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SCHEDULE

RULE 12

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PART 1
NEW FORM

Rule 7.62

Form 7.20

Confirmation by Court of Creditors' Voluntary Winding Up Application and Order

(Title) (Registered No)

(a) Insert name of applicant
(b) Insert name of company
1. I (a) _____ hereby make application to the court for confirmation of the creditors' voluntary winding up proceedings under Part IV of the Insolvency Act 1986 in relation to (b) _____

(c) Insert date of resolution
2. The resolution for voluntary winding up was passed on (c) _____

(d) Insert date
3. I was appointed liquidator of the company on (d) _____

(e) Insert whether main, secondary or territorial proceedings
4. I declare that the LC Regulation will apply and that these proceedings will be (e) _____ proceedings as defined in Article 3 of the LC Regulation.

5. I attach the following documents required to accompany the application under Rule 7.62:

- (a) copy of resolution for voluntary winding up
- (b) evidence of my appointment as liquidator of the company
- (c) copy of statement of affairs required under section 99

Affidavit

After sections 1 to 4 have been completed (and having the documents required under section 4 available), this affidavit must be sworn before a solicitor or commissioner for oaths or an officer of the court duly authorised to administer oaths.

(f) Insert name and occupation
I (f) _____

(g) Insert full address
of (g) _____

make oath and say that the contents of this application are to the best of my knowledge and belief true and that the documents exhibited hereto are all those required to accompany this application under Rule 7.62 and that they are true copies of the stated documents.

Sworn at

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ORDER

(h) insert date Upon reading the application dated (h) of
(i) insert name of (i) _____
applicant and the evidence filed in support

It is hereby confirmed by the court that the proceedings are creditors' voluntary winding up proceedings under Part IV of the Insolvency Act 1986

Date

RULE 13

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PART 2
AMENDED FORMS

PART 2

RULE 13

AMENDED FORMS

Rule 2.1

Form 2.1

Petition for Administration Order
(Title) (Registered No.)

- (a) Insert title of court To (a)
- (b) Insert full name (s) and address(es) of petitioner(s) The petition of (b)
- (c) Delete if petition not presented by the company's directors (c) [presented by the directors under section 9 of the Insolvency Act 1986]
- (d) Insert full name, and registered no. of company subject to petition 1. (d)
(hereinafter called "the company") was incorporated on
- (e) Insert date of incorporation (e)
under the Companies Act 19
- (f) Insert address of registered office 2. The registered office of the company is at (f)
- (g) Insert amount of nominal capital and how it is divided 3. The nominal capital of the company is (g) £ divided into shares of £ each. The amount of the capital paid up or credited as paid up is (h) £
- (h) Insert amount of capital paid up or credited as paid up
- 4. The principal objects for which the company was established are as follows:
and other objects stated in the memorandum of association thereof.
- (j) Delete such as are inapplicable 5. The petitioner(s) believe(s) that the company is or is likely to become unable to pay its debts and that an administration order would be likely to achieve (j)
 - (i) the survival of the company and the whole or some part of its undertaking as a going concern
 - (ii) the approval of a voluntary arrangement with its creditors under Part 1 of the Insolvency Act 1986
 - (iii) the sanctioning of a compromise or arrangement between the company and such persons as are mentioned in section 425 of the Companies Act 1985
 - (iv) a more advantageous realisation of the company's assets than would be effected on a winding up
 for the reasons stated in the affidavit of filed in support hereof
- (k) Delete as applicable 6. The company (k) is/is not an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking under Article 1.2 of the EC Regulation.

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(j) Insert name of person swearing affidavit 7. For the reasons stated in the affidavit of (l) _____ it is considered that the EC Regulation (k) will/will not apply (k) and that these proceedings will be

(m) Insert whether main, secondary or territorial proceedings (m) _____ proceedings as defined in Article 3 of the EC Regulation

(n) Insert full name(s) and address(es) of proposed administrator(s) 8. The petitioner(s) propose(s) that during the period for which the order is in force the affairs, business and property of the company be managed by (n) _____

who is (are) to the best of the petitioner's knowledge and belief qualified to act as (m) insolvency practitioner(s) in relation to the company. The petitioner(s) therefore pray(s) as follows:-

(o) Insert full name of company (1) that the court make an administration order in relation to (o) _____

(p) Insert name(s) of proposed administrator(s) (2) that (p) _____ be appointed to be the administrator(s) of the said company

(q) Insert details of any ancillary orders sought (3) (q) _____

or

(4) that such other order may be made in the premises as shall be just

Note:
It is intended to serve this petition on

(r) Insert here name, address, tel. phone number and reference (if any) of a solicitor acting for the petitioner This petition was issued by (r) _____

(solicitor for the petitioners) whose address for service is:

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Rule 2.9

Form 2.4

Administration Order
(Title)

(Registered No.)

