SCHEDULE 18

Article 2(18)

AMENDMENTS TO SUBORDINATE LEGISLATION RELATING TO INSOLVENCY

PART 1

AMENDMENTS TO INSOLVENCY LEGISLATION

Insolvency Rules 1986

- 1.—(1) Amend the Insolvency Rules 1986 M1 as follows.
- (2) In Rule 6.237 (bankrupt's home notification of property falling within section 283A)—
 - (a) in paragraph (1)(b), after "spouse" insert " or civil partner"; and
 - (b) in paragraph (1)(c), after "former spouse" insert " or former civil partner".
- (3) In Rule 6.237A (application in respect of the vesting of an interest in a dwelling-house (registered land))—
 - (a) in paragraph (1)(a)(ii), after "spouse" insert " or civil partner";
 - (b) in paragraph (1)(a)(iii), after "former spouse" insert " or former civil partner"; and
 - (c) in paragraph (4), after "former spouse" insert " or civil partner or former civil partner".
 - (4) In Rule 6.237B (vesting of bankrupt's interest (unregistered land))—
 - (a) in paragraph (1)(b), after "spouse" insert " or civil partner";
 - (b) in paragraph (1)(c), after "former spouse" insert " or former civil partner"; and
 - (c) in paragraph (3), after "former spouse" insert " or civil partner or former civil partner".
- (5) In paragraph (2)(a) of Rule 6.237D (charging order), after "former spouse" insert " or civil partner or former civil partner".
- (6) In Schedule 4 (Forms), for Forms 6.28 and 6.83 substitute the Forms so numbered as set out in Part 2 of this Schedule.

Marginal Citations

M1 S.I. 1986/1925; relevant amending instruments are S.I. 2003/1730, 2005/527.

Insolvent Partnerships Order 1994

- 2.—(1) Amend the Insolvent Partnerships Order 1994 M2 as follows.
- (2) In Schedule 4, in paragraph 28A (Section 283A: Individual member's home ceasing to form part of estate), in modified section 283A—
 - (a) in subsection (1)(b) after "spouse" insert " or civil partner"; and
 - (b) in subsection (1)(c) after "former spouse" insert " or former civil partner".
- (3) In Schedule 4, in paragraph 29A (Section 313A: Low value home: application for sale, possession or charge), in modified section 313A—
 - (a) in subsection (1)(a)(ii) after "spouse" insert " or civil partner"; and
 - (b) in subsection (1)(a)(iii) after "former spouse" insert " or former civil partner".

- (4) In Schedule 7, in paragraph 7A (Section 283A: Bankrupt's home ceasing to form part of estate), in modified section 283A—
 - (a) in subsection (1)(b) after "spouse" insert " or civil partner"; and
 - (b) in subsection (1)(c) after "former spouse" insert " or former civil partner".
- (5) In Schedule 7, paragraph 20A (Section 313A: Low value home: application for sale, possession or charge), in modified section 313A—
 - (a) in subsection (1)(a)(ii) after "spouse" insert " or civil partner"; and
 - (b) in subsection (1)(a)(iii) after "former spouse" insert " or former civil partner".

Marginal Citations

M2 S.I. 1994/2421, amended by S.I. 2005/1516; there are other amending instruments but none is relevant.

Limited Liability Partnerships Regulations 2001

3. In Schedule 3 to the Limited Liability Partnerships Regulations 2001 ^{M3}, in the entry relating to section 435 of the Insolvency Act 1986 ^{M4} (meaning of "associate"), in the entry relating to the new subsection (3A), after "wife" insert "or civil partner".

Marginal Citations

M3 S.I. 2001/1090, to which there are amendments not relevant to this Order.

M4 1986 c. 45.

PART 2

FORMS FOR INSERTION INTO SCHEDULE 4 TO THE INSOLVENCY RULES 1986

Rule 6.41(1)	Statement of Affairs (Debtor's Petition) Form 6.28 Insolvency Act 1986
NOTE:	In the
These details	III uie
vill be the same	In Bankruptcy
is those shown at	
he top of your setition	No of 20
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his form in black	
ink.	Re
	The 'Guidance Notes' Booklet tells you how to complete this form easily and
	correctly
	Show your current financial position and supply the required information by
	completing all the pages of this form, which will then be your Statement of
	Affairs
	AFFIDAVIT
	ALLESTA
	When you have completed the rest of this form, this Affidavit must be sworn
	before a Solicitor or Commissioner for Oaths or an officer of the court duly
	authorised to administer oaths
	l (a)
(a) Insert full	(b)
name (b) Insert	of (c)
occupation	
(c) Insert full	Make oath and say that the several pages marked
address	Make out and say that the several pages marked
	and contained in the exhibit marked "Z"
	are to the best of my knowledge and belief a full, true and complete statement of
	my affairs at today's date.
	my affairs at today's date. Sworn at
	Sworn at
	Sworn at Dated this day of 20 Signature(s)
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IN BANKRUPTCY				
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This is the exhibit n	narked "Z" refers	red to in the ann	exed affidavit of	
sworn on the	day of	20		
Before me				
Officer appointed to	o administer oath	s		

Secti	on 1: P	ersonal Details	
1.1	Surname		
	Forename(s)		
	Title (Mr, Mrs, Ms etc)		
1.2	Any other names by which you have been known (such as maider name, alias or nickname).		
1.3	Date of birth		
1.4	Place of birth		
1.5	National insurance number		
1.6	Home address		
1.7	Home telephone number		
1.8	Mobile telephone number		
1.9	On which telephone number car you be contacted during the day?	1	
1.10	E-mail address		
1.11	Are you (tick all that apply):		
	Single	Co-habiting	A civil partner
	Married	Separated	A former civil partner
	Divorced	Widowed	A surviving civil partner
.12	Are you, or in the last 5 years hav you been, involved in proceeding for divorce, separation or the dissolution of a civil partnership?	gs Yes	No No

	ion 1 cont: Personal D	tails	
	If Yes, please give details including any agreed settlement whether formal or informal, and any gifts or transfers of property that occurred in those proceedings.		
1.13	Name, address and reference of your solicitor in the proceedings		
1.14	Have you been bankrupt before?	Yes No	
	If Yes, when?		
	Which court and which Official Receiver's office dealt with the proceedings?		
1.15	Have you previously entered, or have you tried to enter, into an Individual Voluntary Arrangement (a formal arrangement with your creditors, ratified by the Court, to pay them in full or part over time)?	Yes No	
	If Yes, give the name and address of the insolvency practitioner involved and the date of the arrangement.		
Secti	on I cont: Personal D	talis	
-	un I const: Personal D Are you involved in any legal proceedings?	talb Yes No	
-		Yes No	
1.16	Are you involved in any legal proceedings? If Yes, please give brief details of the nature o proceedings, the name and address of any soli acting for you. the name of the relevant court.	Yes No	
1.16	Are you involved in any legal proceedings? If Ves, please give brief details of the nature of proceedings, the name and address of any ordinating law proceedings, the name and address or any or act of reference number. Are you, or in the last five years, have you been a discoor or involved in the	Yes No	
1.16	Are you involved in any legal proceedings? If Yes, please give brief details of the nature or preceedings, the animal and address of any soft of the control of the contro	Yes No	ninistration or occoding insolven;
1.16	Are you involved in any legal proceedings? If Yes, please give brief details of the nature or preceedings, the animal and address of any soft of the control of the contro	Yes No No On No	ministration of the control of the c

Please	on 2 : Busi	ness Details				
partn	complete this section if you are o	r have been self-e	mployed (in	cluding a pa	rtner in a	
	ership) at any time in the last two	years. If not, go t	o Section 3.			
2.1	What was the name of your business?					
2.2	State the type of business, trade or profession					
2.3	What was the trading address? (this should also be listed in Section 8)					
2.4	Was the business registered for VAT?	Yes		No		
	If Yes, give the VAT number.					
2.5	If the business was a partnership give the name(s) and address(es) of the partner(s)					
2.6	When did the business start trading?					
2.7	If it has stopped trading, when did it do so?					
2.8	At what address are your books of account and other accounting records kept?					
2.9	If you hold records on a computer, provide details of which records are held, what software is used (including any pessworets) and state where the computer is.					
2.10	What is the name and address of your accountant?					
2.11	What is the name and address of your solicitor?					
			7,			
ection	1 2 cont: Bus	iness Details				
.12	12 cont: Bost Have you employed anybody during		Yes		No	
.12	Have you employed anybody during	g the last two	Yes		No No	

Section 3:	Assets	
3.1	Details (if none owned write "NONE")	Approximate valu
1. Cash in hand		
Cash in bank, building society or similar account		
Cash held by anyone for you		
4. Money owed to you		
5. Tools of your trade		
6. Stock in trade		
7. Machinery, plant and equipment		
8. Fixtures and fittings		
9. Freehold land and property		
10. Leasehold land and property		

Section 3 cont:	Assets	
	Details	Approximate value
11. Stocks, shares and investments		
12. Pension policies and other pension entitlements		
13. Endowment and other life policies		
14. Motor vehicles		
15. Farming stock and crops		
16. National Savings and Premium Bonds		
17. Any property or possessions abroad in which you have an interest, including timeshares		
18. Any property or sums due to you under a will or trust		
19. Any other property of any value e.g. paintings, fumiture or jewellery		

Section 3 con	ıt:			Asset	s						
3.2 Do you policies	have or hav	e you ha	d any e	ndowm	ent or other	r life	Yes			No	
	give details,	Control Pro	- 411								
Name and	address			m was	Type		nated	Name	and add	ress (inc	luding
(including po	estcode) of	Policy number	it	taken out.	of policy	valu	se of licy	post	code) of security	any con	cern
or bro	ker		rou	ighly?	-	-	3				
						Г					
					TOTAL	£		-			
3.4 Apart	from state b	analite d	lo von l	and of	hasa soo l	and nor		Yes	_	□ No	
person	nal pension a	rrangem	ents?	sa r c 00	mire you		,	140			L
If Yes, give de											
Name and a pension	address of th company	e P	olicy	you	ghly when take out t y? How m	did he		the nents to	Amou any) receive	being	Valu of pensi
				hav	e you paid total?	in	you	due to	and often	how	£
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	72										
Section 3 con	t:			Asset	s.						
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Sect	tion 3 cont:	Asset	s			
	If Yes, please provide	Make/Model				
	the following details:	Registration num				
		Estimated value i				
		Finance outstand Name of finance	ing £			
		company				
		Reference number agreement				
		Does the vehicle valid MOT? If ye provide expiry de	have a			
		provide expiry de MOT	ate of			
		Insurance / Expir	ry date			
		Give your genera on the condition vehicle	of the			
		Location of vehic	cle			
		Name of any join	nt owner			
1.8	If you have disposed or	f any vehicle in the l	ast 12 months, p	lease sp	ecify where the	e vehicle is now.
Santa						
Sec	rtion 3 cont:	A	sseës			
	ction 3 cont: Do you have the use of that you do not own?		ssets		Yes	No
	Do you have the use of that you do not own? If Yes, please provide t	a motor vehicle	Resistration		Yes	No
	Do you have the use of that you do not own?	a motor vehicle	Registration number		Yes	No
	Do you have the use of that you do not own? If Yes, please provide t	a motor vehicle	Registration number Owner		Yes	No
	Do you have the use of that you do not own? If Yes, please provide t	a motor vehicle	Registration number		Yes	No
1.9	Do you have the use of that you do not own? If Yes, please provide t details:	a motor vehicle	Registration number Owner Estimated value £	Yes	Yes	No No
3.9	Do you have the use of that you do not own? If Yes, please provide t details: Has an enforcement of sheriff's officer() 'ball months' (An enforcement of court who may want tend the court who may want tend to court who may us tred the court who may use the court where court who may use the court where the court where the court when	a motor vehicle the following fileer (previously kn ff visited you in the r / bailiff is an office or remove assets for	Registration number Owner Estimated value £ own as c last 6 er of the sale, if.		Yes	
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	Net amount owing (A-B)			
(not of S	What of yours is claimed and what is its present value? (B)			4 11 1000
er property belongin	Amount owing (A)			
List of Secured Creditors (e.g. anyone holding a mortgage or charge over property belonging to you)	Account, reference or agreement number (if known)			
List of Secured (e.g. anyone hold)	Address			
Section 4:	Name of creditor			

Vinde was the condition of conditions (Figures Andrews Condition) Andrews the condition of agreement of green conditions (Figures) (Figu	Section 4 cont:	List of Un	List of Unsecured Creditors		
	Name of creditor	Address	Account, reference or agroement number (if known)	Amount owing	What was the debt for?
77004					
277/24					
TOTALE					
			TOTAL		

Do cred	5: I clude any cur you have any it or charge of	cheque card ards, debit co	also sh	own is	Section	n 4.	Yes	,	io.
Section 4 cont:	Name of creditor								
List of Ui	Address								
List of Unsecured Creditors	Account, reference or agreement number (if known)							TOTAL£	
	Amount owing								
	Date incurred								
	What was the debt for?								

arrent liability also show	m in Section 4.	
cards, debit cards, etc?	ppenser curds, Yes	No
Card number	Name and address of bank or supplier	Date obtained
hove accounts or cards anyone else?	Yes	No .
details		
	urrent fishtility also showed, as a fish of the country, and fish of the country, each fish country, each country, each country, each country, each country and co	details. Card number Name and address of basis or supplier Name and address of basis or supplier bove accounts or cards anyone due? Yet anyone due?

Section 5 cont: Bank A	ecounts and Credit	Cards		
Note: Include details of account	s with a debit (overda	uwn) balance als	so shown in Section 4.	
 Please list any bank, buildin years, including any joint, 	g society or National business or dormant a	Savings account accounts.	s you hold, or have he	ld in the last two
Name and address (including postcodes) of banks etc	Account number	Tick if your regular income is paid into this account	Name of joint account-holder (if applicable)	Balance of account

Sect	tion 6 :	Employment and Pro	esent In	come		
inec is n volu	ome is more than nade under sec- intary arranger	r that you pay part of a you need to live on. I tion 310 of the Insol ment with the Offici ction 310A of the Insol	The ord lvency at al Rece	er is known as a Act 1986. Alter iver or trustee	in Income l natively yo	Payments Order and ou can enter into a
aske sup	ed to provide yo port your answe	he following question: our wage slips or sali rs. This will enable a c Payments Agreement	ary stat	ements and bill to be made as t	s such as	gas or electricity to
Agr		make an Income Pa ed, that would leave y ar family.				
		ents Order or an Ind ly stop after 3 years.	come P	ayments Agrees	ment is ma	de against you, the
	our income incr nin 21 days.	eases while you are be	ankrupt	, you must info	rm your tr	ustee of the increase
6.1	Are you:	employed		self-employed		unemployed
	If you are unem work, what was your last employ	ployed, when did you la your last job and who w yer?	ast was			
			L			
6.2	your employer?					
	If self-employed of the business.	l, give the name and add	dress			
6.3		crage monthly take-hom r example, overtime, bonuses).	ne .		£	

6.4 How much day top up in National Invariance each mouth? 6.5 How much day top up in National Invariance each mouth? 6.6 De you careed any other income, including state benefits or tax credits? 11 Yes, attac from what source fine example position, take benefits, not tax credits? 6.7 How much day other members of your benefits of the brounded expenses? 6.8 Total brounded income (QCA) **16.6**(6.7) 6.9 Give your current (or last) brounded sincome (QCA) **16.6**(6.7) 6.9 Cave your current (or last) brounded of your brounded expenses? 6.10 Day you have any current and Present Income Section 6 count: Employment and Present Income 6.10 Day you have any current and and Present Income 6.11 Tive, give details Name of creditor Note of the County of the Count		6 cont: Employmen	nt and Present	Income			
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Sec	tion 7 :	Outgoings	
to I	e information in this section may l pay your creditors each month. I essary expenditure.	e used to work out how mu is important that it is acco	ch, if anything, you can affor trate and that you include a
7.1	How much do you spend each mor	th on the following:-	
	Mortgage payments or rent on your home	£	
	Housekeeping (including food and cleaning)	£	
	Gas, electricity, other heating	£	
	Water	£	
	Telephone charges	£	
	Travelling to and from work and other essential journeys	£	
	Clothing	£	
	Maintenance payments and fines	£	
	Council tax	£	
	Other essential payments (e.g. life/household insurance,	£	→ Provide details of these payments
	car tax & repairs)	d £	↓

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	the and butters persons Where and address of the control of the c	Ami	Am.

Section 8 cont:	ō	Current Property		
8.3 Apart from properties that you own, rent or bears, are there any other properties in which you may otherwise have an interest? If Yes, give denuit.	n, rent or lease, are there any interest?	other properties in	Yes	Š
Address of property, type of property (e.g. flat, semi- ternesol) and number of bedrooms	edroottis	Who lees you use it?	How much do you pay?	Is there a written agreement?
4. Does appeared ob have an intenset in says of the proposition that you seen, root or based? These intensets may be a a sub-behavia, a guarantee of the mortgage, a partner, a joint instance, itself intense or otherwise.	in any of the properties that nant, a guarantor of the more	you own, rest or lease? (gage, a partner, a joint	Yes	ž
Address of property (including postcode)	Name of person with an interest	Their address, if different from the property (including postcode) and reference		Nature of interest

Sect	Section 9 :	Property Dis	Property Disposed of in the last Five Years	ast Five Years			
5	Give details of any properties, owned alone properties, owned alone or jointly, the fart you have sold, given an away or rransferred in the five years before the presenting of your bankroute; your	Address of property	Value of property £	When did you stell, transfer or gell, transfer or property?	To when did you sell, transfer or give away the property?	Net sale proceeds (less any charges and legal fees)	Details of solicitor former and address) who acted on your behalf in the transaction

10.1	Give the names and ages of all		
	occupants of your household and state which, if any, are dependent		
	on you.		
	Apart from members of your house	hold, Yes N	
10.2	is any other person dependent upon	you?	
	If Yes, provide details including		
	If Yes, provide details including their name, address and reason for dependency		
Sect	tion II . Cal	uses of Bankruntey	
Sect	ion II: Cau	sses of Bankruptcy	
	ine 11: Cau		
III	When did you first have difficulty po	tying your debts?	
III	When did you first have difficulty po	tying your debts?	debts? Y
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Section 12 :		Declaration
I hereby confin following this affairs as at too false information	m that my answers leclaration) are to th lay's date. I underst in in relation to my b	to all the above questions (including any extra information on page to best of my knowledge and belief a true and accurate statement of m and that I may be committing a criminal offence if I deliberately giv anskruptcy.
Your signatur		,
Name in BLOCK CAP	TALS	
Date		
Section 13 :	7	Extra Information
Section 13 : Question No.	If there is insufficient question on the	
	If there is insuffit the question on th column.	Extra Information clear space on any page, you should continue your answer to say page. The question number should be given in the left-hand
	If there is insufficient on the column.	
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Section 13 cont:	Extra Information	
Question No:		
20		

Rule 6.237	Form
	Notice to interested parties of a dwelling-house falling within Section 283A of the Insolvency Act 1986
	(TITLE)
	In theCount/District Registry
	Noof
(a) Insert date	Bankruptcy coder dated (a)
(b) Issuet full name and address of trustee	1(0)
(c) Insert name of bankraps, and whose applicable the name of the bankraps's sponse, former spouse, vivil partner or	the trustee in bankruptcy of the above named hereby actify (e)
former civil partner (d) liment address of dwelling- lasses	That the dwelling-house (d)
(c) Delete if unregistered land or insert relevant Land Registry	(e) Registered at the Land Registry under title number
***************************************	falls within Section 283A(1) of the Insolvency Act 1986
	The last date under which I am able to serve this notice is
	(0
(f) heart relevant date which is either 14 days before the third anniversary of the backraptry order or; 14 days before the third anniversary of when the	Dated

Changes to legislation:
There are currently no known outstanding effects for the The Civil Partnership Act 2004
(Amendments to Subordinate Legislation) Order 2005, SCHEDULE 18.