

STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 3

ADMINISTRATION

CHAPTER 2

Appointment of administrator by Court

The order

3.13.—(1) Where the court makes an administration order the court's order must be headed “Administration order” and must contain the following—

- (a) identification details for the proceedings;
- (b) the name and title of the judge making the order;
- (c) the address for service of the applicant;
- (d) details of any other parties (including the company) appearing and by whom represented;
- (e) an order that during the period the order is in force the affairs, business and property of the company is to be managed by the administrator;
- (f) the name of the person appointed as administrator;
- (g) an order that that person is appointed as administrator of the company;
- (h) a statement that the court is satisfied either that the [F1EU Regulation][F2as it has effect in the law of the United Kingdom] does not apply or that it does;
- (i) where the [F1EU Regulation] does apply, a statement whether the proceedings are [F3COMI proceedings or establishment proceedings];
- (j) the date of the order (and if the court so orders the time); and
- (k) such other provisions if any as the court thinks just.

(2) Where two or more administrators are appointed the order must also specify (as required by paragraph 100(2) of Schedule B1)—

- (a) which functions (if any) are to be exercised by those persons acting jointly; and
- (b) which functions (if any) are to be exercised by any or all of those persons.

Textual Amendments

- F1** Words in rule 3.13(1)(h)(i) substituted (8.12.2017) by [The Insolvency \(England and Wales\) and Insolvency \(Scotland\) \(Miscellaneous and Consequential Amendments\) Rules 2017 \(S.I. 2017/1115\)](#), rules 1(1), 23(7)
- F2** Words in rule 3.13(1)(h) inserted (31.12.2020) by [The Insolvency \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/146\)](#), reg. 1(3), **Sch. para. 59(a)** (with regs. 4, 5); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, Section 3. (See end of Document for details)

F3 Words in rule 3.13(1)(i) substituted (31.12.2020) by The Insolvency (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/146), reg. 1(3), **Sch. para. 59(b)** (with regs. 4, 5); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

C1 Rules 3.12, 3.13 applied (with modifications) (19.3.2024) by The Water Industry (Special Administration) (England and Wales) Rules 2024 (S.I. 2024/229), rules 1, 5, 38, **Sch.** (with rule 2(2))

Changes to legislation:

There are currently no known outstanding effects for the The Insolvency (England and Wales) Rules 2016, Section 3.