
STATUTORY INSTRUMENTS

2010 No. 2581

The Building Society Insolvency
(England and Wales) Rules 2010

PART 18

COURT PROCEDURE AND PRACTICE

CHAPTER 1

APPLICATIONS (GENERAL)

Preliminary

182. This Part applies to any application made to the court under Part 2 of the Banking Act or these Rules except an application under section 95 of the Banking Act for a building society insolvency order.

Interpretation

183. Apply rule 7.2 of the 1986 Rules⁽¹⁾. In paragraph (1) ignore from the second “and” to the end of the paragraph.

Form and contents of application

184. Apply rule 7.3 of the 1986 Rules.

Application under section 176A(5) to disapply section 176A

- 185.**—(1) Apply rule 7.3A⁽²⁾ of the 1986 Rules.
(2) In paragraph (1), ignore “administrator or receiver.”
(3) Ignore paragraph (2)(a).

Filing and service of application

186. Apply rule 7.4 of the 1986 Rules.

Notice of application under section 176A(5)

187. Apply rule 7.4A⁽³⁾ of the 1986 Rules. Leave out the words from “save that notice” to the end.

(1) Rule 7.2 was amended by [S.I. 2009/642](#).
(2) Rule 7.3A was inserted by [S.I. 2003/1730](#).
(3) Rule 7.4A was inserted by [S.I. 2003/1730](#).

Other hearings without notice

188. Apply rule 7.5 of the 1986 Rules.

Hearing of application

189. Apply rule 7.6 of the 1986 Rules.

Use of evidence

190. Apply rule 7.7 of the 1986 Rules.

Filing and service of witness statements

191. Apply rule 7.8 of the 1986 Rules. Ignore paragraph (2).

Use of reports

192.—(1) Unless the application involves other parties, or the court orders otherwise, a report may be filed in court instead of a witness statement by—

- (a) the building society liquidator,
- (b) the provisional building society liquidator, or
- (c) the special manager.

(2) In any case where a report is filed instead of a witness statement, the report shall be treated for the purposes of rule 191, and any hearing before the court, as if it were a witness statement.

Adjournment of hearings: directions

193. Apply rule 7.10 of the 1986 Rules. In paragraph (2)(c)(iii), for “Rule 7.9(1)(b)” substitute “Rule 192(1) of the 2010 Rules”.