(a) Insert name and address of petitioner

UPON THE PETITION OF: (a) _____

(b) Before whom company itself is petitioner OR insert status of petitioner, ie director, creditor etc

(b) (a) _____ of the above named company hereinafter called "the company" presented to the court on _____ 20

(c) Insert details of any other parties (including the company) appearing and by whom represented

And upon hearing counsel for the petitioner and for (c) _____

and upon reading the evidence

(d) Set out the purposes to which the order is likely to achieve

IT IS ORDERED that during the period for which this order is in force the affairs, business and property of the company be managed by the administrator hereinafter appointed pursuant to the provisions of section 8 of the Insolvency Act 1986 for the following purposes (d) _____

(e) Insert full name(s) and address(es) of administrator(s)

AND it is ordered that (e) _____

be appointed administrator(s) of the company

(f) Delete as applicable (g) Insert whether main or territorial proceedings (h) Insert particulars of any further order made by the court

AND the Court being satisfied on the evidence before it that the IFC Regulation (f) does/does not apply (f) and that these proceedings are (g) _____ proceedings as defined in Article 3 of the IFC Regulation

(h)

(i) Insert amount of order for costs

And it is ordered that the costs of the said petition (i) _____

Dated

Rule 4.7

Form 4.2

Winding-Up Petition

(Title) (Registered No.)

(a) Insert title of court To (a)

(b) Insert full name(s) and address(es) of petitioner(s) The petition of (b)

(c) Insert full name and registered no. of company subject to petition 1. (c)
(hereinafter called "the company") was incorporated on

(d) Insert date of incorporation (d)
under the Companies Act 19

(e) Insert address of registered office 2. The registered office of the company is at (e)

(r) Insert amount of nominal capital and how it is divided 3. The nominal capital of the company is (r) £
(g) Insert amount of capital paid up or credited as paid up divided into shares of £ each. The amount of the capital paid up or credited as paid up is (g) £

4. The principal objects for which the company was established are as follows:

and other objects stated in the memorandum of association of the company

(h) Set out the grounds on which a winding up order is sought 5. (h)

(i) Delete as applicable 6. The company (i) is/is not an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation.

(k) Insert name of person swearing affidavit 7. For the reasons stated in the affidavit of (k) filed in support here of it is considered that the EC Regulation on insolvency proceedings (j) will/will not apply (j) and that these proceedings will be (l) _____ proceedings as defined in Article 3 of the EC Regulation

(l) Insert whether main, secondary or territorial proceedings 8. In the circumstances it is just and equitable that the company should be wound up. The petition(s) therefore pray(s) as follows:-

(1) that (c)

may be wound up by the court under the provisions of the Insolvency Act 1986 or

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(2) that such other order may be made as the court thinks fit

(m) if the company is the petitioner, delete "the company". Add the full name and address of any other person on whom it is intended to serve this petition

Note: It is intended to serve this petition on (m) [the company] [and]

Endorsement

This petition having been presented to the court on _____ will be heard at (k) [Royal Courts of Justice, Strand, London, WC2A 2LL.] [(n) _____ County Court

(n) Insert name and address of Court

[(v) _____ District Registry _____]

(v) Insert name and address of District Registry

on:

Date _____

Time _____ hours (or as soon thereafter as the petition can be heard)

The solicitor to the petitioner is:-

Name _____

Address _____

Telephone no. _____

Reference _____

(k) [Whose London Agents are:-

Name _____

Address _____

Telephone no. _____

Reference _____

Rule 4.20

Form 4.11

Order for Winding Up by the Court

(Title) (Registered No.)

