
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 10

BANKRUPTCY

CHAPTER 10

Income payments orders

Variation of order

10.112.—(1) If an income payments order is made under section 310(3)(a), and the bankrupt does not comply with it, the trustee may apply to the court for the order to be varied, so as to take effect under section 310(3)(b) as an order to the payer of the relevant income.

(2) The trustee's application under this rule may be made without notice to any other party.

(3) The order must contain—

- (a) identification details for the proceedings;
- (b) identification and contact details for the trustee who made the application;
- (c) the name and address of the payer;
- (d) a statement that the applicant is the trustee of the bankrupt;
- (e) the date of the income payments order;
- (f) a statement that it appears to the court that the bankrupt has failed to comply with the income payments order;
- (g) the order that the income payments order be varied to the effect that the payer specified in this order do take payment in accordance with the payments schedule detailed in this order out of the bankrupt's income and that the first instalment must be paid on the date specified in the order; and that the payer must deliver the sums deducted to the trustee; and
- (h) the date of the order.

(4) The court must deliver sealed copies of any order made on the application to the trustee and the bankrupt as soon as reasonably practicable after the order is made.

(5) In the case of an order varying or discharging an income payments order made under section 310(3)(b), the court must deliver an additional sealed copy of the order to the trustee, for delivery as soon as reasonably practicable to the payer of the relevant income.