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STATUTORY INSTRUMENTS

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**2016 No. 1024**

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

**PART 3**

**ADMINISTRATION**

**CHAPTER 12**

**Replacing the administrator**

**Application to court to remove administrator from office**

**3.65.**—(1) An application for an order under paragraph 88 of Schedule B1 that the administrator be removed from office must state the grounds on which the order is requested.

(2) A copy of the application must be delivered, not less than five business days before the date fixed for the hearing—

- (a) to the administrator;
  - (b) to the person who—
    - (i) made the application for the administration order, or
    - (ii) appointed the administrator;
  - (c) to the creditors' committee (if any);
  - (d) to any continuing administrator appointed to act jointly or concurrently; and
  - (e) where there is neither a creditors' committee nor a continuing administrator appointed, to the company and the creditors, including any floating charge holders.
- (3) The court must deliver to the applicant a copy of any order removing the administrator.
- (4) The applicant must deliver a copy—
- (a) as soon as reasonably practicable, and in any event within five business days of the copy order being delivered, to the administrator; and
  - (b) within five business days of the copy order being delivered, to—
    - (i) all other persons to whom notice of the application was delivered, and
    - (ii) the registrar of companies.