

SCHEDULE

Amendment of Rule 7.57. (Affidavits)

6. For Rule 7.57. substitute—

“Affidavits

7.57.—(1) Subject to the following paragraphs of this Rule the practice and procedure of the High Court with regard to affidavits, their form and contents and the procedure governing their use are to apply to all insolvency proceedings.

(2) Where, in insolvency proceedings, an affidavit is made by the official receiver or the responsible insolvency practitioner, the deponent shall state the capacity in which he makes it, the position which he holds, and the address at which he works.

(3) A creditor’s affidavit of debt may be sworn before his own solicitor.

(4) The official receiver, any deputy official receiver, or any officer of the court duly authorised in that behalf, may take affidavits and declarations.

(5) Subject to paragraph (6), where the Rules provide for the use of an affidavit, a witness statement verified by a statement of truth may be used as an alternative.

(6) Paragraph (5) does not apply to Rules 2.12., 3.4., 4.33., 6.60. (statement of affairs), 4.42., 6.66., 6.72. (further disclosure), 4.39., 4.40., 6.65; 6.70. (accounts), 4.73., 4.77., 6.96; 6.99. (claims) and 9.3., 9.4. (examinations).

(7) Where paragraph (5) applies any form prescribed by Rule 12.7 of these Rules shall be modified as necessary.”.