
STATUTORY INSTRUMENTS

2016 No. 1024

The Insolvency (England and Wales) Rules 2016

PART 20

Debtors and their families at risk of violence: orders not to disclose current address

Bankruptcy and debt relief proceedings (order for non-disclosure of current address)

20.6.—(1) For the purposes of this rule, “debtor” means a person subject to a bankruptcy order, a debt relief order, a bankruptcy restrictions order, a debt relief restrictions order, a bankruptcy restrictions undertaking or a debt relief restrictions undertaking.

(2) The following may make an application for an order as set out in paragraph (4) for the non-disclosure of the debtor’s current address—

- (a) the debtor;
- (b) the official receiver; or
- (c) in respect of a bankruptcy order, a bankruptcy restrictions order or a bankruptcy restrictions undertaking, the trustee or the Secretary of State.

(3) The application must be accompanied by a witness statement referring to this rule and containing sufficient evidence to satisfy the court that rule 20.1(1) applies.

(4) If the court is satisfied that the circumstances set out in rule 20.1(1) apply, the court may order that—

- (a) the debtor’s current address must be omitted from—
 - (i) any part of the court file or bankruptcy file of the proceedings in relation to the debtor which is open to inspection,
 - (ii) the debtor’s identification details entered or required to be entered on the individual insolvency register under rule 11.16 (bankruptcy orders), rule 11.18 (debt relief orders), or the bankruptcy restrictions register or the debt relief restrictions register under 11.20 (as the case may be), and
 - (iii) the details in respect of the debtor to be entered in the bankruptcy order or debt relief order;
- (b) the full title of the proceedings must be amended by the omission of the debtor’s current address; and
- (c) where there is a requirement in these Rules to identify the debtor, the debtor’s identification details must not include the debtor’s current address.

(5) Where the court makes an order under paragraph (4), it may further order that such other details of the debtor’s addresses or whereabouts as the court thinks just, including details of any address at which the debtor has previously resided or carried on business, are to be included in—

- (a) the full title of any proceedings;
- (b) the details in respect of the debtor kept on or to be entered on the relevant register; or

(c) the description of the debtor to be inserted in the bankruptcy order or the debt relief order.