
STATUTORY INSTRUMENTS

2007 No. 521

The Insolvency Proceedings (Fees) (Amendment) Order 2007

Citation and commencement

1. This Order may be cited as the Insolvency Proceedings (Fees) (Amendment) Order 2007 and shall come into force on 1st April 2007 (“the commencement date”).

Amendment to the Insolvency Proceedings (Fees) Order 2004

2.—(1) Subject to article 4, the Insolvency Proceedings (Fees) Order 2004⁽¹⁾ (“the principal Order”) is amended as set out below.

(2) In article 5, for “£310”, there is substituted “£335”.

(3) In the definition of “appropriate deposit” in article 6—

(a) in paragraph (a), for “£655”, there is substituted “£670”;

(b) in paragraph (b), for “£325”, there is substituted “£335”;

(c) in paragraph (c), for “£390”, there is substituted “£400”.

(4) In article 7(1), for “£315”, there is substituted “£310”.

(5) In article 8, for “£812.50”, there is substituted “£857.50”.

(6) In the definition of “the bankruptcy ceiling” in paragraph 1(1) of Schedule 2, for paragraph (b) substitute—

“(b) any interest payable by virtue of sections 328(4) and 329(2)(b); and”.

(7) In the Table of Fees in Schedule 2—

(a) in respect of the fee designated as fee IVA1, for the amount of “£15” prescribed as payable on the registration of an individual voluntary arrangement by the Secretary of State, there is substituted “£10”;

(b) in respect of the fee designated as fee B1—

(i) for the description of the fee and the circumstances in which it is charged, there is substituted—

“Bankruptcy – official receiver’s administration fee

For the performance by the official receiver of his general duties as official receiver on the making of a bankruptcy order, including his duty to investigate and report upon the affairs of bankrupts, there shall be payable a fee of—”;

(ii) for “£1,625” prescribed as the amount of that fee, there is substituted “£1,715”;

(c) in respect of the fee designated as fee W1—

(i) for the description of the fee and the circumstances in which it is charged, there is substituted—

⁽¹⁾ S.I. 2004/593, as amended by S.I. 2005/544 and S.I. 2006/561.

“Winding up by the court — official receiver’s administration fee

For the performance by the official receiver of his general duties as official receiver on the making of a winding-up order, including his duty to investigate and report upon the affairs of bodies in liquidation, there shall be payable a fee of—”;

(ii) for “£1,950” prescribed as the amount of that fee, there is substituted “£2,090”.

Revocations and consequential amendments

3. Subject to article 4(10)—

- (a) the fee Orders listed in the Schedule to this Order are revoked to the extent set out in that Schedule;
- (b) in Schedule 1 to the principal Order, all entries relating to the fee Orders listed in the Schedule to this Order, are revoked; and
- (c) articles 3, 4 and 5 of the Insolvency Proceedings (Fees) (Amendment) Order 2006⁽²⁾ are revoked.

Transitional provisions

4.—(1) The amendments made by articles 2 and 3 of this Order shall apply as set out below.

(2) The amendment made by article 2(2) shall only apply to reports submitted to the court in respect of debtors’ petitions presented on or after the commencement date.

(3) The amendments made by sub-paragraphs (a), (b) and (c) of article 2(3), increasing the fees prescribed by article 6 of the principal Order, shall only apply to petitions presented on or after the commencement date.

(4) The amendment made by article 2(4), reducing the fee prescribed by article 7(1) of the principal Order, shall only apply to notifications sent to the official receiver on or after the commencement date.

(5) The amendment made by article 2(5), describing the level to which the official receiver’s administration fee B1 is to be reduced where proposals made by a bankrupt for an individual voluntary arrangement are approved by the bankrupt’s creditors, shall only apply to those cases in which the bankruptcy order relating to the bankrupt was made on or after the commencement date.

(6) The amendment made by article 2(6) to the definition of “the bankruptcy ceiling” shall only apply in respect of bankruptcy orders made on or after the commencement date.

(7) The amendment made by article 2(7)(a), reducing the fee designated as fee IVA1, shall only apply to a voluntary arrangement under Part VIII of the Insolvency Act 1986 in respect of which information required to be submitted to the Secretary of State by virtue of Part 5 of the Insolvency Rules 1986⁽³⁾ is first submitted in relation to that arrangement on or after the commencement date.

(8) The amendment made by article 2(7)(b) shall only apply in respect of bankruptcy orders made on or after the commencement date.

(9) The amendment made by article 2(7)(c) shall only apply in respect of winding-up orders made on or after the commencement date.

(10) The revocations made by article 3 take effect save as respects any fee or percentage due or payable before the commencement date under the Orders or entries referred to.

(2) [S.I. 2006/561](#).

(3) [S.I. 1986/1925](#), as amended by [S.I.s 1987/1919](#), [1989/397](#), [1991/495](#), [1993/602](#), [1995/586](#), [1991/359](#), [1999/1022](#), [2001/763](#), [2002/1307](#), [2002/2712](#), [2003/1730](#), [2004/584](#), [2004/1070](#), [2005/527](#) and [2006/1272](#).

17th February 2007

Falconer of Thoroton, C

We concur

20th February 2007

Frank Roy
Claire Ward
Two of the Lords Commissioners
of Her Majesty's Treasury