
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 12

COURT PROCEDURE AND PRACTICE

CHAPTER 9

Enforcement procedures

Warrants under sections 134 and 364

12.54. When a person (“the arrested person”) is arrested under a warrant issued by the court under section 134 (officer of company failing to attend for public examination), or section 364 (arrest of debtor or bankrupt)—

- (a) the arresting officer must give the arrested person into the custody of—
 - (i) the court in a case where the court is ready and able to deal with the arrested person, or
 - (ii) where the court is not ready and able, the governor of the prison named in the warrant (or where that prison is not able to accommodate the arrested person, the governor of such other prison with appropriate facilities which is able to accommodate the arrested person), who must keep the arrested person in custody until such time as the court orders otherwise and must produce that person before the court at its next sitting; and
- (b) any property in the arrested person’s possession which may be seized must, as directed by the warrant, be—
 - (i) delivered to whoever is specified in the warrant as authorised to receive it, or otherwise dealt with in accordance with the directions in the warrant, or
 - (ii) kept by the officer seizing it pending the receipt of written orders from the court as to its disposal.