

Bankruptcy (Amendment) Bill 2015
Debate and voting arrangements

- Main object of the Bill :** To amend the Bankruptcy Ordinance (“BO”) (Cap. 6) and its subsidiary legislation to:
- (a) abolish the regime under section 30A(10) of BO for the suspension of the relevant period for a bankrupt under section 30A(1) of BO; and
 - (b) set up a new regime under which the relevant period may be treated, pursuant to a court order (i.e. non-commencement order), as not commencing to run on the date of the bankruptcy order.

First debate	: Clauses with no amendment – Clauses 1, 2, 3, 6 to 12 and 14
Voting	: To vote on the above clauses standing part of the Bill
Second debate	: Clauses with amendments proposed by the Secretary for Financial Services and the Treasury – Clauses 4, 5, 13 and 15
Joint debate on the original clauses and the amendments.	
<p>Clause 4</p> <ul style="list-style-type: none"> - In the light of the ruling of the Court of Final Appeal that section 30A(10)(a) of BO is unconstitutional, to delete the reference to subsection (10)(a) and (b)(ii) in the proposed section 30A(10A) and substitute it with the reference to subsection (10)(b)(ii) to the effect that only section 30A(10)(b)(ii) of BO as in force immediately before 1 November 2016, which is the commencement date of the Bankruptcy (Amendment) Bill 2015, continues to apply to a bankrupt against whom a bankruptcy order has been made before that date. <p>Clause 5</p> <ul style="list-style-type: none"> - To amend the proposed section 30AB to specify that a bankrupt has failed to attend the initial interview under section 30AB(1)(b)(i) if the bankrupt is not physically present before the trustee at the initial interview. <p>Clause 13</p> <ul style="list-style-type: none"> - In the proposed amendments to the Bankruptcy (Forms) Rules, to make technical amendments to the reference to the non-commencement order added to the index of Forms, and the heading of the proposed Forms 82A and 82B and the references therein, so as to enhance the clarity of such references. <p>Clause 15</p> <ul style="list-style-type: none"> - To make a textual amendment to the Chinese text of the proposed item 6A to align the meanings of the relevant Chinese and English texts. 	
Voting	: To vote on the above amendments together, and then the original clauses or the clauses as amended standing part of the Bill

Secretary for Financial Services and the Treasury’s amendments
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