
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 Parts 1 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.

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.

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.

Right to list of creditors

1.57.—(1) This rule applies to—

- (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.

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.