

# **DISCHARGE FROM BANKRUPTCY GUIDEBOOK**

Court of Queen's Bench  
(Manitoba)

For information purposes only  
November 2017

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**Student Loans:** The following link will bring you to a British Columbia website. The information is consistent with Manitoba process but you will need to use Manitoba forms. You may call 204-945-5384 to obtain copies of the forms.

<http://www.supremecourtbc.ca/sites/default/files/web/Bankruptcy-Student-Loan.pdf>

# Discharge from Bankruptcy

## Introduction

This guidebook is for people who have declared bankruptcy but

- (a) have not been granted a discharge from bankruptcy; and
- (b) whose trustee has been discharged or for some other reason is not prepared to assist you with another discharge application.

Once your trustee has fulfilled his or her duties under the Bankruptcy and Insolvency Act with respect to the administration of your property, your trustee **MUST** apply for their discharge upon completion of the administration of your bankruptcy. The trustee's discharge may occur even if you did not receive your discharge from bankruptcy. Your trustee may have reached this point shortly after bringing forward your first application for discharge.

If you were not granted a discharge on a previous application, you are an undischarged bankrupt and your trustee is not responsible for making another application for your discharge. This is up to you. However you should check with your trustee first as the trustee may or may not be prepared to assist you.

This guidebook will help you make your application for discharge from bankruptcy if you

are an undischarged bankrupt and your trustee is not prepared to assist you.

Although there are some exceptional circumstances, most bankrupts receive an automatic discharge unless there is an opposition to their discharge being automatic. If there is such an opposition, then the discharge application must be heard by the court. If there are things you failed to do, for example, not providing income and expense statements, attending the required counselling sessions, and/or paying your surplus income, your trustee opposed your receiving an automatic discharge and scheduled your discharge application to be heard by the court. Often the reasons for the opposition are set out in a Report of Trustee on Bankrupt's Application for Discharge, which document is on file with the court.

In most cases where a bankrupt does not receive a discharge at the time of the court application, it is because they still have not done what is required. The registrar who heard the application at court may have therefore adjourned the application (i.e. stated it was to be heard at a time in the future – a date may or may not have been set), or the registrar may have stated conditions that had to be met before you were entitled to a discharge. The court would have completed a disposition sheet

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This Guidebook provides general information about consumer bankruptcies in the Court of Queen's Bench for Manitoba. It does not explain the law. Legal advice must come from a lawyer, who can tell you why you should do something in your bankruptcy. Anyone else, such as court registry staff, non-lawyer advocates, other helpers, and this guidebook can only give you legal information about how to do something, such as following certain court procedures.

Standards are in effect for the filing of Court of Queen's Bench court documents. When you submit your completed documents, registry staff will check to make sure they meet the minimum standards before accepting them for filing. It is your responsibility to include all other information required by the court and ensure it is correct.

at the time of the hearing and it will state whether the discharge application was adjourned or whether the court imposed any conditions on you.

It is not uncommon for individuals who did not do what is required in the first instance to try to get back on track and do what is required to obtain their discharge. You must, to the best of your ability, comply with your duties under the Bankruptcy and Insolvency Act, and be prepared to explain to the court the reason for any deficiency. For example, if you are not able to provide the court with the details and evidence of your income and expenses during the entire period of your bankruptcy, then the court may want to review your income tax returns for that period. If the court imposed conditions, you must have complied with those conditions to the best of your ability. If the conditions were not complied with as required, you may consider an application to vary or rescind the conditions. For example, if the court ordered that you pay a certain sum of money to the trustee by a certain date, and you have made the payment but not by the date required, you may apply to the court to vary this date.

## **Preparing your own application for discharge**

The following information will help you if you are making a court application for your discharge from bankruptcy without the assistance of the trustee or a lawyer.

The first step is to locate your bankruptcy file at the court registry. You must look through your file and find:

- your bankruptcy file number;
- the trustee's report (also called a section 170 report, a S170 report, or a Report of Trustee on

Bankrupt's Application for Discharge);

- a copy of any order that was made at the previous discharge hearing; and
- the disposition sheet prepared by the court at any previous discharge hearing.

If you want copies of any of these documents you can ask the registry to make copies for you. You will have to pay a fee for photocopying.

You should review the Report of the Trustee, the court's disposition sheet, and any court order, to determine what you have failed to do and what conditions, if any, that the court has imposed. In addition, you need to determine who attended at your last application for discharge.

You must book a date for the hearing of your discharge application with the bankruptcy co-ordinator.

You will need to prepare the following documents. Examples of the forms are attached to this guidebook.

- Requisition (Notice of Hearing for Bankrupt's Application for Discharge);
- an Affidavit of Service;
- your affidavit, which explains why you believe you are entitled to the order that you are seeking; and
- a draft of the order that you are seeking to be made, although the Registrar in Bankruptcy hearing your application for discharge may make any order he or she sees fit. If the Registrar in Bankruptcy makes the order you are seeking, he or she may accept it in court on the day you appear. That may save you some time later in

having your order entered in court. However the court does not generally sign bankruptcy discharge orders until at least 10 days from pronouncement, in order to allow the appeal period to run.

- Two examples of different types of orders are attached to this guidebook.

## **Requisition (Notice of Hearing for Bankrupt's Application for Discharge)**

An application for discharge is first brought before the court by filing a Notice of Hearing for Bankrupt's Application for Discharge. However this document will have been filed by the trustee when the Application for discharge was first scheduled. You are required to file a Requisition to have the matter brought back before the court.

The rules for serving the Notice or Requisition are described under the heading "Serving your documents" in this guidebook. There is a sample Requisition at the end of this guidebook.

## **The Affidavit**

An affidavit is a signed, written statement that contains important information in your case. Any evidence that you wish the court to consider in the application must be submitted in an affidavit. Your affidavit should state what led up to your bankruptcy and what your financial situation is at the present time. You should provide details, because the court needs to have a clear picture of your circumstances.

Your affidavit should only include evidence that relates specifically to your application for discharge.

The court has developed a standard form of affidavit that is to be used for your discharge application, except in unusual circumstances, but you should also include additional information about why you did not seek the discharge earlier and/or why you have not been able to comply with the bankrupt's duties or requirements which may have been imposed by the court at an earlier hearing and the reasons why you are seeking a discharge now.

