
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Insolvent Companies (Disqualification of Unfit Directors) Proceedings Rules 1987 (“the principal Rules”) ([S.I.1987/2023](#)).

Rule 1 of the principal Rules is amended to extend the scope of the application of the Rules (which in their unamended form only apply to applications for disqualification orders) to other applications made to court under the Company Directors Disqualification Act 1986 ([c.46](#)). These include applications to enforce duties imposed on liquidators and other insolvency office-holders to provide information to the Secretary of State or the official receiver and applications by disqualified persons for leave to act notwithstanding disqualification in connection with the management, formation or promotion of a company (See new Rule 1(3)(a), (b), (d) and (e) inserted by Rule 2(2) of these Rules).

Rule 2 of the principal Rules is amended to clarify when the use of a CPR claim form is required (See Rule 3(2)). Rule 2 of the principal Rules is further amended to provide that the Insolvency Rules 1986 ([S.I. 1986/1925](#)) rather than the principal Rules apply to certain applications made in the course of insolvency proceedings (See Rule 3(3) of these Rules).

Rule 2A is inserted into the principal Rules to provide that Rules 3 to 8 of the principal Rules only apply to the types of applications referred to in new Rule 1(3)(c) (See Rule 4 of these Rules).

No regulatory impact assessment has been prepared for this Order, as it will not impose any significant costs on business.