



INSOL
INTERNATIONAL

ASIA HUB

**Insolvency (Webinar) Training for
Brunei Courts, AGC, Law Society, Banks and Financial Regulators (2022)**

Thursday, September 8, 2022	DAY 1 Program AM: Personal Insolvency – The Singapore Experience
8:20 – 8:35 am	Technical check for speakers
8:35 – 8:45 am	Participants log in
	OPENING
8:45 – 8:50 am	Introduction to speakers
8:50 – 9:00 am	Opening Remarks by Hon. Chief Justice, Brunei Supreme Court
9:00 – 9:10 am	Welcome Remarks by Justice Kannan Ramesh, Singapore Supreme Court
	TECHNICAL PROGRAM
9:10 – 10.20 am	<ol style="list-style-type: none">1. Introduction to Singapore’s bankruptcy legislation and its development (Insolvency, Restructuring and Dissolution Act 2018 (“IRDA”); cf Bankruptcy Act (Chapter 20) (Repealed)2. From Bankruptcy Application to the making of Bankruptcy Order
Karen Tan & Kala Selvi Rengasamy	Q & A (5 mins)
	<ol style="list-style-type: none">3. Introduction to the Debt Repayment Scheme (“DRS”)4. Bankruptcy Order (Overview of general administration; Pre-DDF; DDF)5. Duties of the Official Assignee (“OA”)/Trustee (Pre-DDF; DDF)6. Duties of the bankrupt (General duties, obligations, and disabilities)7. Duties of the trustee under the DDF regime (statutory timelines)
10.20 – 10:35 am	Break
10:35 – 11.40 am	<ol style="list-style-type: none">8. Benefits of the DDF regime (differences between pre-DDF and DDF)9. Drawbacks of the DDF regime [Under declaration of income; creditors objecting to the discharge seeking to keep the bankrupt in bankruptcy longer for punitive purposes; appeals in relation to monthly and target contributions (“MCTC”)]10. MCTC (How the plans are drawn up; factors that are taken into consideration)11. Repeat bankruptcy and double bankruptcy12. Dealing with assets (Pre-DDF; DDF)13. Exiting from bankruptcy (approaches and law on discharge/annulment)14. Effect of an exit from bankruptcy (Discharge/Annulment)15. Relevant case law on bankruptcy16. E-services provided to debtors, bankrupts, creditors, and Private Trustees in bankruptcy
Kala Selvi Rengasamy & Christopher Eng	
11.40 -12:00 noon	Q&A/Close

**Insolvency Webinar Training for
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Thursday, September 8, 2022	DAY 1 Program PM: Personal Insolvency – The Australian Experience
12:30 –12:45 pm 12:45 – 1:00 pm 1:00 – 1:05 pm	Technical check for speakers Participants re-join Introduction to speakers
	TECHNICAL PROGRAM
1.05-1.50 pm	<p>Part 1 Overview of the Australian personal insolvency law</p> <ol style="list-style-type: none"> 1. Constitution 2. Corporate vs Personal 3. History of Bankruptcy legislation 4. Hybrid system – Courts working with administrative decision making 5. Outline of Bankruptcy Act 1966 6. 6. 'Fresh start' philosophy and practice 7. Case law – significant developments 8. Interaction of Bankruptcy law with other legislation
Paul Shaw	
1.50 – 2.00 pm	Q&A
2:00 – 2:15 pm	Break
2.15 – 3.00 pm	<p>Part 2 Overview of AFSA's role</p> <ol style="list-style-type: none"> 1. Outline of establishment as Executive Agency – structure/size and resourcing 2. Policy (AGD)/operational split 3. Statutory roles – Official Trustee and Official Receiver 4. Statutory roles – Inspector-General in Bankruptcy 5. Firm and Fair regulator 6. Law reform process/issues
Matthew Osborne	
3.00 – 3.10 pm	Q&A



**Insolvency Webinar Training for
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Thursday, September 8, 2022	DAY 1 Program PM: Personal Insolvency – The Australian Experience Contd...
	TECHNICAL PROGRAM
3.10 – 3.55pm	Part 3 Specific issues and Questions <ol style="list-style-type: none">1. Discharge/fresh start - how to do it, when, what debts survive (e.g. family support) etc.2. Treatment of consumer vs. trade debt. Can non-traders become bankrupt? Priority of debts: trade and personal debts of unincorporated entities. Treatment of personal guarantees.3. Procedural aspects, in particular do you deal with natural persons in a similar process as with companies or radically different?4. Institutional aspects (court vs. administrative process or other means of dealing with the bulk of the process.),5. Anti -abuse -repeat offenders, debt avoidance, degree of investigation required.
Paul Shaw & Matthew Osborne	
3.55 – 4.00 pm	Closing

**Insolvency Webinar Training for
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Thursday, September 22, 2022	DAY 2 Program Current Trends and Practice in Restructuring
8:25 – 8:40 am	Technical check for speakers
8:40 – 8:50 am	Participants log in
	PROGRAM
9:00 – 9:05 am	Introduction to Speakers
9:05 – 9:40 am	Developments in Insolvency and Restructuring Law Challenges in Cross Border Cases UNCITRAL Model Law on Cross Border Insolvency UNCITRAL Legislative Guide on Insolvency Recognition of cross border schemes – different approaches UNCITRAL Model Law on Enterprise Group Insolvency UNCITRAL Model Law on Insolvency Related Judgments
Neil Cooper	
9:40 – 9:50 am	Q&A
9:50 – 10:05 am	Break
10:05 – 10:50 am	Insolvency v Restructuring – ‘what’s the buzz with restructuring’ – available tools Out of Court Workouts Pre-packs and expedited proceedings, and DIP financing Schemes and cross-class cramdowns The role of courts in approving schemes and compositions - options available
Prof Aurelio Martinez	
10:50 -11:00 am	Q&A
11:00- 11:40 am	Regional developments a) Trends and Developments – Singapore/Australia – safe harbour rules to encourage restructuring b) Focus on financial risks and trends in the insolvency system – what is being observed and what proposals for reform to keep abreast with trends
Scott Atkins	
11:40 – 12:00 noon	Q&A & Closing



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Thursday, September 29, 2022	DAY 3 Program MSME Insolvency
8:25 – 8:40 am	Technical Check for speakers
8:40 – 8:50 am	Participants log in
	PROGRAM
9:00 – 9:05 am	Introduction to speakers
9:05 – 9:40 am Andres Martinez	World Bank Principles for Treatment of MSME Insolvency 2017 Report on Treatment of MSMEs Insolvency
9:40 – 9:50 am	Q&A
9:50 – 10:05 am	Break
10:05 – 10:40 am Harold Foo	UNCITRAL Working Group V Developing the legislative guidance on how to implement an MSME process Key features of MSME insolvencies
10:40 – 10:50 am	Q&A
10:50 – 11:05 am	Break
11:05 – 11:45 am David Chew	Specific legislation for simplified track for winding up or restructuring Spotlight on Singapore legislation
11:45 – 12:00 noon	Q&A/Closing