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STATUTORY INSTRUMENTS

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**2016 No. 1024**

**The Insolvency (England and Wales) Rules 2016**

**PART 19**

**Disclaimer in winding up and bankruptcy**

**Application by interested party for decision on disclaimer (sections 178(5) and 316)**

**19.9.**—(1) This rule applies where an interested party makes an application under section 178(5) (winding up) or section 316 (bankruptcy) to the office-holder in respect of any property.

(2) The applicant must deliver the application to the office-holder and must provide proof of delivery in accordance with rule 1.52 if requested.

(3) If in a bankruptcy the trustee cannot disclaim the property concerned without the court's permission and the trustee applies for permission within the period of 28 days mentioned in section 316(1)(b), then the court must extend the time allowed for giving notice of disclaimer to a date not earlier than the date fixed for hearing the application.