(a) Insert name and address of petitioner (as appropriate) "the company" or "the creditor of the company" or "a contributory of the company"

Upon the petition of (a) presented to this court on And upon hearing And upon reading the evidence

(b) Insert full name of the company

It is ordered that (b) be wound up by this court under the provisions of the Insolvency Act 1986

(c) Do not apply (d) Insert whether main, secondary or territorial proceedings

And the Court being satisfied on the evidence that the EC Regulation (c) does/does not apply (c) and that these proceedings are (d) proceedings as defined in Article 3 of the EC Regulation

(e) Insert names of all parties to be awarded their costs (f) Insert any terms concerning costs

And it is ordered that the costs of (e) of the said petition be paid out of the assets of the company (f)

Dated _____

Note: (e) | The | One of the | official receiver(s) attached to the court is by virtue of this order liquidator of the company

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Rule 4.20

Form 4.12

Order for Winding Up by the Court following upon the Discharge of an Administration Order

(Title) (Registered No.)

(a) Delete words in brackets as applicable

Upon the petition of the company (a) [by its administrator (b) _____] or (b) _____

(b) Insert name and address

_____ a [creditor] [member] of the above-named company] [pursuant to leave of this court by order dated (c) _____] [by agreement with the administrator dated (c) _____]

(c) Insert date

presented to this court on (c)

And upon hearing

And upon reading the administration order dated (c)

It is ordered that the said administration order be and the same is discharged.

(d) Insert full name of the company

And it is ordered that (d) be wound up by this court under the provisions of the Insolvency Act 1986

(a) [And it is ordered that that _____ be appointed liquidator of the company]

(e) Insert whether main, secondary or territorial proceedings

(a) [And the court being satisfied that these proceedings are (e) _____ proceedings as defined in Article 3 of the EC Regulation]

(f) Insert any further terms of order, eg as to costs

And it is ordered (f)

Dated

(g) Delete as applicable

Note: (g) [The][One of the] official receiver(s) attached to the court is by virtue of this order liquidator of the company

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or
(2) that such other order may be made as the court thinks fit

(c) If the company is the petitioner, delete "the company". Add the full name and address of any other person on whom it is intended to serve this petition

Note: It is intended to serve this petition on (k) [the company] [and]

Endorsement	
This petition having been presented to the court	
on _____	let all parties attend before the Registrar in Chambers
on _____	
Date _____	
Time _____	hours
Place for directions to be given	
The solicitor(s) for the petitioner is/are:-	
Name _____	
Address _____	
Telephone no _____	
Reference _____	
(k) Delete if London agents not instructed	(k) [Whose London Agents are:-
	Name _____
	Address _____
	Telephone no. _____
Reference _____	

Rule 4.26

Form 4.15

Order of Appointment of Provisional Liquidator

(Title) **(Registered No.)**

Mr Registrar in chambers

(a) Give full name and address of applicants

Upon the application of (a)

And upon hearing

And upon reading the petition to wind up the above named company and the evidence

(b) Delete if not applicable

(b) And the court being satisfied that the company is unable to pay its debts

(c) Delete as applicable
(d) Insert whether main, secondary or territorial proceedings

And the court being satisfied that the EC Regulation (c) does/does not apply (c) and that these proceedings are (d) _____ proceedings as defined in Article 3 of the EC Regulation

(e) If a person other than the official receiver is to be appointed delete the words in [] otherwise insert the amount to be deposited

It is ordered that (d) [upon the sum of £ _____ being deposited by the applicant with the official receiver] the following person is appointed provisional liquidator of the above-named company

(e) Insert either "the official receiver" or if an insolvency practitioner is to be appointed, his full name and address

Name of provisional liquidator (e)

Address (if applicable) _____

And it is ordered that:-

(f) Insert details of the functions to be carried out by the provisional liquidator in relation to the company's affairs

(f)

Dated _____

NOTICE TO OFFICERS OF COMPANY

You are required by Section 235 of the Insolvency Act 1986 to give the provisional liquidator all the information as he may reasonably require relating to the company's property and affairs and to attend upon him at such times as he may reasonably require.

