
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 1

SCOPE, INTERPRETATION, TIME AND RULES ABOUT DOCUMENTS

CHAPTER 9

Delivery of documents and opting out (sections 246C, 248A(1), 379C and 383A(2))

Proof of delivery of documents

1.52.—(1) A certificate complying with this rule is proof that a document has been duly delivered to the recipient in accordance with this Chapter unless the contrary is shown.

(2) A certificate must state the method of delivery and the date of the sending, posting or delivery (as the case may be).

(3) In the case of the official receiver or the adjudicator the certificate must be given by—

- (a) the official receiver or the adjudicator; or
- (b) a member of the official receiver's or adjudicator's staff.

(4) In the case of an office-holder other than the official receiver or the adjudicator the certificate must be given by—

- (a) the office-holder;
- (b) the office-holder's solicitor; or
- (c) a partner or an employee of either of them.

(5) In the case of a person other than an office-holder the certificate must be given by that person and must state—

- (a) that the document was delivered by that person; or
- (b) that another person (named in the certificate) was instructed to deliver it.

(6) A certificate under this rule may be endorsed on a copy of the document to which it relates.

(1) Section 246C was inserted by section 124(3) of the Small Business, Enterprise and Employment Act 2015 (c.26) and section 248A was inserted by section 124(4) of the same Act.

(2) Section 379C was inserted by section 125(3) of the Small Business, Enterprise and Employment Act 2015 and section 383(A) was inserted by section 125(4) of the same Act.