



Insolvency Act 1986

1986 CHAPTER 45

[^{F1}PART 7A

DEBT RELIEF ORDERS

Objections, investigations and revocation

[^{F1}251K Objections and investigations

- (1) Any person specified in a debt relief order as a creditor to whom a specified qualifying debt is owed may object to—
 - (a) the making of the order;
 - (b) the inclusion of the debt in the list of the debtor's qualifying debts; or
 - (c) the details of the debt specified in the order.
- (2) An objection under subsection (1) must be—
 - (a) made during the moratorium period relating to the order and within the prescribed period for objections;
 - (b) made to the official receiver in the prescribed manner;
 - (c) based on a prescribed ground;
 - (d) supported by any information and documents as may be prescribed;and the prescribed period mentioned in paragraph (a) must not be less than 28 days after the creditor in question has been notified of the making of the order.
- (3) The official receiver must consider every objection made to him under this section.
- (4) The official receiver may—
 - (a) as part of his consideration of an objection, or
 - (b) on his own initiative,carry out an investigation of any matter that appears to the official receiver to be relevant to the making of any decision mentioned in subsection (5) in relation to a debt relief order or the debtor.

Changes to legislation: Insolvency Act 1986, Section 251K is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) The decisions to which an investigation may be directed are—
- (a) whether the order should be revoked or amended under section 251L;
 - (b) whether an application should be made to the court under section 251M; or
 - (c) whether any other steps should be taken in relation to the debtor.
- (6) The power to carry out an investigation under this section is exercisable after (as well as during) the moratorium relating to the order.
- (7) The official receiver may require any person to give him such information and assistance as he may reasonably require in connection with an investigation under this section.
- (8) Subject to anything prescribed in the rules as to the procedure to be followed in carrying out an investigation under this section, an investigation may be carried out by the official receiver in such manner as he thinks fit.]

Textual Amendments

- F1** Pt. 7A inserted (24.2.2009 for certain purposes otherwise 6.4.2009) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), ss. 108(1), 148(5), [Sch. 17](#); S.I. 2009/382, [art. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act amendment to earlier affecting provision S.I. 1986/1999, art. 3, Sch. 1 Pt. 2 by [S.I. 2017/1119 Sch. 3 para. 1](#)
- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41HB(2) words substituted by [2018 c. 14 s. 1\(3\)\(b\)](#)