the following provisions as to security shall have effect, namely—
 - (a) the security shall be given to the Official Receiver in such manner as he may from time to time direct;
 - (b) it shall not be necessary that security shall be given in each separate bankruptcy; but security may be given either specially in a particular bankruptcy, or generally, to be available for any bankruptcy in which the person giving security may be appointed, as trustee;
 - (c) the Official Receiver shall fix the amount and nature of such security, and may from time to time, as he thinks fit, either increase or diminish the amount of special or general security which any person has given;
 - (d) the cost of furnishing the required security by a trustee, including any premiums which he may pay to a guarantee society, shall be borne by him personally, and shall not be charged against the assets of the estate as an expense incurred in the bankruptcy.

(Replaced 76 of 1996 s. 14)