

SCHEDULE

PART 1

AMENDMENT OF THE PRINCIPAL RULES

SECTION 8: AMENDMENT OF PART 7 OF THE RULES

Amendment of Rule 7.34

131.—(1) For paragraph (1) of Rule 7.34 there shall be substituted the following:—

“(1) Subject as follows, where the costs, charges or expenses of any person are payable out of the insolvent estate, those costs, charges or expenses shall be taxed unless agreed between the responsible insolvency practitioner and the person entitled to payment, and in the absence of such agreement the responsible insolvency practitioner may require taxation by notice in writing requiring that person to deliver his bill of costs to the appropriate taxing officer for taxation; the appropriate taxing officer is that in relation to the court to which the insolvency proceedings are allocated or, where in relation to a company there is no such court, that in relation to any court having jurisdiction to wind up the company.”.

(2) In paragraph (3) of Rule 7.34 after the word “taxed” there shall be inserted the words “or fixed by order of the court”.

(3) In paragraph (5) of Rule 7.34 there shall be added at the end the words “specified in Rule 12 of Order 62 of the Rules of the Supreme Court”.

Amendment of Rule 7.35

132. After paragraph (5) of Rule 7.35 there shall be added the following paragraph:—

“(6) Where costs have been incurred in insolvency proceedings in the High Court and those proceedings are subsequently transferred to a county court, all costs of those proceedings directed by the court or otherwise required to be taxed may nevertheless, on the application of the person who incurred the costs, be ordered to be taxed in the High Court.”.

Amendment of Rule 7.49

133. In paragraph (2) of Rule 7.49 there shall be added at the end the words “and any reference to the registrar of civil appeals is replaced by a reference to the registrar of the High Court who deals with insolvency proceedings of the kind involved”.