

I want to object

Objecting to a No Asset Procedure

If an applicant satisfies the entry criteria for a No Asset Procedure (NAP) and is not excluded from entry under the Insolvency Act 2006, the Official Assignee accepts the applicant into a NAP.

Once the Official Assignee has accepted an application for a NAP, the creditors identified by the debtor will be notified in writing in the form of a creditor's report sent five working days after acceptance. In the creditor's report, creditors are informed of their right to object to the debtor's entry to a NAP.

If you are a creditor who has received a notification of a debtor's admission to a NAP and want to object, you should lodge your objection in writing with the Official Assignee on the appropriate form clearly setting out the reasons for your objection. Please ensure that you do so as early as possible to allow the Official Assignee adequate time to consider your objection.

[Download the objection form from the Forms section now \[49 kB PDF\]](#).

Creditors can lodge their objection to the acceptance of a debtor into a NAP at anytime prior to discharge of the debtor which is 12 months from the date of acceptance. The Official Assignee is able to extend the period of a NAP by up to 25 working days if an objection is received shortly before the expected discharge date of a debtor from NAP.

The Official Assignee will review the objection and respond to the objecting creditor within ten working days. If the objection is upheld, the NAP will be terminated.

The effect of termination of a NAP is that debts that had become unenforceable on entry to the NAP become enforceable again. The debtor is returned to the position they were in immediately prior to entry to the NAP.

Objections should be lodged with the Official Assignee either by post to:

Official Assignee
Private Bag 4714
Christchurch 8140

or by email to:

info@insolvency.govt.nz

or by fax to:

0508 464 327

Objecting to a Summary Instalment Order

Once the Official Assignee has accepted an application for a Summary Instalment Order (SIO), the supervisor of the proposed Order will be notified. The Supervisor is then required to notify all creditors of the proposal giving them ten (10) working days to object to the SIO being made.

If you are a creditor who has received a notification of a debtor's application for a SIO and want to object to the order being made, you should lodge your objection with the Official Assignee clearly setting out the reasons for your objection. Creditors can lodge an objection to the proposed SIO to the Official Assignee within ten (10) working days of the date of notice advising them that an application has been made.

[Download the objection form from the Forms section now \[55 kB PDF\]](#) .

Objections should be lodged with the Official Assignee either by post to:

Official Assignee
Private Bag 4714
Christchurch

or by email to:

