

## SCHEDULE 2

### Amendments to the Insolvency Rules 1986

#### Court procedure and practice

#### **Rule 7.11 (General power of transfer of proceedings between courts)**

6.—(1) Rule 7.11(1) is amended as follows.

(2) In paragraphs (1) and (2) after “county court” in each place where it occurs insert “hearing centre”.

(3) In paragraph (3) substitute “the county court” for “a county court” and for “a court which has jurisdiction to wind up companies” substitute “a county court hearing centre in which proceedings to wind up companies may be commenced under the Act”.

(4) In paragraph (3A) substitute “the county court” for “a county court” and for “a court which has jurisdiction in bankruptcy” substitute “a county court hearing centre in which bankruptcy proceedings may be commenced under the Act”.

(5) In paragraph (4) substitute “the county court” for “a county court” and for “that Court” substitute “the High Court”.

(6) In paragraph (4A) after “county court” in each place in which it appears insert “hearing centre”.

#### **Rule 7.12 (Proceedings commenced in wrong court)**

7.—(1) Rule 7.12(2) is amended as follows.

(2) In the opening words and in sub-paragraph (a) and (b) after “court” in each place where it appears insert “or county court hearing centre”.

#### **Rule 7.13 (Applications for transfer)**

8.—(1) Rule 7.13(3) is amended as follows.

(2) In paragraph (2) after the second and third “court” insert “or county court hearing centre”.

(3) In paragraph (3) after “court” in each of sub-paragraphs (a) and (b) insert “or county court hearing centre”.

#### **Rule 7.14 (Procedure following order for transfer)**

9.—(1) Rule 7.14(4) is amended as follows.

(2) In paragraphs (1) and (2) after “court” in each place where it appears insert “or county court hearing centre”.

(3) In paragraph (3)(a) after “county court” insert “hearing centre” and for “that court” substitute “that hearing centre”.

(4) In paragraph (3)(b) after “county court” insert “hearing centre”.

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(1) Rule 7.11 was amended by [S.I. 2009/642](#) and [S.I. 2010/686](#).

(2) Rule 7.12 was amended by [S.I. 2009/642](#).

(3) Rule 7.13 was amended by [S.I. 2009/642](#).

(4) Rule 7.14 was amended by [S.I. 2009/642](#) and [S.I. 2010/686](#).

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**Rule 7.15 (Consequential transfer of other proceedings)**

10.—(1) Rule 7.15(5) is amended as follows.

(2) In paragraph (1)(c) and (4) for “a county court” in each place where it occurs substitute “the county court”.

**Rule 7.16 (Nomination and appointment of shorthand writers)**

11.—(1) Rule 7.16(6) is amended as follows.

(2) In paragraph (1) substitute “the county court” for “a county court”.

**Rule 7.19 (Enforcement of court orders)**

12.—(1) Rule 7.19(7) is amended as follows.

(2) In the first sentence of paragraph (2) after “county court” in each place where it appears insert “hearing centre”, for the “primary court” substitute “the primary hearing centre” and for the “secondary court” substitute “the secondary hearing centre”.

(3) For the second sentence in paragraph (2) substitute “This applies whether or not the secondary hearing centre is one in which insolvency proceedings may be commenced under the Act”.

(4) In paragraph (3) for subparagraph (a) substitute “has been brought before a county court hearing centre in which insolvency proceedings may be commenced under the Act”.

**Rule 7.21 (Warrants (general provisions))**

13.—(1) Rule 7.21(8) is amended as follows.

(2) In paragraph (1) substitute “the county court” for “a county court” and delete the words in brackets.

(3) For paragraph (2)(b) substitute “in the case of a county court hearing centre, the bailiffs”.

**Rule 7.24 (Execution of warrants outside court’s district)**

14. Rule 7.24 is revoked.

**Rule 7.35 (Procedure where detailed assessment required)**

15.—(1) Rule 7.35(9) is amended as follows.

(2) In paragraph (6) for “a county court” substitute “the county court”.

**Rule 7.47 (Appeals and reviews of court orders in corporate insolvency)**

16.—(1) Rule 7.47(10) is amended as follows.

(2) In paragraph (3) for “A county court” substitute “The county court”.

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(5) Rule 7.15 was amended by S.I. 2010/686.

(6) Rule 7.16 was amended by S.I. 2010/686 and S.I. 2009/642.

(7) Rule 7.19 was amended by S.I. 2010/686.

(8) Rule 7.21 was amended by S.I. 2009/642 and S.I. 2010/686.

(9) Rule 7.35 was substituted by S.I. 1999/1022 and amended by S.I. 2010/686.

(10) Rule 7.47 was amended by S.I. 2010/686.

**Rule 7.52 (Right of audience)**

17. Rule 7.52(1)(11) is amended by substituting for “a county court” the words “the county court”.

**Rule 12A.28 (Execution overtaken by judgment debtor’s insolvency)**

18.—(1) Rule 12A.28(12) is amended as follows.

(2) In paragraph (3) for the opening words substitute “Where the execution is in a county court hearing centre then if—” and for “that court” in sub-paragraphs (a) and (b) substitute the words “the county court hearing centre in charge of such execution”.

**Rule 12A.33 (Contents of notices to be gazetted under the Act or Rules)**

19.—(1) Rule 12A.33(13) is amended as follows.

(2) For paragraph (2)(f) substitute “the name of the court or of the hearing centre of the county court and any number assigned to the proceedings by the court or hearing centre”.

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(11) Rule 7.52 was amended by [S.I. 2010/686](#).  
(12) Rule 12A.28 was inserted by [S.I. 2010/686](#).  
(13) Rule 12A.33 was inserted by [S.I. 2010/686](#).