

SCHEDULES

SCHEDULE 1

DETERMINATION OF AMOUNT OF CREDITOR'S CLAIM

Claims for aliment and periodical allowance on divorce

- 2 (1) A person entitled to aliment, however arising, from a living debtor as at the date of sequestration, or from a deceased debtor immediately before his death, shall not be entitled to include in the amount of his claim—
- (a) any unpaid aliment for any period before the date of sequestration unless the amount of the aliment has been quantified by court decree or by any legally binding obligation which is supported by evidence in writing, and, in the case of spouses (or, where the aliment is payable to a divorced person in respect of a child, former spouses) they were living apart during that period ;
 - (b) any aliment for any period after the date of sequestration.
- (2) Sub-paragraph (1) above shall apply to a periodical allowance payable on divorce—
- (a) by virtue of a court order ; or
 - (b) under any legally binding obligation which is supported by evidence in writing,
- as it applies to aliment and as if for the words from " in the case " to " they " there were substituted the words " the payer and payee " .