
STATUTORY INSTRUMENTS

2016 No. 1024

INSOLVENCY, ENGLAND AND WALES

COMPANIES

INDIVIDUALS

The Insolvency (England and Wales) Rules 2016

<i>Made</i>	- - - -	<i>18th October 2016</i>
<i>Laid before Parliament</i>		<i>25th October 2016</i>
<i>Coming into force</i>		<i>6th April 2017</i>

THE INSOLVENCY (ENGLAND AND WALES) RULES 2016

INTRODUCTORY RULES

1. Citation and commencement
2. Revocations
3. Extent and application
4. Transitional and savings provisions
5. Power of the Secretary of State to regulate certain matters
6. Punishment of offences
7. Review

PART 1

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1.1 Scope

CHAPTER 2

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- 1.2 Defined terms
- 1.3 Calculation of time periods

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[Note: the requirements in Chapter 6 must be read with...

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[Note: the requirements in Chapter 7 must be read with...

- 1.28 Standard contents of notices to be delivered to persons other than the registrar of companies
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[Note: the requirements in Chapter 8 must be read with...

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- 1.37 Delivery to the creditors and opting out
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PART 1A

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CHAPTER 1

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- 1A.1 Application of Part 1A

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[Note: a document required by the Act or these Rules...]

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[Note: a document required by the Act or these Rules...]

- 1A.7 Application of Chapter
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[Note: a document required by the Act or these Rules...]

- 1A.11 Notice given by court where moratorium comes into force:
- 1A.12 Notice given by monitor where moratorium comes into force: standard contents and requirements

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[Note: a document required by the Act or these Rules...

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- 1A.16 Directions

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[Note: a document required by the Act or these Rules...

- 1A.17 Application of Chapter
- 1A.18 Extending a moratorium by application to the court (section A13)
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[Note: a document required by the Act or these Rules...

- 1A.20 Notification by directors to the monitor under section A17(1) of the Act: contents and requirements
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[Note: a document required by the Act or these Rules...

- 1A.22 Notification by directors to the monitor of insolvency proceedings (section A24)

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[Note: a document required by the Act or these Rules...

- 1A.23 Notice bringing moratorium to an end (section A38)
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[Note: a document required by the Act or these Rules...

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- [Note: a document required by the Act or these Rules...]
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- [Note: a document required by the Act of these Rules...]
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- [Note: (1) section 1 of the Act sets out who...
(2) a document required by the Act or these Rules...]
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2.3 Proposal: contents

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[Note: a document required by the Act or these Rules...

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- 2.12 Application to omit information from a statement of affairs
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- 2.23 Notice of appointment of replacement nominee
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[Note: a document required by the Act or these Rules...

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- 2.26 Members' consideration at a meeting
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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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- 3.5 Administration application by the supervisor of a CVA
- 3.6 Witness statement in support of administration application
- 3.7 Filing of application
- 3.8 Service of application
- 3.9 Notice to enforcement agents charged with distress or other legal process,
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- 3.10 Notice of other insolvency proceedings
- 3.11 Intervention by holder of qualifying floating charge (paragraph 36(1)(b) of
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- 3.12 The hearing
- 3.13 The order
- 3.14 Order on an application under paragraph 37 or 38 of Schedule B1
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[Note: a document required by the Act or these Rules...

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- 3.20 Appointment taking place out of court business hours: procedure
- 3.21 Appointment taking place out of court business hours: content of notice
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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

- 3.28 Interpretation
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- 3.29 (1) A requirement under paragraph 47(1) of Schedule B1 for...
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- 3.30 (1) The statement of the company's affairs must be headed...
- 3.31 Statement of affairs: statement of concurrence
- 3.32 Statement of affairs: filing
- 3.33 Statement of affairs: release from requirement and extension of time
- 3.34 Statement of affairs: expenses

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[Note: a document required by the Act or these Rules...

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Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

- 3.36 Administrator's proposals: statement of pre-administration costs
- 3.37 Advertising administrator's proposals and notices of extension of time for delivery of proposals (paragraph 49 of Schedule B1)
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- 3.39 Invitation to creditors to form a creditors' committee
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[Note: a document required by the Act or these Rules...

