
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 12

COURT PROCEDURE AND PRACTICE

CHAPTER 11

Court orders, formal defects and shorthand writers

[Note: a document required by the Act or these Rules must also contain the standard contents set out in Part 1.]

Court orders

12.63. Notwithstanding any requirement in these Rules as to the contents of a court order the court may make such other order or in such form as the court thinks just.

Formal defects

12.64. No insolvency proceedings will be invalidated by any formal defect or any irregularity unless the court before which objection is made considers that substantial injustice has been caused by the defect or irregularity and that the injustice cannot be remedied by any order of the court.

Shorthand writers: nomination etc.

12.65.—(1) The court may in writing nominate a person to be official shorthand writer to the court.

(2) The court may, at any time in the course of insolvency proceedings, appoint a shorthand writer to take down evidence of a person examined under section 133, 236, 251N, 290(1) or 366.

(3) Where the official receiver applies to the court for an order appointing a shorthand writer, the official receiver must name the person the official receiver proposes for the appointment.

(4) The remuneration of a shorthand writer appointed in insolvency proceedings must be paid by the party at whose instance the appointment was made, or out of the insolvent estate, or otherwise, as the court may direct.

(5) Any question arising as to the rates of remuneration payable under this rule must be determined by the court.