
STATUTORY INSTRUMENTS

2015 No. 443

The Insolvency (Amendment) Rules 2015

Amendments to the 1986 Rules

9. After Rule 4.131C (apportionment of set fee remuneration) of the 1986 Rules insert—

“Application of Rules 4.131A, 4.131AB and 4.131C where a company subsequently can make a distribution to unsecured creditors

4.131D.—(1) This Rule applies where—

- (a) the basis of remuneration has been fixed in accordance with Rule 2.106(5A);
 - (b) the liquidator now thinks that the company has sufficient property to enable a distribution to be made to unsecured creditors other than by virtue of section 176A(2)(a); and
 - (c) the liquidator makes—
 - (i) a request under Rule 4.131A or 4.131AB; or
 - (ii) an application under Rule 4.131C.
- (2) The request under Rules 4.131A and 4.131AB must be made—
- (a) where there was a creditors’ committee, to the liquidation committee; or
 - (b) where there was no creditors’ committee, to the creditors under Rule 4.127(5).
- (3) The application under Rule 4.131C must be made—
- (a) where there was a creditors’ committee, to the liquidation committee; or
 - (b) where there was no creditors’ committee, to the creditors under Rule 4.127(5);”