
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 17

CREDITORS' AND LIQUIDATION COMMITTEES

CHAPTER 3

Membership and formalities of formation of a committee

Liquidation committee established by contributories

17.6.—(1) This rule applies where, under section 141, the creditors do not decide that a liquidation committee should be established, or decide that a committee should not be established.

(2) The contributories may decide to appoint one of their number to make application to the court for an order requiring the liquidator to seek a further decision from the creditors on whether to establish a liquidation committee; and—

- (a) the court may, if it thinks that there are special circumstances to justify it, make such an order; and
- (b) the creditors' decision sought by the liquidator in compliance with the order is deemed to have been a decision under section 141.

(3) If the creditors decide under paragraph (2)(b) not to establish a liquidation committee, the contributories may establish a committee.

(4) The committee must then consist of at least three, and not more than five, contributories elected by the contributories; and rule 17.5 applies, substituting for the reference to rule 17.3 in rule 17.5(8) a reference to this paragraph.