

2021 No. 672

INSOLVENCY, ENGLAND AND WALES

INDIVIDUALS

The Insolvency (England and Wales) (Amendment) Rules 2021

<i>Made</i>	- - - -	<i>4th June 2021</i>
<i>Laid before Parliament</i>		<i>8th June 2021</i>
<i>Coming into force</i>	- -	<i>29th June 2021</i>

The Lord Chancellor has consulted the committee existing for the purposes of section 413 of the Insolvency Act 1986(a).

The Lord Chancellor, with the concurrence of the Secretary of State, in exercise of the powers conferred by section 412(b) of that Act, makes the following Rules.

Citation, commencement, extent and transitional provision

1.—(1) These Rules may be cited as the Insolvency (England and Wales) (Amendment) Rules 2021 and shall come into force on 29th June 2021.

(2) These Rules extend to England and Wales.

(3) The amendments made by these Rules apply in relation to applications for a debt relief order made under section 251B(1)(c) of the Insolvency Act 1986 on or after the date on which these Rules come into force.

Amendments to the Insolvency (England and Wales) Rules 2016

2.—(1) The Insolvency (England and Wales) Rules 2016(d) are amended as follows.

(2) In rule 9.9(1)(a)(ii), for “£1,000” substitute “£2,000”.

Signed by the authority of the Lord Chancellor

27th May 2021

Wolfson
Parliamentary Under-Secretary of State for Justice
Ministry of Justice

I concur, on behalf of the Secretary of State

(a) 1986 c. 45. There are amendments to section 413, but none is relevant to these Rules.
(b) Section 412 confers on the Lord Chancellor the power to make rules in relation to individual insolvency with the concurrence of the Secretary of State and the Lord Chief Justice (in the case of rules that affect court procedure). Relevant amendments were made by the Tribunals, Courts and Enforcement Act 2007 (c. 15), Schedule 20, paragraph 8.
(c) Section 251B was inserted by the Tribunals, Courts and Enforcement Act 2007 (c. 15), section 108(1) and Schedule 17.
(d) S.I. 2016/1024, to which there are amendments not relevant to these Rules.

4th June 2021

Callanan
Minister for Climate Change and Corporate Responsibility
Department for Business, Energy and Industrial Strategy

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Insolvency (England and Wales) Rules 2016 (S.I. 2016/1024). Rule 9.9 of those Rules lists property the official receiver must disregard for the purposes of determining the value of a debtor's property in connection with a debt relief order under Part 7A of the Insolvency Act 1986. This includes a single domestic motor vehicle whose maximum potential realisable value is less than £1,000. These Rules change that amount to £2,000.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Insolvency Service, 16th Floor, 1 Westfield Avenue, Stratford, London, E20 1HZ and is also published on the Insolvency Service website www.gov.uk/government/organisations/insolvency-service.

An Explanatory Memorandum has been prepared and is available alongside these Rules at www.legislation.gov.uk.

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