
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 12

COURT PROCEDURE AND PRACTICE

CHAPTER 2

Commencement of insolvency proceedings in the County Court

Allocation of proceedings to the London Insolvency District

12.5. The following proceedings are allocated to the London Insolvency District—

- (a) bankruptcy petitions or applications in relation to a debt relief order under section 251M (powers of court in relation to debt relief orders) or 251N (inquiry into debtor's dealings and property) where—
 - (i) the debtor is resident in England and Wales and within the six months immediately preceding the presentation of the petition or the making of the application the debtor carried on business within the area of the London Insolvency District—
 - (aa) for the greater part of those six months, or
 - (bb) for a longer period in those six months than in any other insolvency district,
 - (ii) the debtor is resident in England and Wales and within the six months immediately preceding the presentation of the petition or the making of the application the debtor did not carry on business in England and Wales but resided within the area of the London Insolvency District for—
 - (aa) the greater part of those six months, or
 - (bb) a longer period in those six months than in any other insolvency district,
 - (iii) the debtor is not resident in England and Wales but within the six months immediately preceding the presentation of the petition or the making of the application carried on business within the area of the London Insolvency District,
 - (iv) the debtor is not resident in England and Wales and within the 6 months immediately preceding the presentation of the petition or the making of the application did not carry on business in England and Wales but resided within the area of the London Insolvency District, or
 - (v) the debtor is not resident in England and Wales and within the 6 months immediately preceding the presentation of the petition or the making of the application the debtor neither carried on business nor resided in England and Wales;
- (b) creditors' bankruptcy petitions presented by a Minister of the Crown or a Government Department, where either—

- (i) in any statutory demand on which the petition is based the creditor has indicated the intention to present a bankruptcy petition to a court exercising jurisdiction in relation to the London Insolvency District, or
 - (ii) the petition is presented under section 267(2)(c) on the grounds specified in section 268(1)(b);
- (c) bankruptcy petitions—
- (i) where the petitioner is unable to ascertain the place where the debtor resides or, if the debtor carries on business in England and Wales, both where the debtor resides and where the debtor carries on business, or
 - (ii) where the debtor is a member of a partnership and—
 - (aa) the partnership is being wound up by the High Court sitting in London; or
 - (bb) a petition for the winding up of the partnership has been presented to the High Court sitting in London and at the time of the presentation of the bankruptcy petition, the petition for the winding up of the partnership has not been fully disposed of; and
- (d) bankruptcy petitions based on criminal bankruptcy orders under section 264(1)(d).