
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 10

BANKRUPTCY

CHAPTER 2

CREDITORS' BANKRUPTCY PETITIONS

Preliminary

Contents of bankruptcy order

10.31.—(1) The bankruptcy order must identify the proceedings and contain—

- (a) the name and address of the petitioner;
- (b) the date of the presentation of the petition;
- (c) the details of the debtor as provided under rule 10.8(1)(a) to (g);
- (d) the order that the person named is made bankrupt;
- (e) the order either—
 - (i) that the court being satisfied that the EC Regulation applies declares that the proceedings are main, secondary or territorial proceedings (as the case may be) as defined in Article 3 of the EC Regulations, or
 - (ii) that the court is satisfied that the EC Regulation does not apply in relation to the proceedings;
- (f) a statement that the official receiver (or one of them) attached to the court is by virtue of the order trustee of the bankrupt's estate;
- (g) a notice of the bankrupt's duties in relation to the official receiver under section 291(1), and in particular to the bankrupt's duty to give the official receiver such inventory of the bankrupt's estate and such other information, and to attend on the official receiver at such times, as the official receiver may reasonably require; and
- (h) the date and time of the order.

(2) If the petitioner is represented by a solicitor the order is to be endorsed with the name, address, telephone number and reference of the solicitor.

(3) Subject to section 346(2) (effect of bankruptcy on enforcement procedures), the order may include provision staying any action or proceeding against the bankrupt.

(1) Section 291 subsections (1) to (3) are omitted by paragraph 4 of Schedule 10 to the Small Business, Enterprise and Employment Act 2015 (c.26).

(2) Section 346(1) to (4) is amended by paragraph 39 of Schedule 19 of the Enterprise and Regulatory Reform Act 2013 (c.24).

Status: *This is the original version (as it was originally made).*
