
STATUTORY INSTRUMENTS

2010 No. 686

The Insolvency (Amendment) Rules 2010

Citation and commencement

1. These Rules may be cited as the Insolvency (Amendment) Rules 2010 and come into force on 6th April 2010.

Amendments to and revocations in the Insolvency Rules 1986

2. The Insolvency Rules 1986(1) (“the 1986 Rules”) are amended as set out in Schedule 1 to these Rules.

3. Schedule 2 to these Rules contains new forms substituted for existing forms as provided in paragraph 558 of Schedule 1 to these Rules.

4. After Part 12 to the 1986 Rules insert Part 12A as set out in Schedule 3 to these Rules.

5. The following Rules in the 1986 Rules are revoked—

in Part 1, Rule 1.2;

in Part 2, Rule 2.73;

in Part 3, Rules 3.36 to 3.38;

in Part 4, Rules 4.77, 4.148B, 4.175, 4.190 and 4.223;

in Part 5, Rules 5.15, 5.16 and 5.44;

in Part 6, Rules 6.20, 6.36, 6.99, 6.102 and 6.235;

in Part 7, Rules 7.2, 7.18, 7.53, 7.54, 7.57 and 7.58;

in Part 12, Rules 12.4 to 12.17, 12.19, 12.20 and 12.22.

Transitional provisions

6.—(1) The transitional provisions in Schedule 4 to these Rules have effect.

(2) Rule 4.54(6)(a) (notice of meeting in winding up to be gazetted) does not apply where the notice is of a meeting to be held under section 93 or 105 (annual meetings in voluntary liquidations)(2).

Special administration regimes and old administrations

7. Schedule 5 to these Rules has effect in respect of companies and societies listed in section 249(1) of the Enterprise Act 2002(3) and any case in which a petition for an administration order was presented before 15th September 2003.

(1) [S.I. 1986/1925](#); relevant amending instruments are [S.I. 1987/1919](#), [1993/602](#), [1999/359](#), [1022](#), [2001/763](#), [2002/1307](#), [2712](#), [2003/1730](#), [2004/584](#), [1070](#), [2005/527](#), [2006/1674](#), [2009/642](#), [2472](#).

(2) Sections 93 and 105 will cease to have effect in respect of the voluntary winding up of companies registered in England and Wales where the resolution is passed on or after 6th April 2010, by virtue of [S.I. 2010/18](#), articles 6(2) and (4) and 12(2).

(3) [2002 c. 40](#); paragraph (aa) of section 249(1) was inserted by [2003 c. 37](#), s. 101 and Schedule 8, paragraph 55(1) and (3).

Amendments to the Insolvency (Amendment) Rules 2009

8.—(1) Rule 3 of the Insolvency (Amendment) Rules 2009(4) is amended as follows.

(2) In paragraph (1), for “paragraph (2)” substitute “paragraphs (1A) and (2)”.

(3) After paragraph (1) insert—

“(1A) On and after 6th April 2010, the amendment made by Rule 62 of these Rules to the principal Rules applies in respect of an advertisement appearing in the Gazette or a newspaper after that date where before 6th April 2009 the conditions contained in paragraph (1)(a) or (b) of this Rule were met.”.

3rd March 2010

Jack Straw
Lord Chancellor and Secretary of State for
Justice
Ministry of Justice

I concur, by the authority of the Lord Chief Justice

3rd March 2010

The Rt Hon Sir Andrew Morritt
The Chancellor of the High Court

I concur, {on behalf of the Secretary of State}

3rd March 2010

Ian Lucas
Minister for Business and Regulatory Reform
Department for Business, Innovation and Skills