You should attach as exhibits to the affidavit any documents you have relating to the application you are making, including a statement setting out your current income, expenses, assets, and liabilities. A sample affidavit and financial statement are set out at the end of this guidebook. You will have to swear (or affirm) your affidavit in front of a lawyer, a notary public, or a designated person at the court registry.

## **Serving your documents**

Legally speaking, to serve documents means to provide a written copy – which generally requires you obtaining a signature to confirm the document was received by the party to be served. You must serve the filed Requisition and all filed Affidavits and documents on any creditor who filed an opposition to your discharge or who attended an earlier discharge hearing, as well as on your trustee and the Office of the Superintendent in Bankruptcy (OSB).

The Notice must be received by the persons to be notified at least 4 days before the hearing if the document is

delivered personally, or sent by fax or electronic transmission. If it is couriered or mailed to the other parties, it must be sent at least 10 days before the hearing. (Time limits are set out in the Bankruptcy and Insolvency Act, Rule 6(1) – (2).) It is a good idea to give the other parties as much notice as possible about the hearing date.

The OSB's address for service in Manitoba is 4<sup>th</sup> Floor – 400 St. Mary Avenue, Winnipeg, Manitoba, R3C 4K5 (toll free telephone: 1-877-376-9902).

You must provide proof of service at the discharge hearing if no one else attends the hearing. This is in the form of a signature of the party who was served, and the signature must be on a copy of the documents you served. Alternatively you must complete and file an Affidavit of Service. A sample Affidavit of Service is attached to this guidebook.

## **At the hearing**

When your application is heard, you will have an opportunity to present your case in court to a judge or a Registrar in Bankruptcy. (When a master hears your application, he or she is called a Registrar in Bankruptcy). This is the typical procedure:

1. You explain why you believe you are entitled to the order you are seeking, for example, an absolute discharge from bankruptcy.
2. Anyone opposing your application explains his or her position.
3. The judge or registrar may ask questions relating to the affidavits and documents you have filed in support of your case.
4. Any opposing party presents their argument in the same way.

When you are presenting your position at the hearing, remember these general guidelines:

- Tell the Registrar in Bankruptcy or judge what order you are seeking.
- Outline the facts necessary to support your application.
- Set out the law on the subject.
- Explain how the law applies to the facts of your case.
- Indicate that the application of the law to the facts of your case requires the Registrar in Bankruptcy or judge to make the order requested.
- Try not to switch back and forth between the facts and law.

Stand when you are making your presentation to the Registrar in Bankruptcy and address him or her as follows:

- Address a male judge as "My Lord" and address a female judge as "My Lady".
- Address a master or registrar (both male and female) as "Your Honour".

The Registrar in Bankruptcy or judge will consider many factors at your application for discharge. Your conduct before your assignment into bankruptcy and during bankruptcy is an important factor and the trustee's report will provide some of that information. For example, the Trustee's Report will outline if you did not attend the required financial counselling sessions, did not file required statements of income and expense, and/or if you did not pay required surplus income to the trustee for the benefit of your creditors. The registrar will also consider your current income. After considering the factors of this nature, the material that

has been filed with the court, the presentations of yourself and any others at the hearing, the court will make the order it decides to be appropriate, or may adjourn the hearing for further information or conditions to be met. Examples of some of the types of orders the court may make are:

- An absolute order of discharge;
- A discharge conditional on the payment of unpaid surplus income, or on the payment of any outstanding balance for any asset that you agreed with the Trustee that you would pay for, or on the payment of a sum of money towards your debt if the court decides it is appropriate even if you do not have surplus income, or any other conditions that the court decides are appropriate;
- A suspended discharge.

The court may refuse your discharge, however, such an order is unusual.

## **Order for discharge**

At the end of the hearing, the Registrar in Bankruptcy or judge will grant one of the following types of discharges:

- An absolute discharge. When an absolute discharge is granted, you will be released from the obligation to repay the debts you had as of the date of your bankruptcy. Note that you are still obliged to pay certain debts, as described below.
- A conditional discharge. If you get a conditional discharge, you must do certain things before you are entitled to an absolute discharge. For example, you may have to

pay a certain amount of money to your trustee over a period of time. The court can impose other conditions; once those conditions are met, you will be granted an absolute discharge. It is important for you to know that if you are required to make any payments or do anything by a specific date, and you fail to do so, you will have to return to court and apply to have the order varied.

- A suspended discharge. A suspended discharge is where the court sets a specific date in the future when your absolute discharge becomes effective. Although no further court hearing is required, you are not discharged until that date.

Note that the court may grant an order of discharge which contains a suspension period as well as conditions which need to be satisfied.

The court may refuse to grant your discharge. In that case, you will have to make another application for discharge after a reasonable period of time, often set by the court in the order refusing your discharge. If no period is specified in the order, the legislation provides that another application may not be brought for at least 12 months.

Sample orders for discharge and the required cover page can be found at the end of this guidebook. A cover page is the first page of your document.

If you prepared your order before the hearing and it is acceptable to the Registrar in Bankruptcy or judge, he or she will keep it for 10 days before signing it and having it filed to ensure there is no appeal of the order. It will be signed and

a copy will be sent to you after the appeal period has expired.

If you did not prepare your order before the hearing, you must prepare it after the hearing and submit the order in duplicate to the court registry (bankruptcy division). The court registry will send the order to a Registrar in Bankruptcy or judge 10 days after the hearing.

A copy of the signed and entered Order must be sent to the OSB to update their records. (Note: Credit Bureaus and Canada Revenue Agency obtain their bankruptcy information from the OSB).

When you have received your absolute discharge, or the imposed suspended period has elapsed, you are legally released from paying debts that you incurred before your assignment in bankruptcy, except certain types of debts, which are set out in Section 178 of the Bankruptcy and Insolvency Act. Some examples of these types of debts are:

- Alimony payments and child support;
- Student loans, if it is less than 7 years since you ceased to be a full or part-time student;
- A fine or penalty imposed by the court; or
- Debt arising from fraud.



# Court Forms

File # BK \_\_\_\_\_

THE QUEEN'S BENCH

\_\_\_\_\_ CENTRE

IN BANKRUPTCY

BETWEEN:

IN THE MATTER OF THE BANKRUPTCY OF:

\_\_\_\_\_

Bankrupt.