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- 3.45 Orders limiting disclosure of statement of affairs etc.
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[Note: a document required by the Act or these Rules...

- 3.49 Disposal of charged property

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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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- 3.59 Notice by administrator of court order
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- 3.60 (1) This rule applies where the administrator delivers to the...
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- 3.63 Notice of intention to resign
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- 3.67 Deceased administrator
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[Note: a document required by the Act or these Rules...

- 4.1 Receivers or managers appointed under an instrument: acceptance of appointment (section 33)

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[Note: a document required by the Act or these Rules...

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- 4.3 Interpretation
- 4.4 Administrative receiver's security
- 4.5 Publication of appointment of administrative receiver (section 46(1))
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- 4.6 (1) A requirement under section 47(1) for a nominated person...
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- 4.7 (1) The statement of affairs must be headed "Statement of..."
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- 4.9 Statement of affairs: retention by administrative receiver

- 4.10 Statement of affairs: release from requirement and extension of time (section 47(5))
- 4.11 Statement of affairs: expenses
- 4.12 Limited disclosure
- 4.13 Administrative receiver's report to the registrar of companies and secured creditors (section 48(1))
- 4.14 Copy of report for unsecured creditors (section 48(2))
- 4.15 Invitation to creditors to form a creditors' committee
- 4.16 Disposal of charged property (section 43(1))
- 4.17 Summary of receipts and payments
- 4.18 Resignation
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- 4.20 Other vacation of office
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[Note: a document required by the Act or these Rules...

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PART 5

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[Note: a document required by the Act or these Rules...

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- 5.1 (1) The statutory declaration of solvency required by section 89...

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[Note: a document required by the Act or these Rules...

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- 5.3 Meetings in members' voluntary winding up of authorised deposit-takers
- 5.4 Appointment by the court (section 108)
- 5.5 Cost of liquidator's security (section 390(3))
- 5.6 Liquidator's resignation
- 5.7 Removal of liquidator by the court
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- 5.9 Delivery of proposed final account to members (section 94)
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- 5.13 Liquidator's duties on vacating office

- 5.14 Application by former liquidator to the Secretary of State for release (section 173(2)(b))
- 5.15 Power of court to set aside certain transactions entered into by liquidator
- 5.16 Rule against improper solicitation by or on behalf of the liquidator

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[Note: a document required by the Act or these Rules...

- 5.17 Application for and appointment of special manager (section 177)
- 5.18 Security
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- 5.20 Accounting
- 5.21 Termination of appointment

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- 6.1 Application of Part 6

CHAPTER 2

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[Note: a document required by the Act or these Rules...

- Statement of affairs made out by the liquidator under section 95(1A)
(2) the "official rate" referred to in paragraph (2)(c) is...
- 6.2 (1) This rule applies to the statement of affairs made...
Statement of affairs made out by the directors under section 99(1)
- 6.3 (1) This rule applies to the statement of affairs made...
- 6.4 Additional requirements as to statements of affairs
- 6.5 Statement of affairs: statement of concurrence
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Nomination and appointment of liquidators and information to creditors

[Note: a document required by the Act or these Rules...

- 6.10 Application of the rules in this Chapter
- 6.11 Nomination of liquidator and information to creditors on conversion from members' voluntary winding up (section 96)
- 6.12 Creditors' decision on appointment other than at a meeting (conversion from members' voluntary winding up)
- 6.13 Information to creditors and contributories (conversion of members' voluntary winding up into creditors' voluntary winding up)
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- 6.16 Further information where administrator becomes liquidator (paragraph 83(3) of Schedule B1)
- 6.17 Report by director etc.
- 6.18 Decisions on nomination
- 6.19 Invitation to creditors to form a liquidation committee

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The liquidator

[Note: a document required by the Act or these Rules...

