



# Insolvency Act 1986

## 1986 CHAPTER 45

### PART XV

#### SUBORDINATE LEGISLATION

##### *General insolvency rules*

#### **413 Insolvency Rules Committee.**

- (1) The committee established under section 10 of the <sup>M1</sup>Insolvency Act 1976 (advisory committee on bankruptcy and winding-up rules) continues to exist for the purpose of being consulted under this section.
- (2) The Lord Chancellor shall consult the committee before making any rules under section 411 or 412 [<sup>F1</sup>other than rules which contain a statement that the only provision made by the rules is provision applying rules made under section 411, with or without modifications, for the purposes of provision made by section [<sup>F2</sup>any of sections 23 to 26 of the Water Industry Act 1991 or Schedule 3 to that Act]] [<sup>F3</sup>or by any of sections 59 to 65 of, or Schedule 6 or 7 to, the Railways Act 1993].
- (3) Subject to the next subsection, the committee shall consist of—
  - (a) a judge of the High Court attached to the Chancery Division;
  - (b) a circuit judge;
  - (c) [<sup>F4</sup>an insolvency and companies court judge];
  - [<sup>F5</sup>(d) a district judge;]
  - (e) a practising barrister;
  - (f) a practising solicitor; and
  - (g) a practising accountant;

and the appointment of any person as a member of the committee shall be made [<sup>F6</sup>in accordance with subsection (3A) or (3B)].

- [<sup>F7</sup>(3A) The Lord Chief Justice must appoint the persons referred to in paragraphs (a) to (d) of subsection (3), after consulting the Lord Chancellor.

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*Changes to legislation: Insolvency Act 1986, Section 413 is up to date with all changes known to be in force on or before 13 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*

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- (3B) The Lord Chancellor must appoint the persons referred to in paragraphs (e) to (g) of subsection (3), after consulting the Lord Chief Justice.]
- (4) The Lord Chancellor may appoint as additional members of the committee any persons appearing to him to have qualifications or experience that would be of value to the committee in considering any matter with which it is concerned.
- [<sup>F8</sup>(5) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]

#### Textual Amendments

- F1** Words inserted by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 25 para. 78(2)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)
- F2** Words in S. 413(2) substituted (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60\)](#), ss. 2(1), 4(2), **Sch. 1 para. 46**.
- F3** Words in s. 413(2) added (1.4.1994) by [1993 c. 43](#), ss. 150(1)(o), 152(1), Sch. 12 para.25; [S.I. 1994/571](#), **art. 5**
- F4** Words in s. 413(3)(c) substituted (26.2.2018) by [The Alteration of Judicial Titles \(Registrar in Bankruptcy of the High Court\) Order 2018 \(S.I. 2018/130\)](#), art. 1, **Sch. para. 7(b)**
- F5** S. 413(3)(d) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 93(k)**; [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F6** Words in s. 413(3) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, **Sch. 4 para. 190(2)**; [S.I. 2006/1014](#), **art. 2(a)**, Sch. 1
- F7** S. 413(3A)(3B) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, **Sch. 4 para. 190(3)**; [S.I. 2006/1014](#), **art. 2(a)**, Sch. 1
- F8** S. 413(5) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, **Sch. 4 para. 190(4)**; [S.I. 2006/1014](#), **art. 2(a)**, Sch. 1

#### Modifications etc. (not altering text)

- C1** S. 413 applied (with modifications) by [S.I. 1986/1999](#), art. 3, **Sch. 1 Pt. II**
- C2** S. 413 applied (1.12.1994) by [S.I. 1994/2421](#), **arts. 4(3)(e), 6(3)(e)**
- C3** S. 413 applied (with modifications) (15.3.2024) by [The Water Industry \(Special Administration\) Regulations 2024 \(S.I. 2024/205\)](#), regs. 2(2), **5(1)**, 50 (with reg. 64)
- C4** S. 413(2) excluded (17.2.2009 for certain purposes, otherwise 21.2.2009) by [Banking Act 2009 \(c. 1\)](#), **ss. 125(8), 263(1)(2)** (with s. 247); [S.I. 2009/296](#), **arts. 2, 3**, Sch.
- C5** S. 413(2) excluded (17.2.2009 for certain purposes, otherwise 21.2.2009) by [Banking Act 2009 \(c. 1\)](#), **ss. 160(6), 263(1)(2)** (with s. 247); [S.I. 2009/296](#), **arts. 2, 3**, Sch.
- C6** S. 413(2) excluded (29.3.2009) by [The Building Societies \(Insolvency and Special Administration\) Order 2009 \(S.I. 2009/805\)](#), **art. 16**
- C7** S. 413(2) excluded (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), **ss. 73(4), 93(2)(3)**; [S.I. 2011/2329](#), **art. 3** (with arts. 4, 5)
- C8** S. 413(2) excluded (3.2.2017) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 102(6), 216(3)** (with ss. 116, 117); [S.I. 2017/75](#), reg. 3(c)
- C9** S. 413(2) excluded (31.1.2019) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 32(2), 47(2)**; [S.I. 2018/1161](#), reg. 3(a)

#### Marginal Citations

- M1** [1976 c. 60](#).

**Changes to legislation:**

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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\(3\)\(b\)](#)