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STATUTORY INSTRUMENTS

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**2009 No. 356**

**The Bank Insolvency (England and Wales) Rules 2009**

**PART 18**

**COURT PROCEDURE AND PRACTICE**

**CHAPTER 9**

**GENERAL**

**Principal court rules and practice to apply**

**227.**—(1) The CPR and the practice and procedure of the High Court (including any practice direction) apply to bank insolvency proceedings in the High Court, with any necessary modifications, except so far as inconsistent with these Rules.

(2) All bank insolvency proceedings shall be allocated to the multi-track for which CPR Part 29 makes provision and, accordingly those provisions of the CPR which provide for allocation questionnaires and track allocation do not apply.

**Right of attendance**

**228.** Apply rule 7.53 of the 1986 Rules. In paragraph (1) for “company insolvency proceedings” substitute “bank insolvency proceedings”.

**Restriction on concurrent proceedings and remedies**

**229.** Where in a bank insolvency, the court makes an order staying any action, execution or legal process against the property of the bank, service of the order may be effected by delivering a sealed copy by personal service to the applicant for the bank insolvency order.

**Security in court**

**230.** Apply rule 7.58 of the 1986 Rules.

**Payment into court**

**231.** Apply rule 7.59 of the 1986 Rules(1).

**Further information and disclosure**

**232.**—(1) Apply rule 7.60 of the 1986 Rules(2).

(2) After paragraph (2) insert—

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(1) Rule 7.59 was amended by [S.I.1999/1022](#).

(2) Rule 7.60 was substituted by [S.I. 1999/1022](#).

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“(3) Before the passing of a full payment resolution the court shall only grant an order on an application under paragraph (1)(b) if satisfied that granting the order is unlikely to prejudice the achievement of Objective 1.”

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**233.** Apply rule 7.61 of the 1986 Rules.