REQUISITION

TO THE DEPUTY REGISTRAR

I REQUIRE YOU TO:

- ☐ 1. Note default against \_\_\_\_\_  
In default of \_\_\_\_\_
- ☐ 2. Transfer file to \_\_\_\_\_  
by reason of \_\_\_\_\_
- ☐ 3. Set down bankrupt's application for discharge last adjourned from \_\_\_\_\_ to  
\_\_\_\_\_ at 2:00 p.m.
- ☐ 4. Other \_\_\_\_\_

I REQUIRE YOU TO ISSUE:

- ☐ 1. Certificate of Judgment
- ☐ 2. Writ of (Seizure and Sale, Possession, Delivery)
- ☐ 3. Subpoena \_\_\_\_\_
- ☐ 4. To amend \_\_\_\_\_
- ☐ 5. To adjourn \_\_\_\_\_
- ☐ 6. Other \_\_\_\_\_
- ☐ Default Noted

\_\_\_\_\_  
Deputy Registrar

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name, address, and telephone of party filing)

## AFFIDAVIT OF SERVICE NOTES

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The ***Affidavit of Service*** document must be filed in the court registry; it is NOT served on anyone.

**Please refer to the corresponding note below when referencing the types of affidavits of service on the following pages.**

1. The style of proceeding is the part at the top of the document that identifies your case within the court system. Insert the court number, the location of the registry (i.e. Winnipeg), as it is part of your style of proceeding.
  2. Insert the name, address, and occupation of the person who served the document.
  3. State the date and time that the person served the document (e.g., a notice of application) and attach a copy of that document to your affidavit as **Exhibit A**.
  4. Or, if you served the notice of application by registered mail, use this wording instead:  
  
    **“Attached and marked as Exhibit B is the proof of mailing by registered mail”**
  5. Your document must be sworn or affirmed before a lawyer, a notary public, or a designated court official at the court registry.
-

FILE # BK \_\_\_\_\_

**THE QUEEN'S BENCH**

\_\_\_\_\_ **Centre**

**IN BANKRUPTCY**

BETWEEN:

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

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**AFFIDAVIT OF SERVICE**

**SWORN/AFFIRMED:** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

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\_\_\_\_\_  
*(Name, address, and telephone number of party filing)*

# NOTES

1

FILE # BK \_\_\_\_\_

**THE QUEEN'S BENCH  
CENTRE**

**IN BANKRUPTCY**

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

**AFFIDAVIT OF SERVICE  
(PERSONAL SERVICE)**

**2** I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_  
(name and occupation of person who performed service) (city, town, municipality) (name of city or town)  
in the Province of Manitoba, MAKE OATH AND SAY:

**3** 1. On \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_,  
(date) (year) (time)  
I served \_\_\_\_\_  
(name of party served)  
with a(n) \_\_\_\_\_ by leaving a copy with him/her at  
(type of document)  
\_\_\_\_\_  
(address where served)

**4** 2. I was able to identify the person by means of \_\_\_\_\_.  
(personal knowledge, admitted to being this person, I.D. etc.)

**5** Sworn (or Affirmed) before me at the  
\_\_\_\_\_ of \_\_\_\_\_  
in the Province of Manitoba,  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Deponent

\_\_\_\_\_  
Deputy Registrar for Queen's Bench or  
A Commissioner for Oaths in and for  
The Province of Manitoba  
My Commission expires: \_\_\_\_\_

# NOTES

1

FILE # BK \_\_\_\_\_

**THE QUEEN'S BENCH**

**\_\_\_\_\_ CENTRE**

**IN BANKRUPTCY**

**IN THE MATTER OF THE BANKRUPTCY OF**

\_\_\_\_\_  
(name of bankrupt)

**AFFIDAVIT OF SERVICE**  
**(SERVICE BY REGISTERED MAIL)**

**2** I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_  
(name of party who performed service) (city, town, municipality) (name of city or town)

in the Province of Manitoba, MAKE OATH AND SAY:

**3** 1. On \_\_\_\_\_ I sent to \_\_\_\_\_  
(date) (name of party served)  
by registered mail a copy of the \_\_\_\_\_.  
(title of documents)

**4** 2. Attached is the confirmation of delivery receipt obtained from Canada Post Corporation for item # showing the envelope was delivered to \_\_\_\_\_  
(name of person served)  
on \_\_\_\_\_.  
(date envelope was picked-up)

3. The item # on the confirmation of delivery receipt is identical to the item number on the registered mail receipt obtained from Canada Post Corporation for the envelope sent to \_\_\_\_\_.  
(address where envelope sent)

**5** Sworn (or Affirmed) before me at the \_\_\_\_\_ of \_\_\_\_\_  
in the Province of Manitoba,  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Signature of Deponent

\_\_\_\_\_  
Deputy Registrar for Queen's Bench or  
A Commissioner for Oaths in and for  
The Province of Manitoba  
My Commission expires: \_\_\_\_\_

# NOTES

1

FILE # BK \_\_\_\_\_

**THE QUEEN'S BENCH  
CENTRE**

**IN BANKRUPTCY**

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

**AFFIDAVIT OF SERVICE**  
(SERVICE BY REGULAR LETTER MAIL)

**2** I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_  
(name and occupation of party who performed service) (city, town, municipality) (name of city or town)

in the Province of Manitoba, MAKE OATH AND SAY:

**3** 1. On \_\_\_\_\_ I sent to \_\_\_\_\_  
(date) (name of party served)  
by regular mail a copy of the \_\_\_\_\_.  
(title of documents)

**5** Sworn (or Affirmed) before me at the  
\_\_\_\_\_ of \_\_\_\_\_  
in the Province of Manitoba,  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_

\_\_\_\_\_  
Signature of Deponent

\_\_\_\_\_  
Deputy Registrar for Queen's Bench or  
A Commissioner for Oaths in and for  
The Province of Manitoba  
My Commission expires: \_\_\_\_\_

FILE # BK\_\_\_\_\_

**THE QUEEN'S BENCH  
CENTRE**

**IN BANKRUPTCY**

**SUMMARY (or ORDINARY) ADMINISTRATION**

*(Enter your full legal name)*

**BANKRUPT**

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**AFFIDAVIT OF:** \_\_\_\_\_

