
STATUTORY INSTRUMENTS

2021 No. 427

**The Administration (Restrictions on Disposal
etc. to Connected Persons) Regulations 2021**

PART 2

Restrictions on disposal of property by administrators

CHAPTER 3

CONDITION AS TO THE OBTAINING OF A QUALIFYING REPORT

Qualifying report: requirements to be met in connection with obtaining and considering the report

- 6.—(1) The requirements specified in this regulation are as follows—
- (a) the report is—
 - (i) obtained by a connected person,
 - (ii) made by an individual who is an evaluator within the meaning given by Part 3 and in respect of whom the requirements specified in paragraph (2) are met, and
 - (iii) given to the administrator;
 - (b) the report—
 - (i) is in writing⁽¹⁾,
 - (ii) states the date on which it was made, and
 - (iii) is authenticated by the evaluator; and
 - (c) there have been no material changes since the date on which the report was made to—
 - (i) the relevant property,
 - (ii) the terms of the substantial disposal, or
 - (iii) any circumstances relating to the substantial disposal.
- (2) The requirements specified in this paragraph are that the administrator, having regard to the date on which the report was made, is satisfied that the individual making that report had sufficient relevant knowledge and experience to make a qualifying report.
- (3) For the purposes of paragraph (1)(a)(ii), the individual making the report is to be taken to have met the requirements for being an evaluator in regulation 10(b) and (c) if the administrator has no reason to believe that the individual did not meet those requirements.
- (4) For the purposes of this regulation—
- (a) the requirement that the report must be given to the administrator may be met by giving the administrator a copy of the report, and

(1) The expression “in writing” is defined in section 436B of the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) “authenticate” means to authenticate in accordance with rule 1.5 of the Insolvency (England and Wales) Rules 2016⁽²⁾ or rule 1.6 of the Insolvency (Scotland) (Company Voluntary Arrangements and Administration) Rules 2018⁽³⁾, as applicable.

⁽²⁾ S.I. 2016/1024.
⁽³⁾ S.I. 2018/1082 (S.4).