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STATUTORY INSTRUMENTS

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**2004 No. 584**

**The Insolvency (Amendment) Rules 2004**

**Amendment of Rule 5.43**

**24.** In Rule 5.43 at the end there is inserted—

“(3) A proposal is not approved if those voting against it include more than half in value of the creditors, counting in the latter only those—

- (a) who gave notice to the official receiver in accordance with Rule 5.40;
- (b) whose votes are not to be left out of account under paragraph (2); and
- (c) who are not, to the best of the official receiver’s belief, associates of the debtor.

(4) It is for the official receiver to decide whether, under this Rule a person is an associate of the debtor for the purposes of paragraph (3)(c) and in relation to this he is entitled to rely on the information provided by the debtor’s statement of affairs or otherwise in accordance with this Part of the Rules.”.