
STATUTORY INSTRUMENTS

2009 No. 642

The Insolvency (Amendment) Rules 2009

Amendment to Rule 7.40

63. In Rule 7.40, for paragraphs (1) to (3) substitute—

“(1) This Rule applies where a party to, or person affected by, any proceedings in an insolvency—

- (a) applies to the court for an order allowing his costs, or part of them, incidental to the proceedings; and
- (b) that application is not made at the time of the proceedings.

(2) The person concerned shall serve a sealed copy of his or her application—

- (a) in proceedings other than proceedings relating to a debt relief order—
 - (i) on the responsible insolvency practitioner, and,
 - (ii) in a winding up by the court or a bankruptcy, on the official receiver;
- (b) in proceedings relating to a debt relief order, on the official receiver.

(3) The insolvency practitioner and, where appropriate, the official receiver may appear on an application to which paragraph (2)(a) applies.

(3A) The official receiver may appear on an application to which paragraph (2)(b) applies.”.