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STATUTORY INSTRUMENTS

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**2009 No. 642**

**The Insolvency (Amendment) Rules 2009**

**Substitution of Rule 4.11**

**18.** For Rule 4.11, substitute—

“**4.11.**—(1) Unless the court otherwise directs, the petitioner shall give notice of the petition.

(2) The notice shall be gazetted.

(3) Where compliance with paragraph (2) is not reasonably practicable, the court may direct that instead of the notice being gazetted, it shall be given in such other manner as the court thinks fit.

(4) The notice must be made to appear—

- (a) if the petitioner is the company itself, not less than 7 business days before the day appointed for the hearing; and
- (b) otherwise, not less than 7 business days after service of the petition on the company, nor less than 7 business days before the day so appointed.

(5) The notice must state—

- (a) the name, registered number of the company and the address of its registered office, or—
  - (i) in the case of an unregistered company, the address of its principal place of business;
  - (ii) in the case of an oversea company, the address at which service of the petition was effected;
- (b) the name and address of the petitioner;
- (c) where the petitioner is the company itself, the address of its registered office or, in the case of an unregistered company, of its principal place of business;
- (d) the date on which the petition was presented;
- (e) the venue fixed for the hearing of the petition;
- (f) the name and address of the petitioner’s solicitor (if any); and
- (g) that any person intending to appear at the hearing (whether to support or oppose the petition) must give notice of his intention in accordance with Rule 4.16.

(6) If notice of the petition is not given in accordance with this Rule, the court may dismiss it.”.