Date _____

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Rule 4.73

Form 4.25

Proof of Debt – General Form (TITLE)

Date of Winding-Up Order/Resolution for voluntary winding-up

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest as at the date the company went into liquidation [see Note]	
4	Details of any documents by reference to which the debt can be substantiated. [Note: the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show:- (a) amount of Value Added Tax £ (b) amount of claim NET of Value Added Tax £	
6	If total amount above includes outstanding uncapitalised interest, please state amount £	
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	

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10	Particulars of any security held, the value of the security, and the date it was given	
11	Particulars of any reservation of title claimed, including details of goods supplied, their value and when supplied	
12	Signature of creditor or person authorised to act on his behalf Name in BLOCK LETTERS Position with or relation to creditor _____	

Admitted to vote for

£

Date

Liquidator

Admitted preferentially for

£

Date

Liquidator

Admitted non-preferentially for

£

Date

Liquidator

NOTE: A company goes into liquidation if it passes a resolution for voluntary winding up or an order for its winding up is made by the court at a time when it has not already gone into liquidation by passing such a resolution.

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Rule 6.6

Form 6.7

Creditor’s Bankruptcy Petition on Failure to Comply with a Statutory Demand for a Liquidated Sum Payable Immediately (Title)

(a) Insert full name(s) and address(es) of petitioner(s) I/Wc (a)

(b) Insert full name, place of residence and occupation (if any) of debtor

petition the court that a bankruptcy order may be made against (b) _____

(c) Insert in full any other names by which the debtor is or has been known

[also known as (c) _____]

(d) Insert trading name (adding "with another" in italics, if this is so), business address and nature of business

[and carrying on business as (d) _____]

(e) Insert any other address or addresses at which the debtor has resided at or at the time the petition debt was incurred

[and lately residing at (e) _____]

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred

[and lately carrying on business as (f) _____]

and say as follows:-

1. (g) [The debtor’s centre of main interests has been] [The debtor has had an establishment] at _____

(g) Debtor as applicable

OR

The debtor carries on business as an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation

OR

The debtor’s centre of main interests is not within a member State

2. The debtor has for the greater part of six months immediately preceding the presentation of this petition (g) [resided at] [carried on business at] _____

(h) Or as the case may be following the terms of Rule 6.9

within the district of this court (h)

Under the EC Regulation:

(i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.

(ii) Establishment is defined as “any place of operations where the debtor carries out a non-transitory economic activity with human means and goods”.

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(j) Please give the amount of the debt(s), what they relate to and when they were incurred. Please show separately the amount or rate of any interest or other charge not previously notified to the debtor and the reasons why you are charging it.

(k) Insert date of service of a statutory demand

(l) State manner of service of demand

(m) If 3 weeks have not elapsed since service of statutory demand give reasons for earlier presentation of petition

3. The debtor is justly and truly indebted to me [us] in the aggregate sum of

£(j) _____

4. The above-mentioned debt is for a liquidated sum payable immediately and the debtor appears to be unable to pay it

5. On (k) _____ a statutory demand was served upon the debtor by

(l) _____ in respect of the above-mentioned debt. To the best of my knowledge and belief the demand has neither been complied with nor set aside in accordance with the Rules and no application to set it aside is outstanding

(m)

6. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above-mentioned sum

OR

I/We hold security for the payment of (g) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made.

OR

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be £ _____ . This petition is not made in respect of the secured part of my/our debt.

(n) Insert name of debtor

(o) Only to be completed where the petitioning creditor is represented by a solicitor

Endorsement	
	This petition having been presented to the court on _____ it is ordered that the petition shall be heard as follows:-
	Date _____
	Time _____ hours
	Place _____
	and you, the above-named (n) _____, are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing:
	(i) file in court a notice (in Form 6.19) specifying the grounds on which you object to the making of a bankruptcy order; and
	(ii) send a copy of the notice to the petitioner or his solicitor.
	The solicitor to the petitioning creditor is: - (o)
	Name _____
	Address _____

	Telephone Number _____
	Reference _____

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Rule 6.6

Form 6.8

Creditor’s Bankruptcy Petition on Failure to Comply with a Statutory Demand for a Liquidated Sum Payable at a Future Date
(Title)

(a) Insert full name(s) and address(es) of petitioner(s) I/We (a)

(b) Insert full name, place of residence, and occupation (if any) of debtor

petition the court that a bankruptcy order may be made against (b)

(c) Insert in full any other name(s) by which the debtor is or has been known

[also known as (c) _____]

(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business

[and carrying on business as (d) _____]

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred

[and lately residing at (e) _____]

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred

[and lately carrying on business as (f) _____]

and say as follows:-

1. (g) [The debtor’s centre of main interests has been][The debtor has had an establishment] at _____

(g) Delete as applicable

OR

The debtor carries on business as an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the I/C Regulation

OR

The debtor’s centre of main interests is not within a member State.