- 6.20 Appointment by creditors or by the company
- 6.21 Power to fill vacancy in office of liquidator
- 6.22 Appointment by the court (section 100(3) or 108)
- 6.23 Advertisement of appointment
- 6.23A Additional requirements as to advertisement where moratorium under Part A1 of the Act in force
- 6.24 Cost of liquidator's security (section 390(3))
- 6.25 Liquidator's resignation and replacement
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- 6.27 Removal of liquidator by the court
- 6.28 Final account prior to dissolution (section 106)
- 6.29 Deceased liquidator
- 6.30 Loss of qualification as insolvency practitioner
- 6.31 Vacation of office on making of winding-up order
- 6.32 Liquidator's duties on vacating office
- 6.33 Application by former liquidator for release (section 173(2)(b))
- 6.34 Power of court to set aside certain transactions
- 6.35 Rule against improper solicitation
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[Note: a document required by the Act or these Rules...

- 6.37 Application for and appointment of special manager (section 177)
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- 6.42 General rule as to priority
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- 6.43 Saving for powers of the court

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Litigation expenses and property subject to a floating charge

[Note: a document required by the Act or these Rules...

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- 6.45 Requirement for approval or authorisation
- 6.46 Request for approval or authorisation
- 6.47 Grant of approval or authorisation
- 6.48 Application to the court by the liquidator

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Application of Part

- 7.1 Application of Part 7

CHAPTER 2

The statutory demand (sections 123(1)(a) and 222(1)(a))

- 7.2 Interpretation
- 7.3 The statutory demand

CHAPTER 3

Petition for winding-up order

[Notes: (1) for petitions by a contributory or relevant office-holder...
(2) a document required by the Act or these Rules...

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- 7.5 Contents of petition
- 7.6 Verification of petition
- 7.7 Petition: presentation and filing
- 7.8 Court to which petition is to be presented where the company is subject to a CVA or is in administration
- 7.9 Copies of petition to be served on company or delivered to other persons
- 7.10 Notice of petition
- 7.11 Persons entitled to request a copy of petition
- 7.12 Certificate of compliance
- 7.13 Permission for the petitioner to withdraw
- 7.14 Notice by persons intending to appear

Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

- 7.15 List of appearances
- 7.16 Witness statement in opposition
- 7.17 Substitution of creditor or contributory for petitioner
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- 7.20 Order for winding up by the court
- 7.21 Notice to official receiver of winding-up order
- 7.22 Delivery and notice of the order
- 7.23 Petition dismissed
- 7.24 Injunction to restrain presentation or notice of petition

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Petition by a contributory or a relevant office-holder

[Note: (1) “relevant office-holder” is defined in rule 7.4(2);
(2) a document required by the Act or these Rules...

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- 7.26 Contents of petition for winding-up order by a contributory
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- 7.28 Verification of petition
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- 7.30 Request to appoint former administrator or supervisor as liquidator
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- 7.31 Hearing of petition
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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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- 7.41 Statement of affairs
- 7.42 Statement of affairs: statement of concurrence
- 7.43 Order limiting disclosure of statement of affairs etc.
- 7.44 Release from duty to submit statement of affairs: extension of time
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- 7.46 Delivery of accounts to official receiver
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[Note: a document required by the Act or these Rules...

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[Note: a document required by the Act or these Rules...

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- 7.54 Decision on nomination
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- 7.58 Cost of liquidator's security (section 390(3))
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- 7.60 Hand-over of assets by official receiver to liquidator
- 7.61 Liquidator's resignation
- 7.62 Notice to official receiver of intention to vacate office
- 7.63 Decision of creditors to remove liquidator
- 7.64 Procedure on removal by creditors
- 7.65 Removal of liquidator by the court (section 172(2))
- 7.66 Removal of liquidator by the Secretary of State (section 172(4))
- 7.67 Deceased liquidator
- 7.68 Loss of qualification as insolvency practitioner
- 7.69 Application by liquidator for release (section 174(4)(b) or (d))
- 7.70 Release of official receiver
- 7.71 Final account prior to dissolution (section 146)
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- 7.73 Liquidator's duties on vacating office
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[Note: a document required by the Act or these Rules...

