

## STATUTORY INSTRUMENTS

# 2016 No. 1024

## The Insolvency (England and Wales) Rules 2016

### PART 1

#### SCOPE, INTERPRETATION, TIME AND RULES ABOUT DOCUMENTS

##### CHAPTER 10

###### Inspection of documents, copies and provision of information

#### Right to copies of documents

**1.54.** Where the Act, in relation to proceedings under [F1Part A1] to 11 of the Act, or these Rules give a person the right to inspect documents, that person has a right to be supplied on request with copies of those documents on payment of the standard fee for copies.

#### Textual Amendments

- F1** Words in rule 1.54 substituted (1.10.2021) by virtue of [The Insolvency \(England and Wales\) \(No.2\) \(Amendment\) Rules 2021 \(S.I. 2021/1028\)](#), rule 1, [Sch. 1 paras. 2, 3 Table](#) (with rules 4, 5)

#### Modifications etc. (not altering text)

- C1** [Rules 1.18-1.58](#) applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 12-33, [Sch.](#) (with rule 2(2))

#### Charges for copies of documents provided by the office-holder

**1.55.** Except where prohibited by these Rules, an office-holder is entitled to require the payment of the standard fee for copies of documents requested by a creditor, member, contributory or member of a liquidation or creditors' committee.

#### Modifications etc. (not altering text)

- C1** [Rules 1.18-1.58](#) applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 12-33, [Sch.](#) (with rule 2(2))

#### Offence in relation to inspection of documents

**1.56.—(1)** It is an offence for a person who does not have a right under these Rules to inspect a relevant document falsely to claim to be a creditor, a member of a company or a contributory of a company with the intention of gaining sight of the document.

(2) A relevant document is one which is on the court file, the bankruptcy file or held by the office-holder or any other person and which a creditor, a member of a company or a contributory of a company has the right to inspect under these Rules.

(3) A person guilty of an offence under this rule is liable to imprisonment or a fine, or both.

**Modifications etc. (not altering text)**

**C1** Rules 1.18-1.58 applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 12-33, **Sch.** (with rule 2(2))

**Right to list of creditors**

**1.57.**—(1) This rule applies to—

[<sup>F2</sup>(za) a moratorium under Part A1 of the Act;]

- (a) administration;
- (b) creditors' voluntary winding up;
- (c) winding up by the court; and
- (d) bankruptcy.

(2) A creditor has the right to require the office-holder to provide a list of the names and addresses of the creditors and the amounts of their respective debts unless—

- (a) a statement of affairs has been filed with the court or delivered to the registrar of companies; or
- (b) the information is available for inspection on the bankruptcy file.

(3) The office-holder on being required to provide such a list—

- (a) must deliver it to the person requiring the list as soon as reasonably practicable; and
- (b) may charge the standard fee for copies for a hard copy.

(4) The office-holder may omit the name and address of a creditor if the office-holder thinks its disclosure would be prejudicial to the conduct of the proceedings or might reasonably be expected to lead to violence against any person.

(5) In such a case the list must include—

- (a) the amount of that creditor's debt; and
- (b) a statement that the name and address of the creditor has been omitted for that debt.

**Textual Amendments**

**F2** Rule 1.57(za) inserted (1.10.2021) by [The Insolvency \(England and Wales\) \(No.2\) \(Amendment\) Rules 2021 \(S.I. 2021/1028\)](#), rules 1, **12** (with rules 4, 5)

**Modifications etc. (not altering text)**

**C1** Rules 1.18-1.58 applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 12-33, **Sch.** (with rule 2(2))

### Confidentiality of documents: grounds for refusing inspection

**1.58.**—(1) Where an office-holder considers that a document forming part of the records of the insolvency proceedings—

- (a) should be treated as confidential; or
- (b) is of such a nature that its disclosure would be prejudicial to the conduct of the proceedings or might reasonably be expected to lead to violence against any person;

the office-holder may decline to allow it to be inspected by a person who would otherwise be entitled to inspect it.

(2) The persons to whom the office-holder may refuse inspection include members of a liquidation committee or a creditors' committee.

(3) Where the office-holder refuses inspection of a document, the person wishing to inspect it may apply to the court which may reconsider the office-holder's decision.

(4) The court's decision may be subject to such conditions (if any) as it thinks just.

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#### **Modifications etc. (not altering text)**

- C1** Rules 1.18-1.58 applied (with modifications) (19.3.2024) by [The Water Industry \(Special Administration\) \(England and Wales\) Rules 2024 \(S.I. 2024/229\)](#), rules 1, 5, 12-33, [Sch.](#) (with rule 2(2))

**Changes to legislation:**

There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, CHAPTER 10.