2. The debtor has for the greater part of six months immediately preceding the presentation of this petition (g) [resided at] [carried on business at]

(h) Or as the case may be following the terms of Rule 6.9

_____ within the district of this court (h)

Under the I/C Regulation:

(i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.

(ii) Establishment is defined as “any place of operations where the debtor carries out a non-transitory economic activity with human means and goods”.

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- (j) Please give the amount of the debt(s), what they relate to and when they were incurred. Please show separately the amount or rate or any interest or other charge not previously notified to the debtor and the reasons why you are claiming it.
- (k) Insert date or dates when the debt becomes payable.
- (l) Insert date of service of a statutory demand.
- (m) State manner of service of demand.
- (n) If 3 weeks have not elapsed since service of statutory demand give reasons for earlier presentation of petition.

3. The debtor is justly and truly indebted to me [us] in the aggregate sum of £(j)_____

4. The above-mentioned debt is for a liquidated sum payable on (k) and the debtor appears to have no reasonable prospect of being able to pay it

5. On (l)_____ a statutory demand was served upon the debtor by

(m) _____ in respect of the above-mentioned debt. To the best of my knowledge and belief the demand has neither been complied with nor set aside in accordance with the Rules and no application to set it aside is outstanding

(n) _____

6. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above-mentioned sum

OR

I/We hold security for the payment of (g) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made

OR

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be £_____. This petition is not made in respect of the secured part of my/our debt.

(o) Insert name of debtor

(p) Only to be completed where the petitioning creditor is represented by a solicitor

Endorsement	
This petition having been presented to the court on _____ it is ordered that the petition shall be heard as follows:-	
Date: _____	
Time _____	hours
Place _____	
and you, the above-named (o) _____, are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing:	
(i)	file in court a notice (in Form 6.19) specifying the grounds on which you object to the making of a bankruptcy order; and
(ii)	send a copy of the notice to the petitioner or his solicitor.
The solicitor to the petitioning creditor is: (p) _____	
Name _____	
Address _____	
Telephone Number _____	
Reference _____	

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Rule 6.6

Form 6.9

Creditor's Bankruptcy Petition Where Execution or Other Process on a Judgment has been Returned in Whole or Part (Title)

(a) Insert full name(s) and addresses) of petitioner(s) I/We (a) _____

(b) Insert full name, place of residence and occupation (if any) of debtor petition the court that a bankruptcy order may be made against (b) _____

(c) Insert in full any other name(s) by which the debtor is or has been known [also known as (c) _____]

(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business [and carrying on business as (d) _____]

(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition debt was incurred [and lately residing at (e) _____]

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred [and lately carrying on business as (f) _____]

(g) Delete as applicable and say as follows:-
1. (g) [The debtor's centre of main interests has been][The debtor has had an establishment] at _____

OR

The debtor carries on business as an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation

OR

The debtor's centre of main interests is not within a member State

2. The debtor has for the greater part of six months immediately preceding the presentation of this petition (g) [resided at] [carried on business at] _____

(h) Or as the case may be following the terms of Rule 6.9 within the district of this court (h)

Under the EC Regulation:
(i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.
(ii) Establishment is defined as "any place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

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(j) Please give the amount of the debt(s), what they relate to and when they were incurred. Please show separately the amount or rate of any interest or other charge not previously notified to the debtor and the reasons why you are claiming it.

(k) Insert on which judgment was obtained

(l) Insert date of execution

(m) Delete as applicable

(n) Insert name of debtor

(o) Only to be completed where the petitioning creditor is represented by a solicitor

3. The debtor is justly and truly indebted to me [us] in the aggregate sum of

£(j) _____

4. The above-mentioned debt is for a liquidated sum payable immediately and the debtor appears to be unable to pay it.

5. On (k) _____ judgment was obtained in (g) [the High Court of justice _____ Division][_____ County Court] [or as the case may be] on an action (the short title and reference to the record whereof is "A _____ V B _____" Number _____ in the sum of £ _____ following which execution was issued at the _____ court in respect of the debt and on (l) _____ the sheriff/county court (g) [made a return][endorsed upon the writ a statement] to the effect that the execution was unsatisfied (g) [as to the whole][as to part] and the above-mentioned debt represents the amount by which the execution was returned unsatisfied.

