
STATUTORY INSTRUMENTS

2010 No. 2581

The Building Society Insolvency
(England and Wales) Rules 2010

PART 18

COURT PROCEDURE AND PRACTICE

CHAPTER 4

COURT RECORDS AND RETURNS

Title of proceedings

200. Every proceeding under Part 2 of the Banking Act shall, with any necessary additions, be titled “IN THE MATTER OF (naming the building society to which the proceedings relate) AND IN THE MATTER OF THE BANKING ACT 2009”.

Court records

201. Apply rule 7.27 of the 1986 Rules.

Inspection of records

202. Apply rule 7.28 of the 1986 Rules.

File of court proceedings and inspection

203.—(1) The Court shall open and maintain a file for each building society insolvency and (subject to the direction of the registrar) all documents relating to that building society insolvency shall be placed on that file.

(2) Where a file has been opened under paragraph (1), the following have the right, at all reasonable times, to inspect that file—

- (a) the building society liquidator,
- (b) any person stating in writing that they are a creditor of the building society to which the building society insolvency relates,
- (c) a member of the building society,
- (d) any person who is, or at any time has been, a director or officer of the building society to which the building society insolvency relates,
- (e) any person who is a contributory of the building society to which the building society insolvency relates, and
- (f) the Bank of England, the FSA and the FSCS.

(3) The right of inspection conferred on any person by paragraph (2) may be exercised on their behalf by a person properly authorised by them.

(4) Any person may, with permission of the court, inspect the file.

(5) The right of inspection conferred by this rule is not exercisable in respect of documents, or parts of documents, which the court has directed (either generally or specially) are not to be open to inspection without the court's permission.

(6) An application for a direction of the court under paragraph (5) may be made by the building society liquidator or by any party appearing to the court to have an interest in the building society insolvency.

(7) If, for the purposes of powers conferred by the Insolvency Act, the Banking Act or these Rules, the Secretary of State wishes to inspect the file on a building society insolvency and requests the court to transmit the file, the court shall comply with the request or, if the file is for the time being in use for the court's own purposes, as soon as the file is no longer in such use.

(8) Rule 202 applies in respect of the court's file on any building society insolvency as it applies in respect of court records of general insolvency proceedings.