

Notice of hearing.

(3) The clerk shall give all parties to the consolidation order at least twenty days' notice of the time appointed for the hearing referred to in subsection (1).

Clerk may vary order, etc.

(4) Where after considering the evidence presented at the further hearing referred to in subsection (1) the clerk is of the opinion that

- (a) the terms of payment set out in the consolidation order, or
- (b) the decision that the circumstances of the debtor do not warrant the immediate settling of any amounts or times of payment thereof, should be changed because of a change in the circumstances of the debtor, he may
- (c) vary the order as to the amounts to be paid by the debtor into court or the times of payment thereof, or
- (d) on notice of motion refer the matter to the court for settlement.

Application of section 183.

(5) Section 183 applies *mutatis mutandis* to a decision of the clerk under subsection (4).

Disposition of moneys paid into court.

**191.** (1) The clerk shall distribute the moneys paid into court on account of the debts of a debtor at least once every three months.

Idem.

(2) The clerk shall distribute the money *pro rata*, or as nearly so as is practicable, among the registered creditors.

Oaths.

**192.** (1) The clerk may for the purposes of this Part examine any person under oath and may administer oaths.

Record.

(2) The clerk shall make a written record in summary form of all evidence given at a hearing.

Where assignment or receiving order made.

**193.** (1) Where a debtor, in respect of whom a consolidation order has been issued under this Part, makes an assignment pursuant to section 26 or where a receiving order is made against him under section 21 or where a proposal by such debtor is approved by the court having jurisdiction in bankruptcy under section 34, any moneys that have been paid into court pursuant to such consolidation order and have not yet been distributed to the registered creditors shall thereupon be distributed among such creditors by the clerk in the proportions to which they are entitled under the consolidation order.

Proceedings may be taken under other Parts.

(2) The fact that proceedings have been taken under this Part shall not prevent the taking of proceedings by or against the debtor under the provisions of any other Part of this Act.