
STATUTORY INSTRUMENTS

2021 No. 1028

**The Insolvency (England and Wales)
(No.2) (Amendment) Rules 2021**

PART 3

Miscellaneous amendments of the Insolvency Rules

Amendment of Part 15 of the Insolvency Rules

- 75.**—(1) Rule 15.31 (calculation of voting rights) is amended as follows.
- (2) Before paragraph (1)(a) insert—
- “(za) in a decision procedure in respect of a moratorium under Part A1 of the Act, as at the decision date;”.
- (3) In paragraph (1)(d)—
- (a) for sub-paragraph (iii) substitute—
- “(iii) where (i) and (ii) do not apply, at the decision date;”; and
- (b) omit sub-paragraph (iv).
- (4) In paragraph (3), before “a proposed CVA” insert “a decision procedure in respect of a moratorium under Part A1 of the Act,”.
- (5) For paragraph (6) substitute—
- “(6) However, the value of the debt for voting purposes is its full value without deduction of the value of the security in the following cases—
- (a) where, in respect of a moratorium under Part A1 of the Act, there is a decision of pre-moratorium creditors on whether to extend or further extend that moratorium under section A11; and
- (b) where the administrator has made a statement under paragraph 52(1)(b) of Schedule B1 and the administrator has been requested to seek a decision under paragraph 52(2).”.