

## SCHEDULE 1

### PROVISIONS OF THE ACT APPLYING WITH RELEVANT MODIFICATIONS TO THE ADMINISTRATION IN BANKRUPTCY OF INSOLVENT ESTATES OF DECEASED PERSONS DYING BEFORE PRESENTATION OF A BANKRUPTCY PETITION

#### PART III

##### PROVISIONS OF PART VIII OF THE ACT RELATING TO INDIVIDUAL VOLUNTARY ARRANGEMENTS

The following provisions of the Act shall apply where the court has made an interim order under section 252 of the Act in respect of an individual who subsequently dies:—

1. Section 256 with the modification that where the individual dies before he has submitted the document and statement referred to in subsection (2), after subsection (1) there shall be added the following subsections:—

“(1A) The nominee shall after the death of the individual comes to his knowledge give notice to the court that the individual has died.

(1B) After receiving such a notice the court shall discharge the order mentioned in subsection (1) above.”.

2. Section 257 with the modification that where the individual dies before a creditors' meeting has been held then no such meeting shall be held and, if the individual was at the date of his death an undischarged bankrupt, the personal representative shall give notice of the death to the trustee of his estate and the official receiver.

3. Sections 258 and 259.

4. Sections 260 to 262 with the modification that they shall cease to apply on or after the death of the individual.

5. Section 263 with the modification that where the individual dies after a voluntary arrangement has been approved, then —

(a) in subsection (3), for the words “debtor, any of his” there shall be substituted the words “personal representative of the deceased debtor, any of the deceased debtor's”; and

(b) the supervisor shall give notice to the court that the individual has died.