

SCHEDULE 1

Amendments to the Insolvency Rules 1986

Amendment to Rule 4.83

194.—(1) Rule 4.83 (appeal against decision on proof) is amended as follows.

(2) After paragraph (4) insert—

“(4A) Where the application is made by a contributory, the court must not disallow the proof (in whole or in part) unless the contributory shows that there is (or would be but for the amount claimed in the proof), or that it is likely that there will be (or would be but for the amount claimed in the proof), a surplus of assets to which the company would be entitled.”.