
STATUTORY INSTRUMENTS

2008 No. 737

The Insolvency (Amendment) Rules 2008

Consequential amendments

7.—(1) In Rules 4.27(3), 4.28(2)(b), 4.30(3)(b), 4.37(2), 4.41(2), 4.61(4), 4.97(3), 4.119(5), 4.120(5), 4.130(4), 4.131(5), 4.143(4), 4.148A(8), 4.169, 4.170(7), 4.186(3)(a), 4.207(5)(b) and (6), 4.214(3) and 4.217(1), for “out of the assets” substitute “as an expense of the liquidation”.

(2) In Rule 4.21A, for “a first charge on the company’s assets” substitute “payable in priority to any expenses of the liquidation”.

(3) In Rule 4.36(7), for “unless the court otherwise orders, no allowance towards them shall be made out of the assets” substitute “unless and to the extent that the court otherwise orders, shall not be an expense of the liquidation”.

(4) In Rule 4.37—

(a) in paragraph (1), for “at the expense of the assets” substitute “as an expense of the liquidation”; and

(b) in paragraph (6), for “out of the assets” substitute “made as an expense of the liquidation”.

(5) In Rule 4.41(1), for “at the expense of the assets” substitute “as an expense of the liquidation”.

(6) In Rule 4.52(1)(e), omit “out of the assets,”.

(7) In Rule 4.61(3), omit “out of the assets,”.

(8) In Rule 4.62(1), omit “out of the company’s assets”.

(9) In Rule 4.78(2) and Rule 4.106(3), omit “out of the assets,”.

(10) In Rule 4.150(1), for “out of the assets be allowed” substitute “be allowed as an expense of the liquidation”.

(11) In Rule 4.170(2)(a), for “out of the company’s assets” substitute “as an expense of the liquidation”.

(12) In Rule 7.34(1), for “are payable out of the insolvent estate,” substitute—
“are payable—

(a) in relation to a company insolvency, as an expense of the liquidation, or

(b) in relation to an individual insolvency, out of the bankrupt’s estate or (as the case may be) the debtor’s property,”.

(13) In Rule 9.6(3), for “be paid out of the insolvent estate” substitute—
“be paid—

(a) in relation to a company insolvency, as an expense of the liquidation,

(b) in relation to an individual insolvency, out of the bankrupt’s estate or (as the case may be) the debtor’s property”.

(14) In Rule 4.219, for the reference to “4.218(1)(a)”, substitute a reference to “4.218(3)(a)”.