
STATUTORY INSTRUMENTS

2006 No. 1030

INSOLVENCY

COMPANIES

INDIVIDUALS

The Cross-Border Insolvency Regulations 2006

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Coming into force *4th April 2006*

THE CROSS-BORDER INSOLVENCY REGULATIONS 2006

1. Citation, commencement and interpretation
 2. UNCITRAL Model Law to have force of law
 3. Modification of British insolvency law
 4. Procedural matters in England and Wales
 5. Procedural matters in Scotland
 6. Notices delivered to the registrar of companies
 7. Co-operation between courts exercising jurisdiction in relation to cross-border insolvency
 8. Disapplication of section 388 of the Insolvency Act 1986
- Signature

SCHEDULE 1 — UNCITRAL MODEL LAW ON CROSS-BORDER INSOLVENCY
CHAPTER I — GENERAL PROVISIONS

Article 1. Scope of Application

1. This Law applies where— (a) assistance is sought in Great...
2. This Law does not apply to a proceeding concerning—
3. In paragraph 2 of this article— (a) in sub-paragraph (j)...
4. The court shall not grant any relief, or modify any...
5. Where a foreign proceeding regarding a debtor who is an...
6. Any suspension under this Law of the right to transfer,...
7. In paragraph 6— (a) “owner’s powers” means the powers described...

Status: This is the original version (as it was originally made).

Article 2. Definitions

Article 3. International obligations of Great Britain under the EC Insolvency Regulation

Article 4. Competent court

1. The functions referred to in this Law relating to recognition...
2. Subject to paragraph 1 of this article, the court in...
3. In considering whether it is the appropriate forum to hear...

Article 5. Authorisation of British insolvency officeholders to act in a foreign State

Article 6. Public policy exception

Article 7. Additional assistance under other laws

Article 8. Interpretation

CHAPTER II — ACCESS OF FOREIGN REPRESENTATIVES AND CREDITORS TO COURTS IN GREAT BRITAIN

Article 9. Right of direct access

Article 10. Limited jurisdiction

Article 11. Application by a foreign representative to commence a proceeding under British insolvency law

Article 12. Participation of a foreign representative in a proceeding under British insolvency law

Article 13. Access of foreign creditors to a proceeding under British insolvency law

1. Subject to paragraph 2 of this article, foreign creditors have...
2. Paragraph 1 of this article does not affect the ranking...
3. A claim may not be challenged solely on the grounds...

Article 14. Notification to foreign creditors of a proceeding under British insolvency law

1. Whenever under British insolvency law notification is to be given...
2. Such notification shall be made to the foreign creditors individually,...
3. When notification of a right to file a claim is...
4. In this article “the court” means the court which has...

CHAPTER III — RECOGNITION OF A FOREIGN PROCEEDING AND RELIEF

Article 15. Application for recognition of a foreign proceeding

1. A foreign representative may apply to the court for recognition...
2. An application for recognition shall be accompanied by—
3. An application for recognition shall also be accompanied by a...
4. The foreign representative shall provide the court with a translation...

Article 16. Presumptions concerning recognition

1. If the decision or certificate referred to in paragraph 2...
2. The court is entitled to presume that documents submitted in...
3. In the absence of proof to the contrary, the debtor’s...

Article 17. Decision to recognise a foreign proceeding

1. Subject to article 6, a foreign proceeding shall be recognised...
2. The foreign proceeding shall be recognised— (a) as a foreign...
3. An application for recognition of a foreign proceeding shall be...
4. The provisions of articles 15 to 16, this article and...

Article 18. Subsequent information

Article 19. Relief that may be granted upon application for recognition of a foreign proceeding

1. From the time of filing an application for recognition until...
2. Unless extended under paragraph 1(f) of article 21, the relief...
3. The court may refuse to grant relief under this article...

Article 20. Effects of recognition of a foreign main proceeding

1. Upon recognition of a foreign proceeding that is a foreign...
2. The stay and suspension referred to in paragraph 1 of...
3. Without prejudice to paragraph 2 of this article, the stay...
4. Paragraph 1(a) of this article does not affect the right...
5. Paragraph 1 of this article does not affect the right...
6. In addition to and without prejudice to any powers of...

Article 21. Relief that may be granted upon recognition of a foreign proceeding

1. Upon recognition of a foreign proceeding, whether main or non-main,...
2. Upon recognition of a foreign proceeding, whether main or non-main,...
3. In granting relief under this article to a representative of...
4. No stay under paragraph 1(a) of this article shall affect...

Article 22. Protection of creditors and other interested persons

1. In granting or denying relief under article 19 or 21,...
2. The court may subject relief granted under article 19 or...
3. The court may, at the request of the foreign representative...

Article 23. Actions to avoid acts detrimental to creditors

1. Subject to paragraphs 6 and 9 of this article, upon...
2. Where the foreign representative makes such an application (“an article...
3. The modifications referred to in paragraph 2 of this article...
4. For the purposes of paragraph 3 of this article, the...
5. When the foreign proceeding is a foreign non-main proceeding, the...
6. At any time when a proceeding under British insolvency law...
7. On making an order on an article 23 application, the...
8. Nothing in this article affects the right of a British...
9. Nothing in paragraph 1 of this article shall apply in...

Article 24. Intervention by a foreign representative in proceedings in Great Britain

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

Article 25. Cooperation and direct communication between a court of Great Britain and foreign courts or foreign representatives

1. In matters referred to in paragraph 1 of article 1,...
2. The court is entitled to communicate directly with, or to...