6. I/We do not, nor does any person on my/our behalf, hold any security on the debtor's estate, or any part thereof, for the payment of the above mentioned sum

OR

I/We hold security for the payment of (m) [part of] the above-mentioned sum. I/We will give up such security for the benefit of all the creditors in the event of a bankruptcy order being made

OR

I/We hold security for the payment of part of the above-mentioned sum and I/we estimate the value of such security to be £ _____. This petition is not made in respect of the secured part of my/our debt.

Endorsement

This petition having been presented to the court on _____ it is ordered that the petition shall be heard as follows:-

Date _____

Time _____ hours

Place _____

and you, the above-named (n) _____, are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing:

- (i) file in court a notice (in Form 6.19) specifying the grounds on which you object to the making of a bankruptcy order; and
- (ii) send a copy of the notice to the petitioner or his solicitor.

The solicitor to the petitioning creditor is: - (o)

Name _____

Address _____

Telephone Number _____

Reference _____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 6.6

Form 6.10

Bankruptcy Petition for Default in Connection with Voluntary Arrangement (Title)

(a) Insert full name(s) and address(es) of petitioner(s); I/We (a)

(b) Insert full name, place of residence and occupation (if any) of debtor

petition the court that a bankruptcy order may be made against (b)

(c) Insert in full any other name(s) by which the debtor is or has been known
(d) Insert trading name (adding "with another or others", if this is so), business address and nature of business
(e) Insert any other address or addresses at which the debtor has resided at or after the time the petition is made

[also known as (c)]

[and carrying on business as (d)]

[and lately residing at (e)]

(f) Give the same details as specified in note (d) above for any other businesses which have been carried on at or after the time the petition debt was incurred

[and lately carrying on business as (f)]

and say as follows:-

1. (g) [The debtor's centre of main interests has been] [The debtor has had an establishment] at _____

(g) Delete as applicable

OR

The debtor carries on business as an insurance undertaking; a credit institution; an investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation

OR

The debtor's centre of main interests is not within a member State

2. The debtor has for the greater part of six months immediately preceding the presentation of this petition (g) [resided at] [carried on business at]

(1) Or as the case may be following the terms of Rule 6.9

within the district of this court (h)

Under the EC Regulation:

(i) The centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.

(ii) Establishment is defined as "any place of operations where the debtor carries out a non-transitory economic activity with human means and goods".

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (j) Insert date the debtor entered into voluntary arrangement. 3. On (j) a voluntary arrangement proposed by the debtor was approved by his creditors and I am (g) [a person who is for the time being bound by the said voluntary arrangement and (k) _____ is the supervisor] [(k) _____ the supervisor of the said voluntary arrangement]
- (k) Insert name of supervisor
- (l) Give details of the default in connection with the composition or scheme, being the grounds under section 276(1) IASG upon which the bankruptcy order is sought (l)

Endorsement

This petition having been presented to the court on _____ it is ordered that the petition shall be heard as follows:-

Date

Time _____ hours

Place

(m) Insert name of debtor

and you, the above-named (m) _____, are to take notice that if you intend to oppose the petition you must not later than 7 days before the date fixed for the hearing.

(i) file in court a notice (in Form 6.19) specifying the grounds on which you object to the making of a bankruptcy order; and

(ii) send a copy of the notice to the petitioner or his solicitor.

The solicitor to the petitioning creditor is: - (n)

(n) Only to be completed where the petitioning creditor is represented by a solicitor

Name

Address

Telephone Number

Reference

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 6.35

Form 6.25

Bankruptcy Order on Creditor’s Petition (Title)

(a) Insert name and address of petitioning creditor

Upon the petition of (a)
a creditor, which was presented on
and upon hearing
and upon reading the evidence

(b) Insert full description of debtor as set out in the petition

It is ordered that (b)
be adjudged bankrupt.

