

- (d) if with intent to defeat or delay his creditors he does any of the following things namely, departs out of Anguilla, or being out of Anguilla remains out of Anguilla, or departs from his dwelling house, or otherwise absents himself, or begins to keep house;
- (e) if execution issued against him has been levied by seizure and sale of his goods under process in an action in any court, or in any civil proceeding in the Court;
- (f) if any judgment debt has been ordered by the Court to be levied upon any lands other than a plantation in which there are 40 acres under cultivation, or any mortgage, encumbrance or interest in or upon such land;
- (g) if he files in the Court a declaration of his inability to pay his debts, or presents a bankruptcy petition against himself;
- (h) if a creditor has obtained a final judgment against him for any amount, and execution thereon not having been stayed, has served on him in Anguilla or by leave of the Court, elsewhere, a bankruptcy notice under this Act, requiring him to pay the judgment debt in accordance with the terms of the judgment, or to secure or compound for it to the satisfaction of the creditor or the Court, and he does not, within 7 days after service of the notice, in case the service is effected in Anguilla, and in case the service is effected elsewhere, then within the time limited in that behalf by the order giving leave to effect the service either comply with the requirements of the notice, or satisfy the Court that he has a counterclaim, set off or cross demand which equals or exceeds the amount of the judgment debt, and which he could not set up in the action in which the judgment was obtained;
- (i) if the debtor gives notice to any of his creditors that he has suspended, or that he is about to suspend, payment of his debts;
- (j) if the debtor has in fact suspended payment of his debts and given notice to any of his creditors that he is insolvent.

(2) A bankruptcy notice under this Act shall be in the prescribed form, shall state the consequences of non-compliance therewith, and shall be served in the prescribed manner.

### *Receiving Order*

#### **Jurisdiction to make receiving order**

**5.** Subject to the conditions hereinafter specified, if a debtor commits an act of bankruptcy, the Court may, on a bankruptcy petition being presented, either by a creditor or by the debtor, make an order, in this Act called a “receiving order”, for the protection of the estate.

#### **Conditions on which creditor may petition**

- 6.** (1) A creditor shall not be entitled to present a bankruptcy petition against a debtor unless—
- (a) the debt is a liquidated sum, payable either immediately or at some certain future time;