
STATUTORY INSTRUMENTS

1986 No. 1925

The Insolvency Rules 1986

THE SECOND GROUP OF PARTS

PART 6

BANKRUPTCY

CHAPTER 14

DISCLAIMER

Application for leave to disclaim

6.182.—(1) Where under section 315(4) the trustee requires the leave of the court to disclaim property claimed for the bankrupt's estate under section 307 or 308, he may apply for that leave *ex parte*.

(2) The application must be accompanied by a report—

- (a) giving such particulars of the property proposed to be disclaimed as enable it to be easily identified,
- (b) setting out the reasons why, the property having been claimed for the estate, the court's leave to disclaim is now applied for, and
- (c) specifying the persons (if any) who have been informed of the trustee's intention to make the application.

(3) If it is stated in the report that any person's consent to the disclaimer has been signified, a copy of that consent must be annexed to the report.

(4) The court may, on consideration of the application, grant the leave applied for; and it may, before granting leave—

- (a) order that notice of the application be given to all such persons who, if the property is disclaimed, will be entitled to apply for a vesting or other order under section 320, and
- (b) fix a venue for the hearing of the application under section 315(4).