(c) Delete as applicable
(d) Insert whether main, secondary or territorial proceedings

(c) And the Court being satisfied that the EC Regulation does apply and that these proceedings are (d) _____ proceedings as defined in Article 3 of the EC Regulation

(c) The court is satisfied that the EC Regulation does not apply in relation to these proceedings

Dated _____

Time _____ hours

Important Notice to Bankrupt

(e) Insert address of Official Receiver’s office

(c) [The] [One of the] official receiver(s) attached to the court is by virtue of this order receiver and manager of the bankrupt’s estate. You are required to attend upon the Official Receiver of the court at (e) _____

immediately after you have received this order.

The Official Receiver’s offices are open Monday to Friday (except on Holidays) from 10.00 to 16.00 hours.

(f) Order to be endorsed where petitioning creditor is represented by a solicitor

Endorsement on Order (f)	
The solicitor to the petitioning creditor is:-	
Name	_____
Address	_____ _____
Telephone No.	_____
Reference	_____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Debtor’s Bankruptcy Petition (Title)

(a) Insert full name, address and occupation (if any) of debtor
I
(a) _____

(b) Insert in full any other name(s) by which the debtor is or has been known
also known as
(b) _____

(c) Insert former address or addresses at which the debtor may have incurred debts or liabilities still unpaid or unsatisfied
[lately residing at
(c) _____

(d) Insert trading name (adding “with another or others”, if this is so), business address and nature of the business
[and carrying on business as (d) _____

_____]

(e) Insert any former trading names (adding “with another or others”, if this is so), business address and nature of the business in respect of which the debtor may have incurred debts or liabilities still unpaid or unsatisfied
[and lately carrying on business as (e) _____

_____]

request the court that a bankruptcy order be made against me and say as follows:-

(f) Delete as applicable
1. (f) [My centre of main interests has been][I have had an establishment] at

OR

I carry on business as an insurance undertaking; a credit institution; investment undertaking providing services involving the holding of funds or securities for third parties; or a collective investment undertaking as referred to in Article 1.2 of the EC Regulation.

OR

My centre of main interests is not within a member State

Under the EC Regulation

- (i) Centre of main interests should correspond to the place where the debtor conducts the administration of his interests on a regular basis.
- (ii) Establishment is defined in the Council Regulation (No 1346/2000) on insolvency proceedings as “any place of operations where the debtor carries out a non-transitory economic activity with human means and goods”

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

2. I have for the greater part of six months immediately preceding the presentation of this petition (f) [resided at] [carried on business at]

(g) Insert name of court within the district of (f) [this court] [(g) county court. I am presenting my petition to this court, as it is the nearest full-time county court to (g) county court, for the following reasons:

(h) State reasons (h)

3. I am unable to pay my debts.

4. (l) That within the period of five years ending with the date of this petition:-

(l) Insert date

(i) I have not been adjudged bankrupt

(k) Insert name of court

OR

I was adjudged bankrupt on (j) in the (k)

(l) Insert number of bankruptcy proceedings

Court No. (l)

(ii) I have not (f) [made a composition with my creditors in satisfaction of my debts] or (f) [entered into a scheme of arrangement with creditors] (S16 BA1914)

OR

On (j) I (f) [made a composition] [entered into a scheme of arrangement] with my creditors.

(iii) I have not entered into a voluntary arrangement

OR

On (j) I entered into a voluntary arrangement

(iv) I have not been subject to an administration order under Part VI of the County Courts Act 1984

OR

On (j) an administration order was made against me in the (j) county court.

5. A statement of my affairs is filed with this petition.

Date

Signature _____

Complete only if petition not heard immediately

<p>Endorsement</p> <p>This petition having been presented to the court on _____ it is ordered that the petition shall be heard as follows:-</p> <p>Date _____</p> <p>Time _____ hours</p> <p>Place _____</p>

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(Title)

(a) Insert date Upon the petition of the above named debtor, which was presented on (a)
And upon hearing

(c) Delete words in square brackets if no appointment made under section 273(2) (b) [and upon considering the report of (c) appointed under section 273(2) of the Insolvency Act 1986]

(c) Insert name of insolvency practitioner appointed under section 273(2) And upon the petition and statement of affairs

(d) Insert full description of debtor as set out in the petition It is ordered that (d) be adjudged bankrupt.