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Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

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Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

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- 14.39 In an administration or winding up, in the calculation and...
- 14.40 Supplementary provisions as to dividends and distributions
- 14.41 Secured creditors
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- 15.2 Interpretation
- 15.2 The prescribed decision procedures
- 15.3 The following decision procedures are prescribed as decision procedures
under...
- 15.4 Electronic voting
- 15.5 Virtual meetings
- 15.6 Physical meetings
- 15.6 Deemed consent (sections 246ZF and 379ZB)
- 15.7 (1) This rule makes further provision about the deemed consent...

CHAPTER 3

Notices, voting and venues for decisions

- [Note: a document required by the Act or these Rules...]
- 15.8 Notices to creditors of decision procedure
 - 15.9 Voting in a decision procedure
 - 15.10 Venue for decision procedure
 - Notice of decision procedures or of seeking deemed consent: when and to whom delivered
 - 15.11 (1) Notices of decision procedures, and notices seeking deemed consent,...
 - 15.12 Notice of decision procedure by advertisement only
 - 15.13 Gazetting and advertisement of meeting
 - 15.14 Notice to company officers, bankrupts etc. in respect of meetings
 - 15.15 Non-receipt of notice of decision
 - 15.16 Decisions on remuneration and conduct

CHAPTER 4

Decision making in particular proceedings

- [Note: a document required by the Act or these Rules...]
- 15.17 Decisions in winding up of authorised deposit-takers

CHAPTER 5

Requisitioned decisions

- [Note: a document required by the Act or these Rules...]
- Requisitions of decision
- 15.18 (1) In this Chapter, “requisitioned decision” means a decision on...
 - 15.19 Expenses and timing of requisitioned decision

CHAPTER 6

Constitution of meetings

- 15.20 Quorum at meetings
- 15.21 Chair at meetings
- 15.22 The chair – attendance, interventions and questions

CHAPTER 7

Adjournment and suspension of meetings

- 15.23 Adjournment by chair
- 15.23A Adjournment of meeting in, or for the purposes of, a moratorium under Part A1 of the Act
- 15.24 Adjournment of meetings to remove a liquidator or trustee
- 15.25 Adjournment in absence of chair
- 15.26 Proofs in adjournment
- 15.27 Suspension

CHAPTER 8

Creditors' voting rights and majorities

[Note: a document required by the Act or these Rules...

- 15.28 Creditors' voting rights
- 15.29 Scheme manager's voting rights
- 15.30 Claim made in proceedings in other member States
- 15.31 Calculation of voting rights
- 15.32 Calculation of voting rights: special cases
- 15.33 Procedure for admitting creditors' claims for voting
- 15.34 Requisite majorities
- 15.35 Appeals against decisions under this Chapter

CHAPTER 9

Exclusions from meetings

[Note: a document required by the Act or these Rules...

- 15.36 Action where person excluded
- 15.37 Indication to excluded person
- 15.38 Complaint

CHAPTER 10

Contributories' voting rights and majorities

- 15.39 Contributories' voting rights and requisite majorities

CHAPTER 11

Records

- 15.40 Record of a decision

CHAPTER 12

Company meetings

- 15.41 Company meetings
- 15.42 Remote attendance: notification requirements
- 15.43 Location of company meetings
- 15.44 Action where person excluded
- 15.45 Indication to excluded person
- 15.46 Complaint

PART 16

PROXIES AND CORPORATE REPRESENTATION

[Note: a document required by the Act or these Rules...

- 16.1 Application and interpretation
- 16.2 Specific and continuing proxies
- 16.3 Blank proxy

Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

- 16.4 Use of proxies
- 16.5 Use of proxies by the chair
- 16.6 Right of inspection and retention of proxies
- 16.7 Proxy-holder with financial interest
- Corporate representation: bankruptcy and IVA
- 16.8 (1) If a corporation is a creditor in a bankruptcy...
- 16.9 Instrument conferring authorisation to represent corporation

PART 17

CREDITORS' AND LIQUIDATION COMMITTEES

CHAPTER 1

Introductory

- 17.1 Scope and interpretation

CHAPTER 2

Functions of a committee

- 17.2 Functions of a committee

CHAPTER 3

Membership and formalities of formation of a committee

[Note: (1) a document required by the Act or these...

