



# Insolvency Act 1986

## 1986 CHAPTER 45

### PART VIII

#### INDIVIDUAL VOLUNTARY ARRANGEMENTS

##### *Consideration and implementation of debtor's proposal*

#### **263 Implementation and supervision of approved voluntary arrangement.**

- (1) This section applies where a voluntary arrangement approved by a creditors' meeting summoned under section 257 has taken effect.
- (2) The person who is for the time being carrying out, in relation to the voluntary arrangement, the functions conferred by virtue of the approval on the nominee (or his replacement under section [F1256(3), 256A(4)] or 258(3)) shall be known as the supervisor of the voluntary arrangement.
- (3) If the debtor, any of his creditors or any other person is dissatisfied by any act, omission or decision of the supervisor, he may apply to the court; and on such an application the court may—
  - (a) confirm, reverse or modify any act or decision of the supervisor,
  - (b) give him directions, or
  - (c) make such other order as it thinks fit.
- (4) The supervisor may apply to the court for directions in relation to any particular matter arising under the voluntary arrangement.
- (5) The court may, whenever—
  - (a) it is expedient to appoint a person to carry out the functions of the supervisor, and
  - (b) it is inexpedient, difficult or impracticable for an appointment to be made without the assistance of the court,

*Status: Point in time view as at 06/04/2010. This version of this provision has been superseded.*

**Changes to legislation:** *Insolvency Act 1986, Section 263 is up to date with all changes known to be in force on or before 04 September 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)*

make an order appointing a person who is qualified to act as an insolvency practitioner [<sup>F2</sup>or authorised to act as supervisor, in relation to the voluntary arrangement], either in substitution for the existing supervisor or to fill a vacancy.

This is without prejudice to section 41(2) of the <sup>M1</sup>Trustee Act 1925 (power of court to appoint trustees of deeds of arrangement).

- (6) The power conferred by subsection (5) is exercisable so as to increase the number of persons exercising the functions of the supervisor or, where there is more than one person exercising those functions, so as to replace one or more of those persons.

#### Textual Amendments

- F1** Words in s. 263(2) substituted (1.1.2003) by 2000 c. 39, s. 3, **Sch. 3 para. 13(a)**; S.I. 2002/2711, **art. 2** (subject to transitional provisions in **arts. 3-5**)
- F2** Words in s. 263(5) substituted (1.1.2003) by 2000 c. 39, s. 3, **Sch. 3 para. 13(b)**; S.I. 2002/2711, **art. 2** (subject to transitional provisions in **arts. 3-5**)

#### Modifications etc. (not altering text)

- C1** Ss. 256–263 applied with modifications by S.I. 1986/1999, **art. 3**, **Sch. I Pt. III**  
 S. 263 amended (1.12.2001) by 2000 c. 8, **s. 357(5)(b)**; S.I. 2001/3538, **art. 2(1)**

#### Marginal Citations

- M1** 1925 c. 19.

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