

by implication to prevent an Official Receiver from designating a room other than his own office as the place of meeting in his own locality. As often the Official Receiver's Office is not a suitable place for the meeting, it should be made clear he can designate another place.

PROCEDURE AT MEETINGS

Chairman Shall Have Casting Vote—Section 96 (3)

Section 96(3) gives Chairman of meetings a casting vote. This could prove very embarrassing to a Chairman of a meeting, who sometimes is the Official Receiver, in the appointment or removal of trustees. To avoid this, it is suggested the following words be added to the subsection:— "In the case of a tie vote on the appointment or removal of a trustee, the Chairman shall not have a casting vote and the trustee presently appointed shall continue in office".

Right of Creditors to Vote—Section 100(1)

Section 100(1) gives a creditor the right to vote if he has lodged his proof with the trustee before or at the meeting before voting. This does not give the trustee a reasonable opportunity to check claims. Proofs should be filed before the meeting.

Persons Not Entitled to Vote—Section 105 (3) (1)

Section 105(3) (1) states that among others "any person associated with the Bankrupt 'may not vote'." The term "associated" is too loose and the intention behind it should be stated in more specific terms.

Who May be Inspectors—Section 108 (2)

Shareholders should not have the right to vote for inspectors as is provided in section 108(2). The body of shareholders constitutes the debtor and it is the settled principle of the Bankruptcy Act that control should be by the creditors.

Trustee or Inspector May Call Meetings—Section 108(7)

An inspector should not be able to block the calling of a meeting with less than three days' notice as is provided for in Section (108)7. Nor should an inspector be permitted to call a meeting which is provided for in the same subsection.

Inspectors' Fees—Section 108(14)

The scale of inspectors' fees in Section 108(14) is inadequate and should be doubled. Also fees for special services should be approved by the Court and not by the Superintendent as is proposed.

PROOF OF CLAIMS

Proof by Post or Delivery—Section 110(2)

Sanction of Proven Claims—Section 110(7)

Section 110(2) (7) does not require proof of claims to be sworn to. The present requirement that proof of claim be sworn should not be dropped.

Shall State Whether Secured—Section 110(5)

Section 110 (5) requiring the proof of claim to state whether or not the claim is secured or preferred should not make the claim unsecured in the absence of such a statement. The words "otherwise, etc." to the end of the subsection should be deleted, and the words "and, if so, to what extent" be substituted therefor.