(2) see sections 215, 362, 363, 365, 371 and 374...

Number of members of a committee

- 17.3 (1) A committee in an administration, administrative receivership or a...
- 17.4 Eligibility for membership of creditors' or liquidation committee
- 17.5 Establishment of committees
- 17.6 Liquidation committee established by contributories
- 17.7 Notice of change of membership of a committee
- 17.8 Vacancies: creditor members of creditors' or liquidation committee
- 17.9 Vacancies: contributory members of liquidation committee
- 17.10 Resignation
- 17.11 Termination of membership
- 17.12 Removal
- 17.13 Cessation of liquidation committee in a winding up when creditors are paid in full

CHAPTER 4

Meetings of Committee

[Note: a document required by the Act or these Rules...

- 17.14 Meetings of committee
- 17.15 The chair at meetings
- 17.16 Quorum
- 17.17 Committee-members' representatives
- 17.18 Voting rights and resolutions

- 17.19 Resolutions by correspondence
- 17.20 Remote attendance at meetings of committee
- 17.21 Procedure for requests that a place for a meeting should be specified

CHAPTER 5

Supply of information by the office-holder to the committee

[Note: a document required by the Act or these Rules...

Notice requiring office-holder to attend the creditors' committee
(administration and administrative receivership) (paragraph 57(3)(a) of
Schedule B1 and section 49(2))

- 17.22 (1) This rule applies where— (a) a committee in an...
Office-holder's obligation to supply information to the committee (winding
up and bankruptcy)
- 17.23 (1) This rule applies in relation to a creditors' voluntary...

CHAPTER 6

Miscellaneous

[Note: a document required by the Act or these Rules...

- 17.24 Expenses of members etc.
- 17.25 Dealings by committee members and others
- 17.26 Dealings by committee members and others: administration and
administrative receivership
Formal defects
- 17.27 (1) The acts of a creditors' committee or a liquidation...
- 17.28 Special rule for winding up by the court and bankruptcy: functions vested
in the Secretary of State

CHAPTER 7

Winding up by the court following an administration

[Note: a document required by the Act or these Rules...

Continuation of creditors' committee

- 17.29 (1) This rule applies where— (a) a winding-up order has...

PART 18

REPORTING AND REMUNERATION OF OFFICE-HOLDERS

[Note: this Part does not apply to the official receiver...

CHAPTER 1

Introductory

- 18.1 Scope of Part 18 and interpretation

CHAPTER 2

Progress reports

- [Note: a document required by the Act or these Rules...]
- 18.2 Reporting by the office-holder
Contents of progress reports in administration, winding up and bankruptcy
 - 18.3 (1) The office-holder's progress report in an administration, winding up...
 - 18.4 Information about remuneration
 - 18.5 Information about pre-administration costs
 - 18.6 Progress reports in administration: timing
 - 18.7 Progress reports in voluntary winding up: timing
 - 18.8 Progress reports in winding up by the court and bankruptcy: timing
 - 18.9 Creditors' and members' requests for further information in administration, winding up and bankruptcy
 - 18.10 Administration, creditors' voluntary liquidation and compulsory winding up: reporting distribution of property to creditors under rule 14.13
 - 18.11 Voluntary winding up: reporting arrangement under section 110
 - 18.12 Members' voluntary winding up: reporting distribution to members other than under section 110
 - 18.13 Bankruptcy proceedings: reporting distribution of property to creditors under section 326

CHAPTER 3

Final accounts in winding up and final reports in bankruptcy

- [Note: a document required by the Act or these Rules...]
- 18.14 Contents of final account (winding up) and final report (bankruptcy)

