
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 2

COMPANY VOLUNTARY ARRANGEMENTS (CVA)

CHAPTER 6

Additional matters concerning and following approval of CVA

Revocation or suspension of CVA

2.40.—(1) This rule applies where the court makes an order of revocation or suspension under section 6^{F1}...^{M1}.

(2) The applicant for the order must deliver a sealed copy of it to—

- (a) the proposer; and
- (b) the supervisor (if different).

(3) If the directors are the proposer a single copy of the order may be delivered to the company at its registered office.

(4) If the order includes a direction by the court under section 6(4)(b)^{F2}... for [^{F3}action to be taken], the applicant for the order must deliver a notice that the order has been made to the person who is directed to take such action.

(5) The proposer must—

- (a) as soon as reasonably practicable deliver a notice that the order has been made to all of those persons to whom a notice to consider the matter was delivered or who appear to be affected by the order;
- (b) within five business days of delivery of a copy of the order (or within such longer period as the court may allow), deliver (if applicable) a notice to the court advising that it is intended to make a revised proposal to the company and its creditors, or to invite re-consideration of the original proposal.

(6) The applicant for the order must deliver a copy of the order to the registrar of companies within five business days of the making of the order with a notice which must contain the date on which the voluntary arrangement took effect.

Textual Amendments

- F1** Words in rule 2.40(1) omitted (1.10.2021) by virtue of [The Insolvency \(England and Wales\) \(No.2\) \(Amendment\) Rules 2021 \(S.I. 2021/1028\)](#), rule 1, [Sch. 2 para. 3](#) Table (with rules 4, 5)
- F2** Words in rule 2.40(4) omitted (1.10.2021) by virtue of [The Insolvency \(England and Wales\) \(No.2\) \(Amendment\) Rules 2021 \(S.I. 2021/1028\)](#), rule 1, [Sch. 2 para. 3](#) Table (with rules 4, 5)
- F3** Words in rule 2.40(4) substituted (6.4.2017) by [The Insolvency \(England and Wales\) \(Amendment\) Rules 2017 \(S.I. 2017/366\)](#), rules 1, [9](#)

Status: Point in time view as at 01/10/2021.

Changes to legislation: There are currently no known outstanding effects for the *The Insolvency (England and Wales) Rules 2016, Section 2.* (See end of Document for details)

Marginal Citations

- M1** Section 6 is amended by paragraph 7 of Schedule 9 to the [Small Business, Enterprise and Employment Act 2015 \(c.26\)](#) and paragraph 38(1) to (7) and (9) are amended and (1A) and (4)(c) are inserted by paragraph 9(32) to (42) of that Schedule.

Status:

Point in time view as at 01/10/2021.

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, Section 2.