

Class No. 2081 01

Instructor: Tim Hill

Text: Casebook & Powerpoints

Evaluation: 100% Final Examination (open book)

The course will cover an introduction to Bankruptcy, Insolvency and Restructuring including a review of the administrative structure of the BIA, and the roles of the Superintendent, Official Receivers, Trustees, the Courts, Administrators, Creditors, Inspectors, Bankrupts, Interim Receivers, Receiver Managers and Estate Solicitors; a review of the methods by which a debtor may be either voluntarily or involuntarily made a bankrupt; establishing "dates" in bankruptcy; grounds for a Bankruptcy Order; the Assignment process; the Petition process; Annuling Assignments; the meaning of "Property"; classes of exempt property; the treatment of income; the status of unsecured creditors; the ranking of preferred creditors; the status of wage earners; successor employers under labour laws; the Wage Earners Protection Program Act; the status of Landlords; the position of Secured Creditors; types of security; acting on security and duties of Receivers; Crown Claims generally and the "Super Priority"; Discharge of the Bankrupt; debts not discharged; conditional and suspended discharges; special cases on discharge; review of fraudulent conveyances and fraudulent preferences; review of the Proposal provisions of the BIA and of the Companies Creditors Arrangements Act.