STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 3

ADMINISTRATION

CHAPTER 11

Extension and ending of administration

Administrator's application for order ending administration (paragraph 79 of Schedule B1)

3.57.—(1) An application to court by the administrator under paragraph 79 of Schedule B1(**1**) for an order ending an administration must be accompanied by—

(a) a progress report for the period since—

(i) the last progress report (if any), or

(ii) if there has been no previous progress report, the date on which the company entered administration;

(b) a statement indicating what the administrator thinks should be the next steps for the company (if applicable); and

(c) where the administrator makes the application because of a requirement decided by the creditors, a statement indicating with reasons whether or not the administrator agrees with the requirement.

(2) Where the application is made other than because of a requirement by a decision of the creditors—

(a) the administrator must, at least five business days before the application is made, deliver notice of the administrator's intention to apply to court to—

(i) the person who made the administration application or appointment, and

(ii) the creditors; and

(b) the application must be accompanied by—

(i) a statement that notice has been delivered to the creditors, and

(ii) copies of any response from creditors to that notice.

(3) Where the application is in conjunction with a petition under section 124 for an order to wind up the company, the administrator must, at least five business days before the application is filed, deliver notice to the creditors as to whether the administrator intends to seek appointment as liquidator.

(**1**) Paragraph 79(2)(c) is amended by paragraph 10(29) of Schedule 9 to the Small Business, Enterprise and Employment Act 2015 (c.26).