



Insolvency Act 1986

1986 CHAPTER 45

PART IX **E+W**

BANKRUPTCY

CHAPTER I **E+W**

BANKRUPTCY PETITIONS; BANKRUPTCY ORDERS

Preliminary

264 Who may present a bankruptcy petition. **E+W**

- (1) A petition for a bankruptcy order to be made against an individual may be presented to the court in accordance with the following provisions of this Part—
- (a) by one of the individual's creditors or jointly by more than one of them,
 - (b) by the individual himself,
 - [^{F1}(ba) by a temporary administrator (within the meaning of Article 38 of the EC Regulation),
 - (bb) by a liquidator (within the meaning of Article 2(b) of the EC Regulation) appointed in proceedings by virtue of Article 3(1) of the EC Regulation,]
 - (c) by the supervisor of, or any person (other than the individual) who is for the time being bound by, a voluntary arrangement proposed by the individual and approved under Part VIII, or
 - (d) where a criminal bankruptcy order has been made against the individual, by the Official Petitioner or by any person specified in the order in pursuance of section 39(3)(b) of the ^{M1}Powers of Criminal Courts Act 1973.
- (2) Subject to those provisions, the court may make a bankruptcy order on any such petition.

Status: Point in time view as at 31/05/2002. This version of this provision has been superseded.

Changes to legislation: Insolvency Act 1986, Section 264 is up to date with all changes known to be in force on or before 26 June 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)

Textual Amendments

F1 S. 264(1)(ba)(bb) inserted (31.5.2002) by [S.I. 2002/1240, reg. 13](#)

Modifications etc. (not altering text)

- C1** S. 264 applied (with modifications) (1.12.1994) by [S.I. 1994/2421, art. 10\(1\)\(a\)\(6\)](#), [Sch. 4 Pts. I, II](#) paras. 1, 8, [Sch. 6 para. 2](#) (as amended (1.7.2005) by [S.I. 2005/1516, art. 5\(b\)](#))
- C2** S. 264 modified (1.12.1994) by [S.I. 1994/2421, art. 11\(2\)\(3\)](#), [Sch. 7 para. 2](#) (as amended (1.12.2001) by [S.I. 2001/3649, art. 469](#))
- C3** S. 264 amended (20.7.2001 for certain purposes and otherwise 1.12.2001) by [2000 c. 8, s. 372\(1\)](#); [S.I. 2001/2632, art. 2, Sch. Pt. I](#); [S.I. 2001/3538, art. 2\(1\)](#)

Marginal Citations

M1 [1973 c. 62.](#)

Status:

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