CHAPTER 4

Remuneration and expenses in administration, winding up and bankruptcy

- [Note: a document required by the Act or these Rules...]
- 18.15 Application of Chapter
 - 18.16 Remuneration: principles
 - 18.17 Remuneration of joint office-holders
 - 18.18 Remuneration: procedure for initial determination in an administration
 - 18.19 Remuneration: procedure for initial determination in a members' voluntary winding up
 - 18.20 Remuneration: procedure for initial determination in a creditors' voluntary winding up or a winding up by the court
 - 18.21 Remuneration: procedure for initial determination in a bankruptcy
 - 18.22 Application of scale fees where creditors fail to fix the basis of the office-holder's remuneration
 - 18.23 Remuneration: application to the court to fix the basis
 - 18.24 Remuneration: administrator, liquidator or trustee seeking increase etc.
 - 18.25 Application for an increase etc. in remuneration: the general rule
 - 18.26 First exception: administrator has made a statement under paragraph 52(1) (b) of Schedule B1
 - 18.27 Second exception: administrator who had applied for increase etc. under rule 18.24 becomes liquidator

- 18.28 Remuneration: recourse by administrator, liquidator or trustee to the court
- 18.29 Remuneration: review at request of administrator, liquidator or trustee
- 18.30 Remuneration: exceeding the fee estimate
- 18.31 Remuneration: new administrator, liquidator or trustee
- 18.32 Remuneration: apportionment of set fees
- 18.33 Remuneration: variation of the application of rules 18.29, 18.30 and 18.32
- 18.34 Remuneration and expenses: application to court by a creditor or member on grounds that remuneration or expenses are excessive
Remuneration and expenses: application to court by a bankrupt on grounds that remuneration or expenses are excessive
- 18.35 (1) A bankrupt may, with the permission of the court,...
- 18.36 Applications under rules 18.34 and 18.35 where the court has given permission for the application
- 18.37 Applications under rule 18.34 where the court's permission is not required for the application
- 18.38 Remuneration of a liquidator or trustee who realises assets on behalf of a secured creditor

PART 19

Disclaimer in winding up and bankruptcy

[Note: a document required by the Act or these Rules...

- 19.1 Application of this Part
- 19.2 Notice of disclaimer (sections 178 and 315)
- 19.3 Notice of disclaimer to interested persons (sections 178 and 315)
- 19.4 Notice of disclaimer of leasehold property (sections 179 and 317)
- 19.5 Notice of disclaimer in respect of a dwelling house (bankruptcy) (section 318)
- 19.6 Additional notices of disclaimer
- 19.7 Records
- 19.8 Application for permission to disclaim in bankruptcy (section 315(4))
- 19.9 Application by interested party for decision on disclaimer (sections 178(5) and 316)
- 19.10 Disclaimer presumed valid and effective
- 19.11 Application for exercise of court's powers under section 181 (winding up) or section 320 (bankruptcy)

PART 20

Debtors and their families at risk of violence: orders not to disclose current address

[Note: a document required by the Act or these Rules...

- 20.1 Application of this Part and interpretation
- 20.2 Proposed IVA (order for non-disclosure of current address)
- 20.3 IVA (order for non-disclosure of current address)
- 20.4 Debt relief application (order for non-disclosure of current address)
- 20.5 Bankruptcy application (order for non-disclosure of current address)
- 20.6 Bankruptcy and debt relief proceedings (order for non-disclosure of current address)
- 20.7 Additional provisions in respect of orders under rule 20.6(4)

Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

PART 21

The EU Regulation

[Note: a document required by the Act or these Rules...

- 21.1 Interpretation for this Part
- 21.1A Where an application is made to the court under the...
- 21.2 Conversion into winding up proceedings or bankruptcy: application
- 21.3 Conversion into winding up proceedings or bankruptcy: court order
- 21.4 Confirmation of creditors' voluntary winding up: application
- 21.5 Confirmation of creditors' voluntary winding up: court order
- 21.6 Confirmation of creditors' voluntary winding up: notice to member State liquidator
- 21.7 Proceedings in another member State: duty to give notice
- 21.8 Member State liquidator: rules on creditors' participation in proceedings
- 21.9 Main proceedings in England and Wales: undertaking by office-holder in respect of assets in another member State (Article 36 of the EU Regulation)
- 21.10 Main proceedings in another member State: approval of undertaking offered by the member State liquidator to local creditors in the UK
- 21.11 Powers of an office-holder or member State liquidator in proceedings concerning members of a group of companies (Article 60 of the EU Regulation)
- 21.12 Group coordination proceedings (Section 2 of Chapter 5 of the EU Regulation)
- 21.13 Group coordination order (Article 68 EU Regulation)
- 21.14 Delivery of group coordination order to registrar of companies
- 21.15 Office-holder's report
- 21.16 Publication of opening of proceedings by a member State liquidator
- 21.17 Statement by member State liquidator that insolvency proceedings in another member State are closed etc