**SWORN (or AFFIRMED):** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

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*(Name, address, and telephone number of party filing)*



FILE # BK \_\_\_\_\_

**THE QUEEN'S BENCH  
CENTRE  
IN BANKRUPTCY**

**SUMMARY (or ORDINARY) ADMINISTRATION**

**IN THE MATTER OF THE BANKRUPTCY OF**

(Enter your full legal name)

# BANKRUPT

# AFFIDAVIT FOR BANKRUPT'S DISCHARGE

I, \_\_\_\_\_, residing at \_\_\_\_\_,  
(name) (address)

in the City/Town of \_\_\_\_\_ in the Province of \_\_\_\_\_,  
make oath (or affirm) and say:

1. I am the bankrupt and the applicant for discharge from bankruptcy. I have personal knowledge of the statements made by me in this affidavit except where I state otherwise.
2. I filed an assignment in bankruptcy on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.
3. I have ☐ have not ☐ (*check one*) been previously bankrupt during my lifetime. If yes: I have been bankrupt \_\_\_\_\_ time(s) before this bankruptcy.

**IF BANKRUPT BEFORE:**

4. The cause of my previous bankruptcy was:

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- 
5. Since the start of this bankruptcy\* I have been employed as follows. *(Begin with the job you had at the date of bankruptcy, or the first job you obtained after the date you became bankrupt, and end with your current job. If you were employed at the start of your bankruptcy, show the date you started that employment. State whether your "gross rate of pay" is per hour, per week, per month or per year.)*

FROM DATE	TO DATE	EMPLOYER	POSITION	FULL OR PART TIME	GROSS RATE OF PAY

\*In most cases, this will be the date of your assignment into bankruptcy.

6. Since the start of this bankruptcy\* I have ☐ have not ☐ had any non-taxable income. If yes, complete the following:

FROM DATE	TO DATE	SOURCE OF NON-TAXABLE INCOME	MONTHLY	EVERY FOUR WEEKS

\*In most cases, this will be the date of your assignment into bankruptcy.

7. I am presently employed ☐ unemployed ☐ (*check one*).

**IF EMPLOYED:**

8. My income from employment is (*complete only one column*):

EMPLOYMENT INCOME	MONTHLY	EVERY FOUR WEEKS
Wages, salary, commissions, bonuses, overtime		
Other employment income including tips and gratuities		
<b>Less Compulsory Deductions:</b>		
Income tax		
EI		
CPP		
Employer pension		
Union dues		
Other (specify)		
<b>Net Employment Income</b>	\$	\$

**IF SELF-EMPLOYED:**

9. My self-employment income is:

SELF-EMPLOYMENT INCOME	MONTHLY
Gross	
Work-related business expenses	
Allowance for income tax and CPP	
<b>Net Self-Employment Income</b>	\$



13. Since the start of my bankruptcy I have resided with the following individuals who are not listed as dependants:

FROM DATE	TO DATE	NAME	AGE	RELATIONSHIP

14. (a) I am ☐ am not ☐ (*check one*) living in a married or common-law relationship.

(b) If no, I am single ☐ divorced ☐ separated ☐ widowed ☐ since \_\_\_\_\_.

(c) If yes, I am informed by my spouse/common-law spouse and do believe that:

- he/she is employed ☐ unemployed ☐ (*check one*)
- he/she has ☐ has not ☐ (*check one*) filed an assignment in bankruptcy on the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.
- his/her income is as follows (*complete only one column*):

	MONTHLY	EVERY 4 WEEKS
Net employment income		
Net self-employment income		
Social Assistance		
Employment Insurance		
Child Tax Benefit		
Universal Child Care Benefit		
Child or spousal support payments		
Other (specify)		
<b>Total Income</b>	\$	\$

#### IF SEPARATED OR DIVORCED

15. There are ☐ are not ☐ (*check one*) currently family proceedings which include the division of property under *The Family Property Act*.

16. I am ☐ am not ☐ (*check one*) currently obligated by court order ☐ voluntary agreement ☐ (*check one*) to pay support of \$\_\_\_\_\_ per month and I am ☐ am not ☐ (*check one*) in arrears of my obligation to pay support.

17. I have provided my Trustee with monthly statements of income and expenses throughout my bankruptcy except for the months of \_\_\_\_\_.

18. The cause of this bankruptcy was:

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19. I have not sold, disposed of, or transferred any assets since my date of bankruptcy other than those delivered to the Trustee and the following:

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20. In considering my application for discharge, I would ask the court to consider the following:

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21. Since the start of my bankruptcy, I have acquired or become entitled to acquire the following assets (*list only those assets with a resale value of \$1,000.00 or more*):

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22. Attached as Exhibit "A" is a list of total family income and expenses during bankruptcy and a list of total family income and expenses for the most recent FULL month.
23. Attached as Exhibit "B" is a list of my assets and liabilities including their value at this time.
24. I have ☐ have not been ☐ (*check one*) a bankrupt for more than three years. If yes, attached, as Exhibit "C", are my notices of assessment for each taxation year following the year of my bankruptcy.

Sworn (or affirmed) before me at the

\_\_\_\_\_ of \_\_\_\_\_

in the Province of Manitoba,

this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_

\_\_\_\_\_  
Signature of Bankrupt

\_\_\_\_\_  
Deputy Registrar for Queen's Bench or  
A Commissioner for Oaths in and for  
The Province of Manitoba  
My Commission expires: \_\_\_\_\_

## EXHIBIT "A"

This is Exhibit "A" to the Affidavit of \_\_\_\_\_  
Sworn (or affirmed) before me the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
A Commissioner for Oaths in and  
for the Province of Manitoba  
My Commission expires: \_\_\_\_\_

### STATEMENT OF INCOME AND EXPENSES

	TOTAL DURING BANKRUPTCY	
	From: _____ (start of bankruptcy)	LAST FULL MONTH
	To: _____ (End of last full month)	
<b>NET FAMILY INCOME</b>		
<b>BANKRUPT</b>		
Employment take home pay		
Net self-employment income		
Employment Insurance benefits		
Social Assistance		
Universal Child Care Benefit		
Spousal/child support received		
Pension, annuities		
Other income (specify)		
<b>INCOME OF OTHERS IN HOUSEHOLD</b>		
Employment take home pay		
Net self-employment income		
Employment Insurance benefits		
Social Assistance		
Child Tax Benefit		
Universal Child Care Benefit		
Spousal/child support received		
Pension, annuities		
Other income (specify)		
<b>TOTAL NET MONTHLY INCOME</b>	<b>\$</b>	<b>\$</b>



