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STATUTORY INSTRUMENTS

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**2016 No. 1024**

**The Insolvency (England and Wales) Rules 2016**

**PART 10**

**BANKRUPTCY**

**CHAPTER 4**

The interim receiver

**Remuneration**

**10.53.**—(1) The remuneration of an interim receiver (other than the official receiver) must be fixed by the court from time to time on application of the interim receiver.

(2) In fixing the remuneration of the interim receiver, the court must take into account—

- (a) the time properly given by the interim receiver and staff of the interim receiver in attending to the debtor's affairs;
- (b) the complexity of the case;
- (c) any respects in which, in connection with the debtor's affairs, there falls on the interim receiver any responsibility of an exceptional kind or degree;
- (d) the effectiveness with which the interim receiver appears to be carrying out, or to have carried out, the duties of the interim receiver; and
- (e) the value and nature of the property with which the interim receiver has to deal.

(3) Without prejudice to any order the court may make as to costs, the interim receiver's remuneration (whether the official receiver or another) must be paid to the interim receiver, and the amount of any expenses incurred by the interim receiver (including the remuneration and expenses of any special manager appointed under section 370(1)) reimbursed—

- (a) if a bankruptcy order is not made, out of the property of the debtor; and
- (b) if a bankruptcy order is made, out of the bankrupt's estate in the prescribed order of priority; or
- (c) in either case (the relevant funds being insufficient), out of any deposit under rule 10.50.

(4) Unless the court otherwise directs, if a bankruptcy order is not made, the interim receiver may retain out of the debtor's property such sums or property as are or may be required for meeting the remuneration and expenses of the interim receiver.

(5) Where a person other than the official receiver has been appointed interim receiver, and the official receiver has taken any steps for the purpose of obtaining a statement of affairs or has performed any other duty under these Rules, the interim receiver must pay the official receiver such sum (if any) as the court may direct.

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**Status:** *This is the original version (as it was originally made).*

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