PART 22

PERMISSION TO ACT AS DIRECTOR ETC. OF COMPANY WITH A PROHIBITED NAME (SECTION 216)

[Note: a document required by the Act or these Rules...

- 22.1 Preliminary
 - 22.2 Application for permission under section 216(3)
 - 22.3 Power of court to call for liquidator's report
 - 22.4 First excepted case
 - 22.5 Statement as to the effect of the notice under rule 22.4(2)
 - 22.6 Second excepted case
 - 22.7 Third excepted case
- Signature

SCHEDULE 1 — Revocations

SCHEDULE 2 — Transitional and savings provisions

- 1. General
- 2. Requirement for office-holder to provide information to creditors on opting out

3. Electronic communication
4. Statements of affairs
5. Savings in respect of meetings taking place on or after the commencement date and resolutions by correspondence
6. Savings in respect of final meetings taking place on or after the commencement date
7. Progress reports and statements to the registrar of companies
8. Foreign currency
9. CVA moratoria
10. Priority of expenses of voluntary arrangements
11. General powers of liquidator
12. Fast-track voluntary arrangements
13. First trustee in bankruptcy
14. Applications before the court
15. Forms
16. Registers
17. Administrations commenced before 15th September 2003
18. Set-off in insolvency proceedings commenced before 1st April 2005
19. Calculating the value of future debts in insolvency proceedings commenced before 1st April 2005
20. Obligations arising under family proceedings where bankruptcy order is made on or before 31 March 2005
21. Insolvency practitioner fees and expenses estimates
22. Transitional provision for companies entering administration before 6th April 2010 and moving to voluntary liquidation between 6th April 2010 and 8th December 2017 inclusive of those dates

SCHEDULE 3 — Punishment of offences under these Rules

SCHEDULE 4 — Service of documents

1. (1) This Schedule sets out the requirements for service where...
2. Service of winding-up petitions
3. Service of administration application (paragraph 12 of Schedule B1)
4. Service on joint office-holders
5. Service of orders staying proceedings
6. Certificate of service
 - Table of requirements for service

SCHEDULE 5 — Calculation of time periods

[Note: section 376 of the Act contains a power for...

1. The rules in CPR 2.8 with the exception of paragraph...
2. (1) This paragraph applies for the calculation of periods expressed...
3. The provisions of CPR rule 3.1(2)(a) (the court's general powers...
4. Paragraph 3 is subject to any time limits expressly stated...

SCHEDULE 6 — Insolvency jurisdiction of county court hearing centres

[Note: where the entry “London Insolvency District” appears in this...

SCHEDULE 7 — Information to be provided in the bankruptcy application PART 1

Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

Debtor's personal information

1. Debtor's title.
2. Debtor's identification details.
3. Any previous name or other names by which the debtor...

PART 2

Additional personal information

4. Debtor's contact telephone number.
5. Debtor's email address (if any).
6. Debtor's date of birth.
7. Debtor's National Insurance number.
8. Debtor's gender.
9. Any previous address at which the debtor has resided during...
10. Whether the debtor is— (a) single; (b) married;
11. All occupants of the debtor's household and in relation to...
12. Any other person dependent on the debtor and in relation...

Occupation and employment details

13. Debtor's occupation (if any).
14. Debtor's employment status.
15. Where the debtor is employed— (a) date when the debtor...
16. Where the debtor is unemployed— (a) date when the debtor...
17. Where the debtor has worked for any previous employers during...
18. Where the debtor is, or has been, self-employed other than...
19. Where the debtor traded in a partnership at any time...
20. Where the debtor is, or has been, a director or...

