



# Insolvency Act 1986

## 1986 CHAPTER 45

### [<sup>F1</sup>PART 7A

#### DEBT RELIEF ORDERS

##### *Role of the court*

#### [<sup>F1</sup>251M Powers of court in relation to debt relief orders

- (1) Any person may make an application to the court if he is dissatisfied by any act, omission or decision of the official receiver in connection with a debt relief order or an application for such an order.
- (2) The official receiver may make an application to the court for directions or an order in relation to any matter arising in connection with a debt relief order or an application for such an order.
- (3) The matters referred to in subsection (2) include, among other things, matters relating to the debtor's compliance with any duty arising under section 251J.
- (4) An application under this section may, subject to anything in the rules, be made at any time.
- (5) The court may extend the moratorium period applicable to a debt relief order for the purposes of determining an application under this section.
- (6) On an application under this section the court may dismiss the application or do one or more of the following—
  - (a) quash the whole or part of any act or decision of the official receiver;
  - (b) give the official receiver directions (including a direction that he reconsider any matter in relation to which his act or decision has been quashed under paragraph (a));
  - (c) make an order for the enforcement of any obligation on the debtor arising by virtue of a duty under section 251J;
  - (d) extend the moratorium period applicable to the debt relief order;

*Status: Point in time view as at 26/03/2015.*

*Changes to legislation: Insolvency Act 1986, Section 251M is up to date with all changes known to be in force on or before 24 May 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)*

- (e) make an order revoking or amending the debt relief order;
  - (f) make an order under section 251N; or
  - (g) make such other order as the court thinks fit.
- (7) An order under subsection (6)(e) for the revocation of a debt relief order—
- (a) may be made during the moratorium period applicable to the debt relief order or at any time after that period has ended;
  - (b) may be made on the court's own motion if the court has made a bankruptcy order in relation to the debtor during that period;
  - (c) may provide for the revocation of the order to take effect on such terms and at such a time as the court may specify.
- (8) An order under subsection (6)(e) for the amendment of a debt relief order may not add any debts that were not specified in the application for the debt relief order to the list of qualifying debts.]

#### **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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