<b>MONTHLY EXPENSES</b>		
<b>NON-DISCRETIONARY EXPENSES</b>		
Child support payments		
Spousal support payments		
Child care		
Medical condition expenses (non-refunded by insurance or otherwise)		
Paid fines/penalties imposed by the court		
Employment related expenses (income tax deductible)		
Debts where stay has been lifted		
<b>TOTAL NON-DISCRETIONARY EXPENSES</b>	\$	\$
<b>NET INCOME AFTER PAYING NON-DISCRETIONARY EXPENSES</b>	\$	\$
<b>DISCRETIONARY EXPENSES</b>		
<b>Housing</b>		
Rent/mortgage		
Property taxes, condo fees		
Heating/gas/oil		
Telephone		
Cable		
Hydro/water		
House repairs		
Furniture		
<b>Personal Expenses</b>		
Alcohol		
Tobacco		
Dining/lunches/restaurants		
Entertainment/sports		
Gambling (include bingo, lottery, etc.)		
Children's programs		
Pets – food/veterinarian		
Gifts/charitable donations		
Children's allowance		
<b>Recoverable Medical Expenses</b>		
Prescriptions		
Dental		
Other (specify)		
<b>Living Expenses</b>		
Food/grocery		
Laundry/dry cleaning		
Grooming/toiletries		
Clothing		

<b>Transportation Expenses</b>		
Car lease/loan payments		
Repair/maintenance/gas		
Public transportation		
<b>Insurance Expenses</b>		
Vehicle		
House		
Furniture/contents		
Life insurance		
<b>Other Expenses</b>		
Payment to the estate		
Expenses as a condition of employment		
Payment to secured creditors (not included above)		
Other (specify)		
<b>TOTAL DISCRETIONARY EXPENSES</b>		
<b>EXCESS OR (DEFICIT)</b>	<b>\$</b>	<b>\$</b>

## EXHIBIT "B"

This is Exhibit "B" to the Affidavit of \_\_\_\_\_  
Sworn (or affirmed) before me the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
A Commissioner for Oaths in and  
for the Province of Manitoba.  
My Commission expires: \_\_\_\_\_

### ASSETS

I own or have an interest in the following assets:

	Present Market Value
Real estate (municipal address)	
Cars, boats, vehicles (year, make, model)	
Household goods, furniture and appliances	
Tools, sports and hobby equipment	
Bank accounts	
RRSPs	
Bonds, shares, term deposits, investment certificates, mutual funds	
Money owed to me	
Life insurance (cash value)	
Pension plans	
Business assets	
Other (specify):	
<b>TOTAL</b>	\$

## DEBTS AND OTHER LIABILITIES

My current debts and liabilities are as follows:

	Present Amount Outstanding	Present Monthly Payments
Mortgage		
Loans (specify)		
Credit Cards		
Other (specify)		
<b>TOTAL</b>	\$	\$

FILE # BK\_\_\_\_\_

FILE # BK\_\_\_\_\_

**THE QUEEN'S BENCH  
\_\_\_\_\_CENTRE**

**IN BANKRUPTCY**

**SUMMARY (or ORDINARY) ADMINISTRATION**

(ENTER YOUR FULL LEGAL NAME) and (ENTER YOUR FULL LEGAL NAME)

**BANKRUPTS**

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**AFFIDAVIT OF:** \_\_\_\_\_

AND

\_\_\_\_\_

**SWORN (or AFFIRMED):** \_\_\_\_\_

**DATE OF HEARING:** \_\_\_\_\_

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*(Name, address, and telephone number of parties filing)*

**\_\_\_\_\_ CENTRE**

## IN BANKRUPTCY

## SUMMARY (or ORDINARY) ADMINISTRATION

**IN THE MATTER OF THE BANKRUPTCY OF**

(Enter your full legal name) and (Enter your full legal name)

# BANKRUPTS

# AFFIDAVIT FOR BANKRUPTS' DISCHARGE

We, \_\_\_\_\_ and \_\_\_\_\_, residing at \_\_\_\_\_  
(name)

\_\_\_\_\_, in the City/Town of \_\_\_\_\_ in the \_\_\_\_\_  
(address)

Province of \_\_\_\_\_, make oath (or affirm) and say:

1. We are the bankrupts and the applicants for discharge from bankruptcy. We have personal knowledge of the statements made by us in this affidavit except where we state otherwise.
2. We filed an assignment in bankruptcy on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.
3. (Him) I have ☐ have not ☐ (*check one*) been previously bankrupt during my lifetime. If yes: I have been bankrupt \_\_\_\_\_ time(s) before this bankruptcy.

(Her) I have ☐ have not ☐ (*check one*) been previously bankrupt during my lifetime. If yes: I have been bankrupt \_\_\_\_\_ time(s) before this bankruptcy.

## IF BANKRUPT BEFORE:

4. The cause of my/our previous bankruptcy was:

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5. Since the start of this bankruptcy\* we have been employed as follows. *(Begin with the job you had at the date of bankruptcy, or the first job you obtained after the date you became bankrupt, and end with your current job. If you were employed at the start of your bankruptcy, show the date you started that employment. State whether your "gross rate of pay" is per hour, per week, per month or per year.)*

**HIM**

FROM DATE	TO DATE	EMPLOYER	POSITION	FULL OR PART TIME	GROSS RATE OF PAY

**HER**

FROM DATE	TO DATE	EMPLOYER	POSITION	FULL OR PART TIME	GROSS RATE OF PAY

\*In most cases, this will be the date of your assignment into bankruptcy.

6. (Him) Since the start of this bankruptcy\* I have ☐ have not ☐ had any non-taxable income.

(Her) Since the start of this bankruptcy\* I have ☐ have not ☐ had any non-taxable income.

