



Insolvency (Personal Insolvency) Amendment Regulations 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 29th day of July 2019

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 441(1)(n), (v), and (x) of the Insolvency Act 2006 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Insolvency (Personal Insolvency) Amendment Regulations 2019.

2 Commencement

These regulations come into force on 2 March 2020.

3 Principal regulations

These regulations amend the Insolvency (Personal Insolvency) Regulations 2007 (the **principal regulations**).

4 Regulation 3 replaced (References to Insolvency Act 2006)

Replace regulation 3 with:

3 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

Act means the Insolvency Act 2006

New Zealand Business Number means the number allocated to an entity under the New Zealand Business Number Act 2016.

- (2) In these regulations, unless otherwise stated, a reference to a section is a reference to a section of the Act.

5 Regulation 6 amended (Debtor's statement of affairs)

After regulation 6(2)(e), insert:

(ea) the debtor's New Zealand Business Number (if any):

6 Regulation 44 amended (Application for summary instalment order)

After regulation 44(4)(d), insert:

(da) the debtor's New Zealand Business Number (if any):

7 Regulation 65 amended (Application for entry to no asset procedure)

After regulation 65(2)(d), insert:

(e) the debtor's New Zealand Business Number (if any).

8 Regulation 70 replaced (Additional information in public registers)

Replace regulation 70 with:

70 Additional information in public registers

For the purpose of section 449(1)(o), a public register maintained under section 62, 354, or 368 must contain the following information in relation to a person

who is or has been bankrupt, or who is subject to a current summary instalment order, or who is currently admitted to the no asset procedure, or who has been discharged from that procedure under section 377:

- (a) the year and month of birth of the person; and
- (b) the person's New Zealand Business Number (if any).

70A Search criteria for public registers

For the purpose of section 453(1)(g), the public registers may be searched by reference to the New Zealand Business Number (if any) of any of the following:

- (a) a person who is or has been bankrupt:
- (b) a person who is subject to a current summary instalment order:
- (c) a person who is currently admitted to the no asset procedure:
- (d) a person who has been discharged from the no asset procedure under section 377.

Rachel Hayward,
for the Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 2 March 2020, amend the Insolvency (Personal Insolvency) Regulations 2007.

These regulations make the following changes:

- a New Zealand Business Number, if there is one, must be provided on a debtor's statement of affairs, a bankrupt's statement of affairs, an application for a summary instalment order, and an application for entry to the no asset procedure:
- the public registers that are maintained under the Insolvency Act 2006 must include, as part of the information they contain, a New Zealand Business Number (if any). In addition, a public register maintained under section 368 of that Act must contain the year and month of birth of a person discharged from the no asset procedure under section 377 (which is consistent with the position for a discharged bankrupt person):
- the public registers that are maintained under the Insolvency Act 2006 may be searched by reference to a New Zealand Business Number (if any).

**Insolvency (Personal Insolvency) Amendment
Regulations 2019**

2019/164

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 1 August 2019.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

Wellington, New Zealand:

Published under the authority of the New Zealand Government—2019