
STATUTORY INSTRUMENTS

2005 No. 527

The Insolvency (Amendment) Rules 2005

Amendment to Rule 2.106

15.—(1) After paragraph (5) of Rule 2.106 insert—

“(5A) In a case where the administrator has made a statement under paragraph 52(1)(b), if there is no creditors' committee, or the committee does not make the requisite determination, the administrator's remuneration may be fixed (in accordance with paragraph (2)) by the approval of—

- (a) each secured creditor of the company; or
- (b) if the administrator has made or intends to make a distribution to preferential creditors—
 - (i) each secured creditor of the company; and
 - (ii) preferential creditors whose debts amount to more than 50% of the preferential debts of the company, disregarding debts of any creditor who does not respond to an invitation to give or withhold approval;

and paragraph (4) applies to them as it does to the creditors' committee.”.

(2) Omit paragraph (9).