



The end of bankruptcy

Discharge

Discharge means your bankruptcy has ended and you are no longer bankrupt.

When will I be discharged from bankruptcy?

If you became bankrupt by presenting your own petition (that is, by [Debtor's Petition](#)), you will be due for discharge three years and one day after you filed that petition and your statement of affairs with us.

If you were made bankrupt by a [sequestration order](#) of the court, you will be due for discharge three years and one day after we accepted your completed statement of affairs. It is therefore important to lodge your statement of affairs with us promptly as any delay can mean you will be bankrupt for longer than three years.

In some cases, your bankruptcy can be extended to five or eight years. This happens when your trustee lodges an objection to your discharge. See [Objections](#)

Do I have to apply for discharge?

No. If you would like confirmation of your discharge, you can either ask your trustee or obtain a National Personal Insolvency Index (NPII) extract that will show your date of discharge. See [NPII](#)

What happens after discharge?

Your name will appear on the [National Personal Insolvency Index \(NPII\)](#) forever as a discharged bankrupt and on credit reporting agencies' records for 2 years from the date of discharge, or up to 5 years from the date you became bankrupt, whichever is later. See [Credit reports](#).

If there is property that vested in the trustee when you became bankrupt and it has not yet been dealt with, you don't automatically get it back. See [House properties](#)

The administration of your bankruptcy may continue after you are discharged – for example, your trustee may not have finalised investigations or the sale of assets, or you may still have income contributions to pay. The Bankruptcy Act says that a discharged bankrupt must still:

- assist their trustee to finalise the administration of the bankruptcy
- advise their trustee of any change of address
- provide information about their financial circumstances if requested to do so
- pay outstanding income contributions.

You also have continuing obligations to:

- give up secured assets if required by the relevant secured creditors
- pay debts that are not released by bankruptcy. See [Your debts and creditors](#)

Annulment

Annulment is effectively the cancellation of a bankruptcy. There are three ways a bankruptcy may be annulled:

- you pay your debts in full, including interest, the realisations charge and your trustee's expenses and fees. The realisations charge is a percentage of amounts received by a trustee from the sale of a bankrupt's assets or repayment of debts that must be paid to the government.
- your creditors accept a composition or arrangement, which is an offer of something less than payment in full. See [Compositions](#)
- You successfully apply to the court for an order annulling your bankruptcy.

What happens after annulment?

Your name will appear on the [National Personal Insolvency Index \(NPII\)](#) forever, with the record showing that your bankruptcy was annulled and on a credit report available from a credit reporting agency for 2 years from the date of annulment, or 5 years from the date you became bankrupt, whichever is later. Other consequences of annulment are:

- assets not needed by your trustee to pay the trustee's fees and expenses and your creditors will be returned to you

- creditors to whom you have granted security over an assets (eg a mortgages) will still have their rights in relation to those assets, which may include the power to seize and sell them if you default in repayments
- you are still liable for the payment of debts that are not provable in bankruptcy. See [Your debts and creditors](#)