
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 19

Disclaimer in winding up and bankruptcy

Notice of disclaimer to interested persons (sections 178 and 315)

19.3.—(1) The office-holder must deliver a copy of the notice of disclaimer within seven business days after the date of the notice to every person who (to the office-holder's knowledge)—

- (a) claims an interest in the disclaimed property;
- (b) is under any liability in relation to the property, not being a liability discharged by the disclaimer; and
- (c) if the disclaimer is of an unprofitable contract, is a party to the contract or has an interest under it.

(2) If it subsequently comes to the office-holder's knowledge that a person has an interest in the disclaimed property which would have entitled that person to receive a copy of the notice under paragraph (1) then the office-holder must deliver a copy to that person as soon as reasonably practicable.

(3) If it subsequently comes to the office-holder's knowledge that a person has an interest in the disclaimed property which would have entitled that person to receive a copy of the notice under rule 19.4 or 19.5 then the office-holder must serve a copy on that person as soon as reasonably practicable.

(4) The office-holder is not required to deliver or serve a copy of a notice under paragraph (2) or (3) if—

- (a) the office-holder is satisfied that the person has already been made aware of the disclaimer and its date, or
- (b) the court, on the office-holder's application, orders that delivery or service of a copy is not required in the particular case.