(e) Delete if no certificate of summary administration is issued under section 275 (e) [And it is certified that the estate of the bankrupt be administered in a summary manner]

(f) Only to be completed where a trustee is appointed on the making of the bankruptcy order under section 29(4) [And it is ordered that (f) be appointed trustee of the bankrupt's estate]

(g) Delete as appropriate (g) And it is also ordered that]

(h) Insert whether main, secondary or territorial proceedings (g) And the court being satisfied that the EC Regulation does apply and that these proceedings are (h) _____ proceedings as defined in Article 3 of the Regulation
OR

(g) And the court is satisfied that the EC Regulation does not apply in relation to these proceedings

Dated _____

Time _____ hours

Important Notice to Bankrupt

(j) Insert address of Official Receiver's office (g) [The] [One of the] official receiver(s) attached to the court is by virtue of this order receiver and manager of the bankrupt's estate. You are required to attend upon the Official Receiver of the court at (j) _____ immediately after you have received this order.

The Official Receiver's offices are open Monday to Friday (except on Holidays) from 10.00 to 16.00 hours.

(k) Order to be endorsed where petitioning creditor is represented by a solicitor

Endorsement on Order (k)	
The solicitor to the petitioning creditor is:-	
Name	_____
Address	_____
Telephone No.	_____
Reference	_____

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 6.52

Form 6.32

Order of Appointment of Interim Receiver (Title)

Mr Registrar in chambers

(a) Give full name and address of applicants

Upon the application of (a)

And upon hearing

And upon reading the evidence

(b) Delete as applicable

(b) And the court being satisfied that the debtor is unable to pay his debts

(c) Insert whether main, secondary or territorial proceedings

And the court being satisfied that the EC Regulation (b) does/does not apply (b) and that these proceedings are (c) _____ proceedings as defined in Article 3 of the EC Regulation

(d) If a person other than the official receiver is to be appointed, delete the words in [] otherwise insert the amount to be deposited

It is ordered that (d) [upon the sum of £ _____ being deposited by the applicant with the official receiver] the following person is appointed interim receiver of the property of the above-named debtor.

(e) Insert either "the official receiver" or if an insolvency practitioner is to be appointed, his full name and address

Name of interim receiver (e) _____

Address (if applicable)

And it is ordered that:-

(f) Insert nature and short description of property of which the interim receiver is to take possession, and the duties to be performed by him in relation to the debtor's affairs

(f)

Dated _____

NOTICE TO DEBTOR

You must give the interim receiver all the information he may require relating to your property and affairs in order for him to carry out the functions imposed on him by the terms of the above order.

Rule 6.96

Form 6.37

Proof of Debt – General Form
(TITLE)

Date of Bankruptcy Order

1	Name of Creditor	
2	Address of Creditor	
3	Total amount of claim, including any Value Added Tax and outstanding uncapitalised interest etc at the date of the bankruptcy order	
4	Details of any documents by reference to which the debt can be substantiated. [Note: the liquidator may call for any document or evidence to substantiate the claim at his discretion]	
5	If the total amount shown above includes Value Added Tax, please show:- (a) amount of Value Added Tax (b) amount of claim NET of Value Added Tax	£ £
6	If total amount above includes outstanding uncapitalised interest, please state amount	£
7	If you have filled in both box 3 and box 5, please state whether you are claiming the amount shown in box 3 or the amount shown in box 5(b)	
8	Give details of whether the whole or any part of the debt falls within any (and if so which) of the categories of preferential debts under section 386 of, and schedule 6 to, the Insolvency Act, 1986 (as read with schedule 3 to the Social Security Pensions Act 1975)	Category Amount(s) claimed as preferential £
9	Particulars of how and when debt incurred	

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10	Particulars of any security held, the value of the security, and the date it was given	
11	Particulars of any reservation of title claimed, including details of goods supplied, their value and when supplied	
12	Signature of creditor or person authorised to act on his behalf _____	
	Name in BLOCK LETTERS _____	
	Position with or relation to creditor _____	

Admitted to vote for

£

Date

Official Receiver/Trustee

Admitted preferentially for

£

Date

Trustee

Admitted non-preferentially for

£

Date

Trustee