Creditors

21. In respect of each creditor— (a) name and address;
22. Where the debtor has an interest in a property, in...

Legal proceedings

23. Where the debtor is, or has been in the five...
24. Where the debtor is involved in proceedings, other than proceedings...

Assets and liabilities

25. Total value of assets.
26. Total value of liabilities.
27. Debtor's net monthly income from all sources.
28. Debtor's monthly surplus income calculated by reference to paragraphs 23...

SCHEDULE 8 — Additional information to be provided in the bankruptcy application

— *Disposal of assets*

1. Where in the five years preceding the date on which...
2. Where in the five years preceding the date on which...

— *Financial arrangements with creditors*

3. Where the debtor has been made bankrupt in the two...
4. Where the debtor has entered into a debt relief order...
5. Where the debtor has, or has had, an IVA in...
6. Where the debtor has, or has had, an arrangement in...

— *Legal and financial advisers*

7. Where a solicitor has acted for or on behalf of...
8. Where an accountant, book keeper or other financial adviser has...
— *Business affairs of a self-employed debtor*
9. Where the debtor traded in a partnership at any time...
10. Where the debtor is or has been self-employed (other than...
11. Where the debtor is or has been self-employed (including a...
— *Financial affairs – assets*
12. The nature and value of each asset belonging to the...
13. Where any asset is owned jointly with another person—
14. Where any asset is subject to the rights of any...
15. Where the debtor holds or has held in the last...
16. Where the debtor owns a motor vehicle or has disposed...
17. Where the debtor regularly uses a motor vehicle that the...
18. Where the debtor owns any property consisting of land or...
19. Where the debtor rents or leases a property, in respect...
20. Where the debtor has an interest in any other property,...
21. Where the debtor resides at a property in which the...
22. Where the debtor has or has held within the five...
— *Financial affairs – income and expenditure*
23. Debtor's total annual income from all sources, the sources of...
24. Total annual household income from all sources, the sources of...
25. Current (or last) income tax reference number.
26. Monthly national insurance.
27. Mean monthly tax.
28. Where the debtor has any current attachment of earnings orders...
29. Particulars of the debtor's mean monthly expenditure which the debtor...
30. Particulars of the debtor's monthly expenditure not otherwise provided under...
— *Enforcement officers and enforcement agents*
31. Where an enforcement officer or enforcement agent has visited the...
— *Cause of insolvency*
32. Why the debt was incurred.
33. Date when the debtor first experienced difficulty in paying some...
34. Reasons for the debtor not having enough money to pay...
35. Where the debtor has gambled any money through betting or...

SCHEDULE 9 — Information to be given to creditors

1. Title of the debtor.
2. Debtor's identification details.
3. Any previous name or other names by which the debtor...
4. Any previous address at which the debtor has resided at...
5. Name and address for each creditor.
6. Amount each creditor claims is due.
7. Debtor's occupation (if any).
8. Debtor's employment status.
9. Where the debtor is, or has been, self-employed other than...
10. Total value of assets.
11. Total value of liabilities.
12. Where in the five years preceding the date of the...
13. Where any asset is owned jointly with another person, the...
14. Where any asset is subject to the rights of any...
15. Where the debtor owns a motor vehicle or has disposed...

Changes to legislation: There are currently no known outstanding effects for the
The Insolvency (England and Wales) Rules 2016. (See end of Document for details)

16. Where the debtor regularly uses a motor vehicle that the...
17. Where the debtor owns or has an interest in any...
18. Where the debtor holds or has held within the five...
19. Debtor's net monthly income from all sources.
20. Debtor's monthly surplus income after taking into account any contribution...
21. Current (or last) income tax reference number.
22. In respect of each creditor— (a) name and address;

SCHEDULE 10 — Destination of appeals from decisions of District Judges in corporate insolvency matters

SCHEDULE 11 — Determination of insolvency office-holder's remuneration

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016.