
STATUTORY INSTRUMENTS

2016 No. 1024

INSOLVENCY, ENGLAND AND WALES

COMPANIES

INDIVIDUALS

The Insolvency (England and Wales) Rules 2016

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THE INSOLVENCY (ENGLAND AND WALES) RULES 2016

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Status: This is the original version (as it was originally made).

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- 22.1 Preliminary
- 22.2 Application for permission under section 216(3)
- 22.3 Power of court to call for liquidator's report
- 22.4 First excepted case
- 22.5 Statement as to the effect of the notice under rule 22.4(2)
- 22.6 Second excepted case
- 22.7 Third excepted case
Signature

SCHEDULE 1 — Revocations

SCHEDULE 2 — Transitional and savings provisions

- 1. General
- 2. Requirement for office-holder to provide information to creditors on opting out
- 3. Electronic communication

Status: This is the original version (as it was originally made).

4. Statements of affairs
5. Savings in respect of meetings taking place on or after the commencement date and resolutions by correspondence
6. Savings in respect of final meetings taking place on or after the commencement date
7. Progress reports and statements to the registrar of companies
8. Foreign currency
9. CVA moratoria
10. Priority of expenses of voluntary arrangements
11. General powers of liquidator
12. Fast-track voluntary arrangements
13. First trustee in bankruptcy
14. Applications before the court
15. Forms
16. Registers
17. Administrations commenced before 15th September 2003
18. Set-off in insolvency proceedings commenced before 1st April 2005
19. Calculating the value of future debts in insolvency proceedings commenced before 1st April 2005
20. Obligations arising under family proceedings where bankruptcy order is made on or before 31 March 2005
21. Insolvency practitioner fee estimates
22. Transitional provision for paragraph 83 cases moving before 6th April 2010

SCHEDULE 3 — Punishment of offences under these Rules

SCHEDULE 4 — Service of documents

1. (1) This Schedule sets out the requirements for service where...
2. Service of winding-up petitions
3. Service of administration application (paragraph 12 of Schedule B1)
4. Service on joint office-holders
5. Service of orders staying proceedings
6. Certificate of service

Table of requirements for service

SCHEDULE 5 — Calculation of time periods

SCHEDULE 6 — Insolvency jurisdiction of county court hearing centres

SCHEDULE 7 — Information to be provided in the bankruptcy application

PART 1

Debtor's personal information

1. Debtor's title.
2. Debtor's identification details.
3. Any previous name or other names by which the debtor...

PART 2

Additional personal information

4. Debtor's contact telephone number.
5. Debtor's email address (if any).

6. Debtor's date of birth.
7. Debtor's National Insurance number.
8. Debtor's gender.
9. Any previous address at which the debtor has resided during...
10. Whether the debtor is— (a) single; (b) married;
11. All occupants of the debtor's household and in relation to...
12. Any other person dependent on the debtor and in relation...

Occupation and employment details

13. Debtor's occupation (if any).
14. Debtor's employment status.
15. Where the debtor is employed— (a) date when the debtor...
16. Where the debtor is unemployed— (a) date when the debtor...
17. Where the debtor has worked for any previous employers during...
18. Where the debtor is, or has been, self-employed other than...
19. Where the debtor traded in a partnership at any time...
20. Where the debtor is, or has been, a director or...

Creditors

21. In respect of each creditor— (a) name and address;
22. Where the debtor has an interest in a property, in...

Legal proceedings

23. Where the debtor is, or has been in the five...
24. Where the debtor is involved in proceedings, other than proceedings...

Assets and liabilities

25. Total value of assets.
26. Total value of liabilities.
27. Debtor's net monthly income from all sources.
28. Debtor's monthly surplus income calculated by reference to paragraphs 23...

SCHEDULE 8 — Additional information to be provided in the bankruptcy application

Disposal of assets

1. Where in the five years preceding the date on which...
2. Where in the five years preceding the date on which...

Financial arrangements with creditors

3. Where the debtor has been made bankrupt in the two...
4. Where the debtor has entered into a debt relief order...
5. Where the debtor has, or has had, an IVA in...
6. Where the debtor has, or has had, an arrangement in...

Legal and financial advisers

7. Where a solicitor has acted for or on behalf of...
8. Where an accountant, book keeper or other financial adviser has...

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Business affairs of a self-employed debtor

9. Where the debtor traded in a partnership at any time...
10. Where the debtor is or has been self-employed (other than...
11. Where the debtor is or has been self-employed (including a...

Financial affairs – assets

12. The nature and value of each asset belonging to the...
13. Where any asset is owned jointly with another person—
14. Where any asset is subject to the rights of any...
15. Where the debtor holds or has held in the last...
16. Where the debtor owns a motor vehicle or has disposed...
17. Where the debtor regularly uses a motor vehicle that the...
18. Where the debtor owns any property consisting of land or...
19. Where the debtor rents or leases a property, in respect...
20. Where the debtor has an interest in any other property,...
21. Where the debtor resides at a property in which the...
22. Where the debtor has or has held within the five...

Financial affairs – income and expenditure

23. Debtor's total annual income from all sources, the sources of...
24. Total annual household income from all sources, the sources of...
25. Current (or last) income tax reference number.
26. Monthly national insurance.
27. Mean monthly tax.
28. Where the debtor has any current attachment of earnings orders...
29. Particulars of the debtor's mean monthly expenditure which the debtor...
30. Particulars of the debtor's monthly expenditure not otherwise provided under...

Enforcement officers and enforcement agents

31. Where an enforcement officer or enforcement agent has visited the...

Cause of insolvency

32. Why the debt was incurred.
33. Date when the debtor first experienced difficulty in paying some...
34. Reasons for the debtor not having enough money to pay...
35. Where the debtor has gambled any money through betting or...

SCHEDULE 9 — Information to be given to creditors

1. Title of the debtor.
2. Debtor's identification details.
3. Any previous name or other names by which the debtor...
4. Any previous address at which the debtor has resided at...
5. Name and address for each creditor.
6. Amount each creditor claims is due.
7. Debtor's occupation (if any).
8. Debtor's employment status.
9. Where the debtor is, or has been, self-employed other than...
10. Total value of assets.
11. Total value of liabilities.

12. Where in the five years preceding the date of the...
13. Where any asset is owned jointly with another person, the...
14. Where any asset is subject to the rights of any...
15. Where the debtor owns a motor vehicle or has disposed...
16. Where the debtor regularly uses a motor vehicle that the...
17. Where the debtor owns or has an interest in any...
18. Where the debtor holds or has held within the five...
19. Debtor's net monthly income from all sources.
20. Debtor's monthly surplus income after taking into account any contribution...
21. Current (or last) income tax reference number.
22. In relation to each creditor— (a) name and address;

SCHEDULE 10 — Destination of appeals from decisions of District Judges in corporate insolvency matters

SCHEDULE 11 — Determination of insolvency office-holder's remuneration

Explanatory Note