

SCHEDULES

SCHEDULE 7

INDIVIDUAL VOLUNTARY ARRANGEMENT

Annulment of bankruptcy on making of voluntary arrangement

1. For Article 235 of the 1989 Order (effect of voluntary arrangement: undischarged bankrupt) substitute—

“Additional effect on undischarged bankrupt

235.—(1) This Article applies where—

- (a) the creditors' meeting summoned under Article 231 approves the proposed voluntary arrangement (with or without modifications), and
- (b) the debtor is an undischarged bankrupt.

(2) Where this Article applies the High Court shall annul the bankruptcy order on an application made—

- (a) by the bankrupt, or
- (b) where the bankrupt has not made an application within the prescribed period, by the official receiver.

(3) An application under paragraph (2) may not be made—

- (a) during the period specified in Article 236(3)(a) during which the decision of the creditors' meeting can be challenged by application under Article 236,
- (b) while an application under that Article is pending, or
- (c) while an appeal in respect of an application under that Article is pending or may be brought.

(4) Where this Article applies the Court may give such directions about the conduct of the bankruptcy and the administration of the bankrupt's estate as it thinks appropriate for facilitating the implementation of the approved voluntary arrangement.”.