If yes, complete the following:

**HIM**

FROM DATE	TO DATE	SOURCE OF NON-TAXABLE INCOME	MONTHLY	EVERY FOUR WEEKS

**HER**

FROM DATE	TO DATE	SOURCE OF NON-TAXABLE INCOME	MONTHLY	EVERY FOUR WEEKS

\*In most cases, this will be the date of your assignment into bankruptcy.

7. (Him) I am presently employed ☐ unemployed ☐ (*check one*).

(Her) I am presently employed ☐ unemployed ☐ (*check one*).

**IF EMPLOYED - HIM:**

8. My income from employment is (*complete only one column*):

EMPLOYMENT INCOME	MONTHLY	EVERY FOUR WEEKS
Wages, salary, commissions, bonuses, overtime		
Other employment income including tips and gratuities		
<b>Less Compulsory Deductions:</b>		
Income tax		
EI		
CPP		
Employer pension		
Union dues		
Other (specify)		
<b>Net Employment Income</b>	\$	\$



**IF EMPLOYED – HER:**

My income from employment is (*complete only one column*):

EMPLOYMENT INCOME	MONTHLY	EVERY FOUR WEEKS
Wages, salary, commissions, bonuses, overtime		
Other employment income including tips and gratuities		
<b>Less Compulsory Deductions:</b>		
Income tax		
EI		
CPP		
Employer pension		
Union dues		
Other (specify)		
<b>Net Employment Income</b>	\$	\$

**IF SELF-EMPLOYED - HIM:**

9. My self-employment income is:

SELF-EMPLOYMENT INCOME	MONTHLY
Gross	
Work-related business expenses	
Allowance for income tax and CPP	
<b>Net Self-Employment Income</b>	\$

**IF SELF-EMPLOYED – HER:**

My self-employment income is:

SELF-EMPLOYMENT INCOME	MONTHLY
Gross	
Work-related business expenses	
Allowance for income tax and CPP	
<b>Net Self-Employment Income</b>	\$

### INCOME FROM OTHER SOURCES - HIM

10. My income from other sources is (*complete only one column*):

	MONTHLY NET AFTER DEDUCTIONS	EVERY FOUR WEEKS NET AFTER DEDUCTIONS
Social Assistance		
Employment Insurance		
Child Tax Benefit		
Universal Child Care Benefit		
Child or spousal support payments		
Pension		
Other (specify)		
<b>Total Income</b>	\$	\$

### INCOME FROM OTHER SOURCES - HER

My income from other sources is (*complete only one column*):

	MONTHLY NET AFTER DEDUCTIONS	EVERY FOUR WEEKS NET AFTER DEDUCTIONS
Social Assistance		
Employment Insurance		
Child Tax Benefit		
Universal Child Care Benefit		
Child or spousal support payments		
Pension		
Other (specify)		
<b>Total Income</b>	\$	\$

### HIM

11. a) I have ☐ have not ☐ (*check one*) received an income tax refund(s) subsequent to filing my assignment in bankruptcy. If yes, complete the following:

Applicable tax year \_\_\_\_\_ Amount of cheque \$ \_\_\_\_\_ Date received \_\_\_\_\_  
Applicable tax year \_\_\_\_\_ Amount of cheque \$ \_\_\_\_\_ Date received \_\_\_\_\_

- b) I have ☐ have not ☐ (*check one*) filed a tax return(s) for a period subsequent to my assignment in bankruptcy which resulted in an amount payable to Canada Revenue Agency. If yes, complete the following:

Applicable tax year \_\_\_\_\_ Amount owing \$ \_\_\_\_\_  
 Applicable tax year \_\_\_\_\_ Amount owing \$ \_\_\_\_\_

#### HER

11. a) I have ☐ have not ☐ (*check one*) received an income tax refund(s) subsequent to filing my assignment in bankruptcy. If yes, complete the following:

Applicable tax year \_\_\_\_\_ Amount of cheque \$ \_\_\_\_\_ Date received \_\_\_\_\_  
 Applicable tax year \_\_\_\_\_ Amount of cheque \$ \_\_\_\_\_ Date received \_\_\_\_\_

- b) I have ☐ have not ☐ (*check one*) filed a tax return(s) for a period subsequent to my assignment in bankruptcy which resulted in an amount payable to Canada Revenue Agency. If yes, complete the following:

Applicable tax year \_\_\_\_\_ Amount owing \$ \_\_\_\_\_  
 Applicable tax year \_\_\_\_\_ Amount owing \$ \_\_\_\_\_

12. We are supporting the following dependants: (*State name, age, where dependant resides, and, if the dependant is only living with you part-time, state the percentage of time the dependant resides with you. If they are attending an educational institution, state the name of the institution. If they are employed, state the name of the employer.*)

NAME	AGE	RESIDENCE	SCHOOL/EMPLOYMENT

13. Since the start of our bankruptcy we have resided with the following individuals who are not listed as dependants:

FROM DATE	TO DATE	NAME	AGE	RELATIONSHIP


14. That we are single ☐ married ☐ separated ☐ divorced ☐ living in a common law relationship ☐ since \_\_\_\_\_ (date).

**IF SEPARATED OR DIVORCED**

15. There are ☐ are not ☐ (*check one*) currently family proceedings which include the division of property under *The Family Property Act*.

16. **HIM** - I am ☐ am not ☐ (*check one*) currently obligated by court order ☐ voluntary agreement ☐ (*check one*) to pay support of \$\_\_\_\_\_ per month and I am ☐ am not ☐ (*check one*) in arrears of my obligation to pay support.

**HER** - I am ☐ am not ☐ (*check one*) currently obligated by court order ☐ voluntary agreement ☐ (*check one*) to pay support of \$\_\_\_\_\_ per month and I am ☐ am not ☐ (*check one*) in arrears of my obligation to pay support.

17. We have provided our Trustee with monthly statements of income and expenses throughout our bankruptcy except for the months of \_\_\_\_\_.

18. The cause of this bankruptcy was:

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19. We have not sold, disposed of, or transferred any assets since our date of bankruptcy other than those delivered to the Trustee and the following:

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20. In considering our application for discharge, we would ask the court to consider the following:

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21. Since the start of our bankruptcy, we have acquired or become entitled to acquire the following assets *(list only those assets with a resale value of \$1,000.00 or more)*:

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22. Attached as Exhibit "A" is a list of total family income and expenses during bankruptcy and a list of total family income and expenses for the most recent FULL month.

