

Bankruptcy Legislation Amendment Act 2010 (No.106)

The Bankruptcy Legislation Amendment Bill 2009 received the Royal Assent on 14 July 2010.

This means there will be significant changes to several aspects of personal insolvency law under the *Bankruptcy Act 1966* in accordance with the following table:

Schedule and Contents	Summary of provisions	Commencing
Schedule 1 Registered Trustee Remuneration	Minimum remuneration entitlement increased to \$5,000 New remuneration approval and review procedures	Upon Proclamation 1 October
Schedule 2 Offences	Increased penalties Infringement Notice scheme Increased investigation powers	Upon Proclamation 1 October
Schedule 3 Bankruptcy Districts.	Removal from Act	Day after the Act receives Royal Assent 15 July
Schedule 4 Part 1 Increase in minimum debt to support a Bankruptcy Notice and Creditor's Petition	Change to Bankruptcy Notice and Creditor's Petition provisions increasing the minimum debt from \$2,000 to \$5,000	28 days after Royal Assent 11 August
Schedule 4 Part 2 Declaration of Intention	Declaration of Intention Stay period – change from 7 to 21 days Declaration of Intent to be accompanied by Statement of Affairs (s54A) Notification of creditors (s54C)	Upon Proclamation 1 October

Please note that the proposed amendments to increase the eligibility thresholds for debt agreements by 20% were removed.

Information sessions for external stakeholders on how these changes will work in practice have been distributed to stakeholders. For session dates and a nomination form contact Ms Smitha Shankar (02 6270 3406) Smitha.Shankar@itsa.gov.au

Once your nomination is received the venue and time of session will be confirmed with you. **Nominations are due by Thursday 12 August 2010.**