

REPUBLIC OF TRINIDAD AND TOBAGO

The Bankruptcy and Insolvency Act, 2007
FORM 36
(Section 93(1)(b) of the Act and Regulation 52)

NOTICE OF BANKRUPTCY, FIRST MEETING OF CREDITORS

(Where the bankrupt is an individual, add:)

and Impending Automatic Discharge of Bankrupt

(Section 145(i)(i)(ii) of the Act and Regulation 58)

Original **Amended**

Take notice that:

1. _____ *(name of bankrupt)* filed *(or was deemed to have filed)* an assignment *(or a bankruptcy order was made against* _____ *(name of bankrupt))* on the _____ day of _____, and the undersigned, _____ *(name of trustee)*, was appointed as trustee of the estate of the bankrupt by the Supervisor *(or the Court)*; subject to affirmation by the creditors of the trustee's appointment or substitution of another trustee by the creditors.
2. The first meeting of creditors of the bankrupt will be held on _____ *(date)*, at _____ *(time)* at the office of _____ *(meeting office)*, at _____ *(address of meeting office)*.
3. To be entitled to vote at the meeting, a creditor must file with the trustee, before the meeting, a proof of claim and, where necessary, a proxy.
4. Enclosed with this notice are a proof of claim form, proxy form and list of creditors with claims amounting to \$100 or more showing the amounts of their claims.
5. Creditors must prove their claims against the estate of the bankrupt to share in any distribution of the proceeds realized from the estate.

(Where the bankrupt is an individual, include paragraphs 6, 7, 8, 9 and 10)

6. Included pursuant to section 93(3) of the Act is information concerning the financial situation of the bankrupt and the obligation of the bankrupt to make payments to the estate of the bankrupt, as required under section 53 of the Act.

The following, if applicable:

7. Pursuant to section 160 of the Act, the bankrupt will be given an automatic discharge on the _____ day of _____, unless the Supervisor, the trustee of the estate of the bankrupt or a creditor of the bankrupt gives notice of intended opposition to the discharge of the bankrupt before that date.

(Check appropriate provision in respect of the bankrupt's discharge)

In the case of an individual who has never before been bankrupt:

- on the expiry of 9 months after the date of bankruptcy;
- on the expiry of 21 months after the date of bankruptcy where the bankrupt is required to make payments under section 53 of the Act to the estate.

In the case of an individual who has been a bankrupt one time before:

- on the expiry of 24 months after the date of bankruptcy;
- on the expiry of 36 months after the date of bankruptcy where the bankrupt is required to make payments under section 53 of the Act to the estate.

8. Any creditor who intends to oppose the discharge of the bankrupt shall state in writing the grounds for his/her opposition and send a notice to this effect to the office of the Supervisor, the trustee of the estate of the bankrupt and the bankrupt at any time before the ____ day of _____.
(Insert the same date as in item 7)

9. If any creditor opposes the discharge of the bankrupt, a court fee applies.

10. If the discharge of the bankrupt is opposed, the trustee will apply to the Court without delay for an appointment for the hearing of the opposition in accordance with the Act unless it is a matter to be dealt with by mediation pursuant to section 163(4) of the Act.

Dated at _____, this _____ day of _____.

Trustee