23. Attached as Exhibit "B" is a list of our assets and liabilities including their value at this time.

24. We have ☐ have not been ☐ (*check one*) a bankrupt for more than three years. If yes, attached, as Exhibit "C", are our notices of assessment for each taxation year following the year of our bankruptcy.

Sworn (or affirmed) before me at the

\_\_\_\_\_ of \_\_\_\_\_

in the Province of Manitoba,

this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_

\_\_\_\_\_  
Signature of Bankrupt

\_\_\_\_\_  
Deputy Registrar for Queen's Bench or  
A Commissioner for Oaths in and for  
The Province of Manitoba  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Bankrupt

## EXHIBIT "A"

This is Exhibit "A" to the Affidavit of \_\_\_\_\_  
 and \_\_\_\_\_  
 Sworn (or affirmed) before me the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
 A Commissioner for Oaths in and  
 for the Province of Manitoba,  
 My Commission expires: \_\_\_\_\_.

### STATEMENT OF INCOME AND EXPENSES

	TOTAL DURING BANKRUPTCY	
	From:  _____ (start of bankruptcy)	LAST FULL MONTH
	To:  _____ (End of last full month)	
<b>NET FAMILY INCOME</b>		
<b>BANKRUPT</b>		
<b>Him:</b>		
Employment take home pay		
Net self-employment income		
Employment Insurance benefits		
Social Assistance		
Universal Child Care Benefit		
Spousal/child support received		
Pension, annuities		
Other income (specify)		
<b>Her:</b>		
Employment take home pay		
Net self-employment income		
Employment Insurance benefits		
Social Assistance		
Universal Child Care Benefit		
Spousal/child support received		
Pension, annuities		
Other income (specify)		
<b>INCOME OF OTHERS IN HOUSEHOLD</b>		
Employment take home pay		
Net self-employment income		

Employment Insurance benefits		
Social Assistance		
Child Tax Benefit		
Universal Child Care Benefit		
Spousal/child support received		
Pension, annuities		
Other income (specify)		
<b>TOTAL NET MONTHLY INCOME</b>	<b>\$</b>	<b>\$</b>

<b>MONTHLY EXPENSES</b>		
<b>NON-DISCRETIONARY EXPENSES</b>		
Child support payments		
Spousal support payments		
Child care		
Medical condition expenses (non-refunded by insurance or otherwise)		
Paid fines/penalties imposed by the court		
Employment related expenses (income tax deductible)		
Debts where stay has been lifted		
<b>TOTAL NON-DISCRETIONARY EXPENSES</b>	<b>\$</b>	<b>\$</b>
<b>NET INCOME AFTER PAYING NON-DISCRETIONARY EXPENSES</b>	<b>\$</b>	<b>\$</b>
<b>DISCRETIONARY EXPENSES</b>		
<b>Housing</b>		
Rent/mortgage		
Property taxes, condo fees		
Heating/gas/oil		
Telephone		
Cable		
Hydro/water		
House repairs		
Furniture		

<b>Personal Expenses</b>		
Alcohol		
Tobacco		
Dining/lunches/restaurants		
Entertainment/sports		
Gambling (include bingo, lottery, etc.)		
Children's programs		
Pets – food/veterinarian		
Gifts/charitable donations		
Children's allowance		
<b>Recoverable Medical Expenses</b>		
Prescriptions		
Dental		

Other (specify)		
<b>Living Expenses</b>		
Food/grocery		
Laundry/dry cleaning		
Grooming/toiletries		
Clothing		
<b>Transportation Expenses</b>		
Car lease/loan payments		
Repair/maintenance/gas		
Public transportation		
<b>Insurance Expenses</b>		
Vehicle		
House		
Furniture/contents		
Life insurance		
<b>Other Expenses</b>		
Payment to the estate		
Expenses as a condition of employment		
Payment to secured creditors (not included above)		
Other (specify)		
<b>TOTAL DISCRETIONARY EXPENSES</b>		
<b>EXCESS OR (DEFICIT)</b>	<b>\$</b>	<b>\$</b>



## EXHIBIT "B"

This is Exhibit "B" to the Affidavit of \_\_\_\_\_  
and \_\_\_\_\_

Sworn (or affirmed) before me the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
A Commissioner for Oaths in and  
for the Province of Manitoba.

My Commission expires: \_\_\_\_\_.

## ASSETS

We own or have an interest in the following assets:

	Present Market Value
Real estate (municipal address)	
Cars, boats, vehicles (year, make, model)	
Household goods, furniture and appliances	
Tools, sports and hobby equipment	
Bank accounts	
RRSPs	
Bonds, shares, term deposits, investment certificates, mutual funds	
Money owed to me	
Life insurance (cash value)	
Pension plans	
Business assets	
Other (specify)	
<b>TOTAL</b>	\$

## DEBTS AND OTHER LIABILITIES

Our current debts and liabilities are as follows:

	Present Amount Outstanding	Present Monthly Payments
Mortgage		
Loans (specify)		
Credit Cards		
Other (specify)		
<b>TOTAL</b>	\$	\$

# ORDER SUSPENDING BANKRUPT'S DISCHARGE NOTES

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Please refer to the corresponding notes below when preparing the *Suspended Order of Discharge*.

The *Suspended Order of Discharge* must include a backer (cover page) and must be signed by all affected parties before you submit to the court registry for entry; once entered it is returned to the submitting party who is responsible for serving copies on the other parties.

1. Insert the court registry number.
2. Put your name on the line where indicated.
3. Insert the name of Registrar who heard the application and the date of the application.
4. Insert your name here, and the date that you made an assignment into bankruptcy.
5. Read section 173 of the *Bankruptcy and Insolvency Act* (the facts for which discharge may be refused, suspended or granted conditionally), and state which section of 173 applies to you, and provide details.
6. Complete this section according to the conditions that the court imposed. For example, the court may have ordered that you pay \$2400 in minimum monthly installments of \$200, commencing October 1, 2015 and continuing on the first day of every month until it is paid in full.