Article 26. Cooperation and direct communication between the British insolvency officeholder and foreign courts or foreign representatives

1. In matters referred to in paragraph 1 of article 1,...
2. The British insolvency officeholder is entitled, in the exercise of...

Article 27. Forms of cooperation

CHAPTER V — CONCURRENT PROCEEDINGS

Article 28. Commencement of a proceeding under British insolvency law after recognition of a foreign main proceeding

Article 29. Coordination of a proceeding under British insolvency law and a foreign proceeding

Article 30. Coordination of more than one foreign proceeding

Article 31. Presumption of insolvency based on recognition of a foreign main proceeding

Article 32. Rule of payment in concurrent proceedings

SCHEDULE 2 — PROCEDURAL MATTERS IN ENGLAND AND WALES

PART 1 — INTRODUCTORY PROVISIONS

1. Interpretation

PART 2 — APPLICATIONS TO COURT FOR RECOGNITION OF FOREIGN PROCEEDINGS

2. Affidavit in support of recognition application
3. Form and content of application
4. Contents of affidavit in support
5. The hearing and powers of court
6. Notification of subsequent information

PART 3 — APPLICATIONS FOR RELIEF UNDER THE MODEL LAW

7. Application for interim relief—affidavit in support
8. Service of interim relief application not required
9. The hearing and powers of court
10. Application for relief under article 21 of the Model Law—affidavit in support
11. The hearing and powers of court

PART 4 — REPLACEMENT OF FOREIGN REPRESENTATIVE

12. Application for confirmation of status of replacement foreign representative
13. Contents of application and affidavit in support
14. The hearing and powers of court

PART 5 — REVIEWS OF COURT ORDERS

15. Reviews of court orders—where court makes order of its own motion
16. Review application—affidavit in support
17. Hearing of review application and powers of the court

PART 6 — COURT PROCEDURE AND PRACTICE WITH REGARD TO PRINCIPAL APPLICATIONS AND ORDERS

18. Preliminary and interpretation
19. Form and contents of application
20. Filing of application
21. Service of the application
22. Manner in which service to be effected
23. Proof of service
24. In case of urgency
25. The hearing
26. Notification and advertisement of order
27. Adjournment of hearing; directions
PART 7 — APPLICATIONS TO THE CHIEF LAND REGISTRAR
28. Applications to Chief Land Registrar following court orders
PART 8 — MISFEASANCE
29. Misfeasance by foreign representative
PART 9 — GENERAL PROVISION AS TO COURT PROCEDURE AND PRACTICE
30. Principal court rules and practice to apply with modifications
31. Applications other than the principal applications—preliminary
32. Form and contents of application
33. Filing and service of application
34. Other hearings *ex parte*
35. Use of affidavit evidence
36. Filing and service of affidavits
37. Adjournment of hearings; directions
38. Transfer of proceedings within the High Court
39. Transfer of proceedings—actions to avoid acts detrimental to creditors
40. Shorthand writers
41. Enforcement procedures
42. Title of proceedings
43. Court records
44. Inspection of records
45. File of court proceedings
46. Right to inspect the file
47. Copies of court orders
48. Filing of Gazette notices and advertisements
49. Persons incapable of managing their affairs—introductory
50. Appointment of another person to act
51. Affidavit in support of application
52. Service of notices following appointment
53. Rights of audience
54. Right of attendance
55. Right of attendance for member State liquidator
56. British insolvency officeholder’s solicitor
57. Formal defects
58. Restriction on concurrent proceedings and remedies
59. Affidavits
60. Security in court
61. Further information and disclosure
62. Office copies of documents
63. “The court”
PART 10 — COSTS AND DETAILED ASSESSMENT
64. Requirement to assess costs by the detailed procedure
65. Costs of officers charged with execution of writs or other process
66. Final costs certificate

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

PART 11 — APPEALS IN PROCEEDINGS UNDER THESE REGULATIONS

67. Appeals from court orders
 68. Procedure on appeals
- PART 12 — GENERAL
69. Notices
 70. “Give notice” etc.
 71. Notice, etc. to solicitors
 72. Notice to joint British insolvency officeholders
 73. Forms for use in proceedings under these Regulations
 74. Time limits
 75. Service by post
 76. General provisions as to service and notice
 77. Service outside the jurisdiction
 78. False claim of status as creditor
 79. The Gazette

SCHEDULE 3 — PROCEDURAL MATTERS IN SCOTLAND

PART 1 — INTERPRETATION

1. Interpretation

PART 2 — THE FOREIGN REPRESENTATIVE

2. Application for confirmation of status of replacement foreign representative
3. Misfeasance by a foreign representative

PART 3 — COURT PROCEDURE AND PRACTICE

4. Preliminary and interpretation
5. Reviews of court orders—where court makes order of its own motion
6. The hearing
7. Notification and advertisement of order
8. Registration of court order
9. Right to inspect court process
10. Copies of court orders
11. Transfer of proceedings—actions to avoid acts detrimental to creditors

PART 3 — GENERAL

12. Giving of notices, etc
13. Sending by post
14. Certificate of giving notice, etc
15. Forms for use in proceedings under these Regulations

SCHEDULE 4 — NOTICES DELIVERED TO THE REGISTRAR OF COMPANIES

1. Interpretation
2. Functions of the registrar of companies
3. Registrar of companies to whom notices to be delivered
4. Delivery to registrar of notices
5. Enforcement of foreign representative’s duty to give notice to registrar
6. Rectification of the register under court order

SCHEDULE 5 — FORMS

Explanatory Note