Status: Point in time view as at 19/12/2018.
Changes to legislation: Insolvency Act 1986, Section 251I is up to date with all changes known to be in force
on or before 03 August 2024. There are changes that may be brought into force at a future date. Changes that
have been made appear in the content and are referenced with annotations. (See end of Document for details)

Insolvency Act 1986

1986 CHAPTER 45

[F1PART 7A

DEBT RELIEF ORDERS

Making and effect of debt relief order

[F1251I Discharge from qualifying debts

(1) Subject as follows, at the end of the moratorium applicable to a debt relief order the debtor is discharged from all the qualifying debts specified in the order (including all interest, penalties and other sums which may have become payable in relation to those debts since the application date).

(2) Subsection (1) does not apply if the moratorium terminates early.

(3) Subsection (1) does not apply in relation to any qualifying debt which the debtor incurred in respect of any fraud or fraudulent breach of trust to which the debtor was a party.

(4) The discharge of the debtor under subsection (1) does not release any other person from—

  (a) any liability (whether as partner or co-trustee of the debtor or otherwise) from which the debtor is released by the discharge; or

  (b) any liability as surety for the debtor or as a person in the nature of such a surety.

(5) If the order is revoked by the court under section 251M after the end of the moratorium period, the qualifying debts specified in the order shall (so far as practicable) be treated as though subsection (1) had never applied to them.]

Textual Amendments

F1 Pt. 7A inserted (24.2.2009 for certain purposes otherwise 6.4.2009) by Tribunals, Courts and Enforcement Act 2007 (c. 15), ss. 108(1), 148(5), **Sch. 17**; S.I. 2009/382, **art. 2**

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