File # BK \_\_\_\_\_

**THE QUEEN'S BENCH**

**\_\_\_\_\_ CENTRE**

**IN BANKRUPTCY**

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

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**ORDER SUSPENDING BANKRUPT'S DISCHARGE**

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Name, address, and telephone number of party filing)

NOTES
1

File # BK \_\_\_\_\_

THE QUEEN'S BENCH
CENTRE
IN BANKRUPTCY

IN THE MATTER OF THE BANKRUPTCY OF

2
(name of bankrupt)

3
Before )
Registrar ) \_\_\_\_\_ The \_\_\_\_ day of \_\_\_\_\_, 20\_\_
\_\_\_\_\_ )

SUSPENDED ORDER OF DISCHARGE

4
UPON the application of \_\_\_\_\_, a bankrupt who
made an assignment on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_,

AND UPON reading the report of the trustee as to the bankrupt's conduct and affairs;

AND UPON hearing the trustee;

AND UPON hearing the bankrupt on his/her own behalf (if applicable);

5
AND WHEREAS proof has been made of any of the fact(s) under Section 173 of the
Bankruptcy and Insolvency Act, namely Section \_\_\_\_\_ (set out details);

IT IS ORDERED THAT:

6
1. The bankrupt's discharge be suspended for a period of \_\_\_\_\_ from the date of this
Order.

SIGNED at \_\_\_\_\_, Manitoba this \_\_\_\_\_ day of \_\_\_\_\_, 20 .

Registrar

# CONDITIONAL AND SUSPENDED ORDER OF DISCHARGE NOTES

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Please refer to the corresponding notes below when preparing the *Conditional and Suspended Order of Discharge*.

The *Conditional and Suspended Order of Discharge* must include a backer (cover page) and must be signed by all affected parties before you submit to the court registry for entry; once entered it is returned to the submitting party who is responsible for serving copies on the other parties.

1. Insert the court registry number.
2. Put your name on the line where indicated.
3. Insert the name of Registrar who heard the application and the date of the application.
4. Insert your name here, and the date that you made an assignment into bankruptcy.
5. Read section 173 of the *Bankruptcy and Insolvency Act* (the facts for which discharge may be refused, suspended or granted conditionally), and state which section of 173 applies to you, and provide details.
6. Complete this section according to the conditions that the court imposed. For example, the court may have ordered that you pay \$2400 in minimum monthly installments of \$200, commencing October 1, 2015 and continuing on the first day of every month until it is paid in full.
7. Fill in the time period (e.g., one year).

File # BK\_\_\_\_\_

**THE QUEEN'S BENCH**

**\_\_\_\_\_CENTRE**

**IN BANKRUPTCY**

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

=====

**CONDITIONAL AND SUSPENDED ORDER OF DISCHARGE**

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Name, address, and telephone number of party filing)*

# NOTES

1

File # BK \_\_\_\_\_

## THE QUEEN'S BENCH

\_\_\_\_\_  
CENTRE

## IN BANKRUPTCY

IN THE MATTER OF THE BANKRUPTCY OF

2

\_\_\_\_\_  
(name of bankrupt)

3

Before )  
Registrar ) \_\_\_\_\_ The \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_ )

### CONDITIONAL AND SUSPENDED ORDER OF DISCHARGE

4

UPON the application of \_\_\_\_\_, a bankrupt who made an assignment on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

AND UPON reading the report of the trustee as to the bankrupt's conduct and affairs;

AND UPON hearing the trustee;

AND UPON hearing the bankrupt on his/her own behalf (*if applicable*);

5

AND WHEREAS proof has been made of any of the fact(s) under Section 173 of the *Bankruptcy and Insolvency Act*, namely Section \_\_\_\_\_ (*set out details*);

IT IS ORDERED THAT:

6

1. The bankrupt shall pay to the trustee for the general benefit of the creditors, the sum of \$\_\_\_\_\_ in minimum monthly installments of \$\_\_\_\_\_, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and continuing on the \_\_\_\_\_ day of each and every month thereafter until paid in full, with the right to prepay in part or in full at any time; and

7

2. The bankrupt's discharge be suspended for a period of \_\_\_\_\_ from the date of this Order.

AND UPON the Registrar being satisfied that the conditions set forth in this Order have been complied with, the Registrar shall grant the bankrupt an Absolute Discharge.

SIGNED at \_\_\_\_\_, Manitoba this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Registrar



## ABSOLUTE ORDER OF DISCHARGE NOTES

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Please refer to the corresponding notes below when preparing the *Absolute Order of Discharge*.

The *Absolute Order of Discharge* must include a backer (cover page) and must be submitted to the court registry for the Registrar's signature and entry on the court registry; once entered it is returned to the submitting party who is responsible for serving copies on the other parties;

1. Insert the court registry number.
2. Put your name on the line where indicated.
3. Insert the name of Registrar who heard the application and the date of the application.
4. Insert your name here, and the date that you made an assignment into bankruptcy.

File # BK \_\_\_\_\_

**THE QUEEN'S BENCH**  
**\_\_\_\_\_ CENTRE**  
**IN BANKRUPTCY**

IN THE MATTER OF THE BANKRUPTCY OF

\_\_\_\_\_  
(name of bankrupt)

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**ABSOLUTE ORDER OF DISCHARGE**

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(Name, address, and telephone number of party filing)*

NOTES

1 File # BK\_\_\_\_\_

THE QUEEN’S BENCH  
\_\_\_\_CENTRE  
IN BANKRUPTCY

IN THE MATTER OF THE BANKRUPTCY OF

2 \_\_\_\_\_  
(name of bankrupt)

3 Before )  
Registrar ) \_\_\_\_\_The \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
\_\_\_\_\_ )

ABSOLUTE ORDER OF DISCHARGE

4 UPON the application of \_\_\_\_\_, a bankrupt  
who made an assignment on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

AND UPON reading the report of the trustee as to the bankrupt’s conduct and  
affairs;

AND UPON hearing the trustee and the bankrupt, there being no creditors present;

AND WHEREAS proof has not been made of any of the fact mentioned in Section  
173 of the *Bankruptcy and Insolvency Act*, nor has the bankrupt been guilty of any  
misconduct in relation to his/her property or affairs;

IT IS ORDERED that the bankrupt be and is hereby discharged.

SIGNED at \_\_\_\_\_, Manitoba this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Registrar