
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 14

**CLAIMS BY AND DISTRIBUTIONS TO CREDITORS IN
ADMINISTRATION, WINDING UP AND BANKRUPTCY**

CHAPTER 3

Distribution to creditors in administration, winding up and bankruptcy

Administration and winding up: non-payment of dividend

14.45.—(1) No action lies against the office-holder in an administration or winding up for payment of a dividend.

(2) However, if the office-holder refuses to pay a dividend the court may, if it thinks just, order the office-holder to pay it and also to pay, out of the office-holder's own money—

- (a) interest on the dividend, at the rate for the time being specified in section 17 of the Judgments Act 1838⁽¹⁾, from the time when it was withheld; and
- (b) the costs of the proceedings in which the order to pay is made.

⁽¹⁾ Section 17 has been amended by the Statute Law Revision (No 2) Act 1888 (c.57), article 2 of S.I. 1993/564, article 3 of S.I. 1998/2940, Part 1 of the Schedule to the Civil Procedure Acts Repeal Act 1879 (c.59) and article 3(c) of S.I. 1998/3132.